A SOCIO–HISTORICAL ANALYSIS OF JEWISH BANDITRY IN FIRST CENTURY PALESTINE: 6 TO 70 CE

By

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DECLARATION

I, Lawrence Ronald Lincoln, the undersigned, hereby declare that the work contained in this thesis is my own original work and has not previously in its entirety or in part been submitted at any university for a degree.

Signature: _____ Date: _____

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ABSTRACT

This thesis sets out to examine, as far as possible within the constraints of a limited study such as this, the nature of the Jewish protest movement against the occupation of their homeland by the Roman Empire in the years after the territory had become a direct province of the Empire. These protests were mainly instigated by and initially led by Jewish peasants who experienced the worst aspects of becoming a part of the larger Roman world. This study will argue that Roman rule fundamentally threatened the survival of the peasantry on a number of fronts: political, economic, social and religious. It will be further argued that the Jewish bandits were not unique in this respect and that banditry and peasant revolts were common in the ancient world and down to modern times.

The study of peasant protest movements is a relatively new field in historical/social studies and there have been a few attempts made to create models and frameworks in order to deal with the complexities of trying to explain and understand how societies disintegrate and resort to extra-legal activities in challenging the status quo. An interesting sociological model was first proposed by Eric Hobsbawm which he called social banditry in which he typecast certain kinds of bandits. This thesis will examine this model against the background of the scant information available and determine whether this model is applicable to the Jewish bandits of the first century. It will be further argued that the brigandage and descent into political chaos and violence should be seen not merely as isolated bandit attacks and provocations, but against the wider backdrop of a society at odds with itself and its inability

to adapt to the exigencies imposed on it by a foreign occupying power.

This thesis will look at banditry from a broad historical perspective in antiquity and then examine the precise historical, social, political and religious circumstances that prevailed in Palestine prior to and after the Romans imposed direct rule over the Jewish territories. Banditry will be examined as a general phenomenon of antiquity and the Roman world, in particular. In doing so, it will be necessary to engage with the works of Josephus who provided a uniquely full record of these times, albeit one that presents it own sets of challenges. This study will examine Josephus's narrative in relation to the literary traditions and conventions of history writing of his age and argue that his interpretation of the bandits and the bandit groups and their actions matched those of other authors from antiquity when dealing with challenges to state power.

An alternative framework will be used by which it will be suggested that the Jewish bandits and their activities should rather be seen as part of a process of a widespread rural protest movement. Although this framework was developed for use in examining modern peasant movements, it will be demonstrated that it is remarkably applicable to the political, economic, social and ideological circumstances of first century Palestine. This thesis will conclude with a section in which modern banditry is described with the aim of demonstrating that given the right set of circumstances, banditry as a phenomenon, with the consequent breakdown of civil disorder, is universal throughout the world and throughout all times.

OPSOMMING

Hierdie tesis poog, om so ver moontlik binne die begrensinge van ‘n beperkte studie soos die, die aard van die Joodse protesbeweging teen die besetting van hulle tuisland deur die Romeinse Ryk te ondersoek in die jare nadat die gebied ‘n direkte provinsie van die Ryk geword het. Hierdie proteste is hoofsaaklik aangehits en aanvanklik gelei deur Joodse landbewoners wat die ergste aspekte beleef het van deel word van die groter Romeinse wêreld. Hierdie studies sal aanvoer dat die Romeinse Ryk die oorlewing van die kleinboere fundamenteel op ‘n aantal fronte bedrieg het: polities, ekonomies, sosiaal en religieus. Dit sal verder aanvoer dat die Joodse struikrowers nie uniek in hierdie aspek was nie, maar dat rowery en plattelandse opstande redelik algemeen was in die antieke wêreld en selfs tot in moderne tye.

Die studie van protesbewegings onder landbewoners is ‘n relatiewe nuwe veld in histories/sosiale studies en ‘n paar pogings is aangewend om modelle en raamwerke te skep om met die kompleksiteite te behandel ten einde te probeer verduidelik en te verstaan hoe samelewings disintegreer en hulle na buitewetlike aktiwitiete wend om die status quo uit te daag. ‘n Interessante sosiologiese model is die eerste keer deur Eric Hobsbawn voorgestel; hy het dit “sosiale rowery” genoem en sekere tipes rowers daarin getipeer. Hierdie tesis sal die model teen die agtergrond van die karige inligting beskikbaar, ondersoek en bepaal of dit toepaslik is op die Joodse rowers van die eerste eeu. Dit sal verder aanvoer dat die struikrowery en verval tot politieke chaos en geweld nie net as geïsoleerde roweranvalle en uittarting gesien moet word nie, maar teen die wyer agtergrond van ‘n samelewing in

stryd met hulleself en hulle onvermoë om aan te pas by die vereistes wat deur ´n vreemde bessettingsmag op hulle afgedwing is.

Hierdie tesis sal rowery vanuit ‘n breë historiese perspektief in die oudheid bekyk en sal dan die presiese historiese, sosiale, politiese en geloofsomstandighede ondersoek wat in Palestina bestaan het tot na die Romeine direkte beheer oor die Joodse gebiede afgedwing het. Rowery sal as ‘n algemene verskynsel in die oudheid en spesifiek in die Romeinse wêreld ondersoek word. Sodoende sal dit nodig wees om aan te sluit by die werke van Josephus wat ‘n unieke volledige rekord verskaf van hierdie tye, al is dit een wat sy eie uitdagings bied. Hierdie studie sal Josephus se verhaal in verhouding tot die literêre tradisies en konvensies van geskiedkundige skrywes van sy tyd ondersoek, en aanvoer dat sy interpretasies van die rowers en rowergroepe en hulle optredes gelykstaande is aan die van ander skrywers van die oudheid wanneer staatsmag uitgedaag is.

‘n Alternatiewe raamwerk sal gebruik word waarin dit voorgestel sal word dat die Joodse rowers en hulle aktiwitiete eerder gesien moet word as ‘n proses van wydverspreide landelike protesbewegings. Alhoewel hierdie raamwerk ontwikkel is om ondersoek in te stel na moderne rowerbewegings, sal dit aangedui word dat dit opmerklik toepaslik is op die politiese, ekonomiese, sosiale en ideologiese omstandighede van eerste eeuse Palestina. Hierdie tesis sal eindig met ‘n afdeling waar moderne rowery beskryf word met die doel om te toon dat, gegewe die regte omstandighede, rowery as ‘n verskynsel en die

daaropvolgende afbreek van siviele orde deur alle tye universeel is.

ABBREVIATIONS

ANRW	*Aufstieg und Niedergang der Römischen Welt.*
CBQ	*Catholic Biblical Quarterly*
DIG	*Digesta*
DSL	*De Specialibus Legibus*
JRS	*Journal of Roman Studies*
JSJ	*Journal for the Studies of Judaism in the Persian, Hellenistic and Roman Period*
NTS	*New Testament Studies*

CHAPTER 1

1.1 INTRODUCTION

The two significant events from first century Palestine that had a profound impact on history down to modern times, both came about as the result of peasant uprisings. In the first, Jewish peasants, frustrated by years of political and economic instability, together with constant attacks against their religious sensibilities, finally rose up against the might of Roman oppression in a bloody revolt which lasted from 66 - 70 CE. The second event was set in motion by the teachings of Jesus, a Jew from Galilee, who inspired his followers after his death to establish a religion which would subsequently become the dominant faith of the western tradition.

The war against Rome resulted in the devastation of Palestine, the destruction of the temple and the end of a Jewish homeland in Palestine for more than two thousand years. Without the temple as its central focus, the Jewish faith reconstructed itself into a form of Talmudic or Rabbinical Judaism in order to continue the collective religious, cultural and legal traditions of the Mosaic code and the Hebrew Scriptures. The Christian movement eventually turned its back on its Jewish roots and spread its unique identity throughout the Roman world and beyond by teaching the word of Jesus through its own set of religious literature, the Gospels. Both these historically critical events came about as the direct result of a long series of uprisings, revolts and disturbances by the Jewish peasantry.

Notwithstanding the great deal of research that has gone in to understanding the Jewish revolt and the second temple period, much of this research has focussed on the study of groups, elites and the minority literary strata and in particular, the theological aspects concerning this period. Our knowledge and understanding of the late second temple period has been traditionally based on the historical works of Josephus, the Jewish scriptures, the Christian Gospels and an assortment of relatively lesser important Graeco-Roman documentary evidence from the period. More recent archaeological studies, and in particular the interpretations of the Dead Sea Scrolls has greatly expanded our knowledge of the period.

However, the complexity of Palestinian Jewish society as well as the intricate series of events leading to the Jewish revolt has not been adequately addressed until fairly recent times. The fact is that first century Jewish Palestine, although a minor outpost on the edges of the Roman Empire was very different in many respects from the other territories under Roman control and influence. The Jewish people were uniquely different in many ways and Rome became increasingly frustrated in its attempts to try and pacify this small, headstrong, and occasionally rebellious people on the periphery of its domains.

It is very difficult to speak of a Palestinian Jewish people as this term seriously under-estimates the intricacies of what this society was composed of. Traditional treatments of Jewish society have focussed their efforts largely on explaining and understanding the priestly aristocracy, the major groupings such as the Pharisees and the Sadducees, and the way these groups interacted amongst themselves and as client rulers for

the Romans. Nevertheless, demographically these groups represented only a very small portion of Jewish society, as the largest group was the Jewish peasantry which comprised some 90-95% of the total population, as was the accepted norm for ancient agrarian societies (Horsley 1993: *ix*). Nor is it possible to paint a coherent picture of Judaism based only on the literary output of a few individuals and groups who represented a small section of the social structure.

The Jewish peasantry was largely illiterate, desperately poor, and increasingly landless and burdened by taxes that were mainly spent on supporting the lifestyle of the priestly elites and other aristocratic groupings. Yet, it was this social group that represented the dynamic force which provided the inspiration and energy to undermine and confront the power of Rome, at first by means of a series of unconnected rebellious actions, and later by becoming part of the general outbreak of a full scale war in 66CE.

Ancient historical sources did not devote themselves to analytical studies of peasant life and if even aware of their existence, generally viewed the "common people" as not sufficiently noteworthy for a reading audience that mirrored their own privileged literary position. The ancients did not compartmentalize life into definable sectors of human endeavour like economics, political, social and religious, but saw all of life and its doings as a unified whole. Scholars of antiquity are challenged to create workable models that will make ancient societies comprehensible in the present.

It was only in the 1950's that social sciences started to pay serious attention to the nature of peasant societies (Harland

2002: 511). Since then social scientific studies that have had an influence for scholars of Judaism and Christianity of the first century have been, most notably Robert Redfield's *Peasant Society and Culture* (1956) and Eric Wolf's anthropological study, *Peasants* (1966), to name but a few (Harland 2002: 513). The two recent works that have challenged the conventional views regarding Jewish bandits and the rural protest movements have been by Richard Horsley with John Hanson, *Bandits, Prophets and Messiahs* (1985, 1999) and Horsley's *Jesus and the Spiral of Violence* (1987, 1993). In both these works, Horsley has examined the rise and development of the social conflict in Palestine by means of a detailed examination of the historical narrative of Josephus and re-evaluated these by means of a sociological approach using relatively recent modern analytical tools in order to arrive at a clearer understanding of the nature of the conflict and the peasant population who were the main dynamic force that led to the revolt in 66 CE.

The standard interpretation for the various bandit movements which Josephus described as being one of the major causes of the disintegration of Jewish society and cause of the war against Rome, have traditionally been interpreted as a wide-spread political and religious movement called the Zealots.[1]

According to this view, the zealots can be traced back in a long line to the 'Fourth Philosophy' which was founded by Judas the Galilean and who were described by Josephus at

[1] M. Hengel: (1961) has been the leading and most influential commentator to hold this view in which he uses the terms bandits, Sicarii and zealots as if they were one and the same thing.

various times as bandits, brigands and Sicarii who conspired together to bring about the revolt against Roman rule in 66 CE. Horsley argues that this approach was used to place either a theological or political spin on the events. On the one hand it meant that theologians and scholars could separate Jesus from the accusation of being associated with rebels, zealots and brigands and others in opposition to Roman and Jewish authorities by depicting him as a non-violent pacifist, ('love thy enemy'); while on the other hand it also served as a political means of linking the zealots with more modern movements for Jewish liberation, such as the Zionist movement, and in order to establish a powerful metaphor for Jewish resilience and bravery against untold odds for co-religionists who were prepared to lay down their lives for freedom and national liberation, much like the Sicarii were alleged to have done at Masada (Horsley 1993: *x*).

While there exists an extensive body of literature on one sector of ancient Jewish Palestinian society, that is the elite religious and ruling strata, there is a great deal that remains to be researched about the largest group of the people, the peasants. This work intends to focus primarily on the rural protest movements carried out largely by these peasant protagonists that subsumed Palestine in the years between 6 and 66 CE. These rural revolts took on a number of forms, amongst which a peculiar form known as social banditry, a view largely promoted by Horsley, played a leading part in contributing to the breakdown of law and order in the countryside. Whilst this certainly is a factor to be dealt with in detail, it, on its own does not provide sufficient grounds for explaining how unconnected bandit-like actions and unrelated protest events resulted in revolution. This work will therefore

attempt to analyze the peasant rural uprising on a number of fronts in order to adequately address the historical complexities of the situation on the one hand and on the other, arrive at an adequate sociological understanding of rural social unrest in ancient peasant societies. Attention will also be focussed on the phenomenon of banditry as it occurred in the Roman world in general and the political, military and legal reactions to it, with special reference to how banditry was reported on and portrayed by the literate Graeco-Roman writers of the antiquity.

1.2 THE RESEARCH PROBLEM

Banditry in its various forms is the most primitive form of organized social protest by rural peasant populations (Hobsbawm 1959: 13). According to Josephus, banditry was one of the major causes that led to the deterioration in the relationship between the rural populace of Palestine and the Jewish elites on the one hand, and the Roman authorities, on the other. Widespread rural unrest became the constant backdrop in the years leading up to the war with Rome.[2]

However, the literature on this period has largely focussed on studies of the life and work of Josephus, the historical

[2] Examples of occurrences of modern variants of social banditry include, amongst others, north-eastern Brazil where banditry reached epidemic proportions in the 1870's until it abated in 1940; also in South America, banditry in Colombia in the 1940's became part of the anarchy leading to independence in that country; Macedonia in the early part of the twentieth century also had a large number of bandit groups; the Andalusian resistance to Franco's regime after the Spanish civil war were replete with bandits.

narrative, and the religious dimension. So, although we know a great deal about the Pharisees, for example, we know very little about the rural peasants and the urban poor, who formed the vanguard of the struggle against the oppressiveness of Roman rule. It is only recently that a number of attempts have been made to examine the historical, political and social world of bandits and banditry in first century Palestine and the role this played in the dramatic period that led to the outbreak of hostilities in 60 CE.

Except for Richard Horsley, who in a number of important works, attempts to explain the violence and unrest of those years, there are few other scholars who have dealt with the topic of Jewish Palestinian banditry of the first century per se, beyond devoting a chapter or two, albeit that these may be important contributions in themselves. Banditry in effect, can be described as merely one of the symptoms of the failure of a society in which the political, social and cultural milieu could not adequately address the compelling issues and crises faced by a nation undergoing fundamental changes.

This work will deal largely with the topic of banditry in first century Palestine, by attempting to contextualise it as an intrinsic part of a widespread rural protest movement that led to the outbreak of formal hostilities against Rome. The political, social and religious upheavals that accompanied these events were complex processes and in order to understand the reality of protest and revolt amongst the peasant population of those times, it will be necessary to investigate it on a number of fronts:

1. How did Rome perceive crime and banditry and how did the Roman military, political and legal systems deal with this?

2. Was there a distinctly Jewish view on banditry and if so, how did they deal with a situation in which they had little control of events?

3. Are there existing sociological models that are able to effectively explain the social realities of ancient phenomenon like banditry?

4. Who were the Jewish bandits and what motivated large sections of the rural populace to participate in protest and rebellion against the most powerful army in the world?

5. Lastly, but perhaps most crucially, how did Josephus interpret the incidents of Jewish banditry in light of his own experiences as a participant of the events that he described and to what extent was his writing influenced in this by the wider cultural impact of the Roman milieu he lived in?

1.3 METHODOLOGY

The approach proposed for this study will be to achieve a balance between the historical narrative and the application of appropriate analytical tools in an attempt to understand the social conflicts that led to the rise of brigandage among the Jewish peasantry and the contributing factors that led to the

rise of peasant movements as agents of revolutionary change in Palestine. As with most attempts at a social history of ancient societies and in particular, of selected social groups from antiquity, there are a number of limiting factors that stand in the way of such a study.

The first of these is the fact that the Jewish peasantry left no literature behind, except what can be gleaned from the religious literature and a few lesser important sources. The only major non-religious source at our disposal is the works of Josephus. These are immensely problematic and a field of study in their own right. The principal problem with Josephus is his apparent bias and lack of objectivity, despite his personal commitment as an historian to tell the truth in accurately relating the events he wrote about. To reassure his readers, he pointedly noted that Titus himself had decreed that his (Josephus's) works should become the official version of the Jewish War and he quotes from a royal reference from Agrippa I, who in sixty-two letters praised him for his accuracy in the retelling of Jewish history. (Life 360-366). Josephus's claim to objectivity however, needs to be treated with a great deal of circumspection as his narrative of the war, and in particular that of the revolutionaries, are biased and written to conform to his pro-Roman and upper-class sympathies. As Bilde put it, Josephus had a passionate interest in history, although he interpreted the topics he dealt with in line with his own understanding and interpretation, but one cannot on that basis alone reject his historical account of the events that he lived through and experienced (Bilde 1988: 197-199). Josephus was not unique in terms of ancient historiography as the writing of histories by contemporaries who had participated in the political and military events of their time

became an accepted genre, as was the case with Thucydides, Polybius, Sallust and Herodotus, amongst others (Rajak 2002: 5). However, unlike the modern precedent whereby political and military memoirs are de rigueur, the accuracy of these events and the reliability, veracity and potential bias of these modern historians can be easily checked out by a vast amount of alternative sources (Rajak 2002: 5). We do not have this convenience when dealing with Josephus, but are still left nevertheless with meeting the requirements of the injunction to tell 'how it really was' *(wie es eigentlich gewesen),* as poignantly stated by the eminent historian, Leopold von Ranke (Finley 1986: 47). Josephus's works remain the single most comprehensive literary source we have at our disposal and this study will therefore make extensive use of his narrative of the events and the groups who participated in them. By means of a process of careful reading and analysis, supported by secondary literature, Josephus's works will be used as the narrative framework around which the tumultuous events of the Jewish war will be constructed.

Pectora roborant cultus recti

There are a number of limiting factors when dealing with a social entity such as the 'peasantry'. The first is that the study of peasantry and their social roles is a relatively recent field probably starting in earnest in the 1950's (Horsley and Hanson 1999: *xxxii).* As a starting point, it will be necessary to define peasantry as a social construct, keeping in mind the historical context on the one hand and that we are proposing to analyze the social reality of the ancient world by using modern analytical methods and tools. The first challenge is the term 'peasant' itself, which has become a useful label for historians and social scientists to apply as an identifier of a specific social group without regard for the infinite varieties of social

complexity and reality of human society. It is the equivalent of calling a group 'wealthy.' The problem is that there are different gradations of wealth and there could also be a range of definitions to describe those who are 'wealthy.'[3] However, in order to be practical, historians and social scientists need general accommodating terms by means of which to describe broad general trends, social groups and movements that are easily comprehensible and universally applicable.

In order to analyse and understand the Jewish peasantry as constituting a movement for social and political change in the first century this work will therefore need to focus on three key areas: the first will be to investigate peasantry as a social phenomenon by means of an appropriate analysis of the social, economic, political and religious conditions that define a social construct called 'peasantry'. Secondly, it will be necessary to analyze the concept of a 'social movement' by applying a structured analytical framework as a basis towards explaining the development of banditry and its eventual culmination into a broad front for revolutionary change. The third focus will be on the historical context, and in particular that of the development and extent to which protest and banditry played a role in Jewish history, by relying on the works of Josephus and secondary literature as the narrative basis for the historical content.

Finley described the study of history as a single subject using a variety of techniques that depend on particular questions the historian is trying to answer by using available evidence and a suitable method of presentation (Finley 1986: 59). In

[3] The problem is further compounded by the fact that definitions are a product of the definer: for example, a Marxist vs. non-Marxist would differ substantially on this point.

this case, the method of presentation will balance historical narrative with a sociological analysis in order to provide the structure around which the questions will be answered. Namely, did Jewish banditry conform to a phenomenon described as social banditry; were the occurrences of banditry isolated incidents of peasant unrest; or, were they manifestations of rural peasant movements for change? In terms of social banditry, the model devised by Eric Hobsbawm will be used extensively in order to isolate and examine one particular form of brigandage. For the aspect of rural protest movements, a model proposed by Henry Landsberger will be used in an attempt to portray the rural movements in Palestine in a broader context than mere peasant agitation and rebellion, but rather as a dynamic force for revolutionary change.

The Jewish parts of Palestine were integrated into the Roman Empire and governed either directly as a province or at various times under the tutelage of Pro-Roman regents. After the Hasmonaean period in which the Jews ruled their own affairs as an independent state for a period of one hundred years, the Jewish territories lost their independence and entered into a period of political, social, economic, religious and cultural instability and uncertainty when, in 63 BCE Pompey asserted Roman hegemony in the Near East in order to ensure the security of the Eastern frontiers. Within Judaism itself the influence of Hellenization was partly responsible for ideological divisions between Hellenized Jews and those who wanted to maintain their ancestral ways. The result was that by the second temple period, Judaism had become divided along ideological lines as several major sects fought for control over the national destiny and exacerbated the political

and religious conflict until the final destruction of the Temple brought about the demise of all the sects, bar one, Phariseeism, which continued the tradition as the definitive form of Judaism till current times. Given the fact that there was no separation in ancient times between religion and secular life, the religious dimension played a major role in focusing Jewish sentiments and mobilizing the Jewish peasants into action in the face of continuing provocations by a succession of Roman governors.

Banditry was endemic in the ancient world and was a constant problem that the Roman Empire had to contend with (McMullen 1967: 256). The Roman response to the unrest in Palestine was based on Roman legal concepts and practice and it will be necessary to examine these in order to understand the political and legal context which formed the basis to the Roman response. Likewise, it will also be necessary to touch upon the Jewish legal understanding and basis of dealing with banditry.

1.4 SOURCES

1.4.1 Josephus

The only source of note for the events leading up to and including the revolt, are the collected works of Josephus who was born in 37 CE to a Jewish aristocratic family of priestly descent (*Life*: 1-6). He seems to have been a precocious youth who had a love for learning and interpretation of the Jewish laws and who, according to his autobiographical details, had experimented with the various streams of Judaism

of that time and by the age of nineteen, had committed himself to the Pharisaic movement (*Life*: 7-12). Josephus experienced at first hand many of the events and conflicts that eventually culminated in the anti-Roman revolt in the years 66-73 CE. Indeed, he became an active participant in the war as commander of the Jewish forces in Galilee. Josephus had a vested interest in the outcome of the war both as a committed Jew on the one hand, but also as an individual who was willing to be part of the wider Roman Empire and the Roman world.

Josephus's works record the history of Palestine from the time of the Herods, the years of the Roman governors, the Dead Sea Scrolls and the formation of Rabbinic Judaism, of John the Baptist and Jesus (Rajak 2002: 1). As Rajak describes it: "His (Josephus's) career embodies in a distinct way the principle themes and conflicts of the Roman Middle East during this period: the tension between local patriotism and the claims of the imperial order, between native culture and the allure of Graeco-Roman civilization, between Semitic languages and Greek, between pragmatic flexibility and committed sectarianism, between class loyalty and group loyalty" (Rajak 2002: 1).

1.4.2 Josephus's reliability as an historian

Josephus himself laid great store in the principle of accuracy and truth in the writing of history.[4] Notwithstanding this, a great deal of scholarly research has taken place in order to determine whether Josephus's historiographical practices

[4] These principles are recorded several times, most notably at *Life* 336-339; 357-367; *The Jewish War* 1.1-6; 5.20 and in *Antiquities* 1.1-4; 16.183-187; 20.154-156; *A. Apion* 1.1-56.

conformed to his lofty ideals of accurately and truthfully recording history as he so ardently claimed (*Life* 36-66). According to Bilde, there are two clear schools of thought on this issue: the classical version, in which he was cast 'as poor an historian as he was a person and a Jew' (Bilde 1988: 192). Bilde provides a brief summary of the scholars who advocated this view, most of them from the latter end of the nineteenth century until the middle of the twentieth, when new research started to emerge. Besides Bilde, more recent authors have adopted a more positive view of Josephus. [5]

Bilde supports the view that Josephus, while giving his sources a distinctly Hellenistic flavour, nevertheless applies them to his work with 'caution' and precision. However, he has a tendency to dramatize his stories in order to place them in a context that will be suitable to a Graeco-Roman audience (Bilde 1988: 196). According to Josephus himself, he used the twenty two books of the Bible as a source for the national history of the Jewish people (*Contra Apion* 1.38-44), from the time of the creation to the Persian period and the First Book of Maccabees. The *History* of Nicolaus of Damascus was an important and major source for the period of Herod's reign, as is acknowledged by Josephus (*Antiquities* 14:9; 104 and 16: 183-186). Josephus also used the lost *History* of Strabo extensively, especially in Antiquities (*Antiquities* 14: 35-36;

[5] Scholars, who maintain a negative view of the historical veracity of Josephus's work, were as listed by Bilde: Otto W, 1913 and 1916; Holscher G 1904; Von Destinon 1896 held that Josephus was a copyist of anonymous works. Hengel, 1976 suggests that the value of Josephus's work depended on the accuracy of his sources. Feldman, 1975 claimed that Josephus could not be relied on in matters where he himself was involved. Taking a more positive line on Josephus's veracity as an historian is, Bloch A 1968; Korach L 1895; Thackeray H ST. J 1929; Shutt RJH 1961 and Cohen SJD 1979.

14:111-118). Josephus also relied on his own knowledge of events from a period roughly a generation or so from his own birth in 37 CE (Bilde 1988: 196).

The two major historical works are *The Jewish War* and *Antiquities of the Jews.* The *Jewish War* was his first major work in which he describes the course events leading up to the revolt, the revolt itself and its aftermath. *The Antiquities* was written afterwards and is a broad history of the Jewish people from early beginnings to the outbreak of the war in 66CE. *Life* was written to rebut claims by Justus of Tiberius who was critical of the role Josephus played in the War and deals mainly with the period 66 CE and 67 CE. *Life* agrees in broad outline with the events in War, but there are major differences when it comes to certain details (Grabbe 1992: 372*). Contra Apion*, which was written after *Antiquities*, was composed by Josephus to defend Judaism against remarks made by Apion who was a Greek orator from Alexandria.

Josephus is a contentious and difficult historian to come to terms with, partly because of the varying range of views that have for centuries raged over his reliability as an historian as well as the fact that he was an active participant in the affairs of his day, at a time of great upheaval and stress for the Jews. He adopted a clear political standpoint that, in spite of the onslaughts against key beliefs of the Jewish faith and tradition, it would nevertheless have been futile to challenge the power of the Roman Empire in that the only outcome would have been the destruction and decimation of the Jewish people. As things turned out, he was right of course, but he personally moved on after the cataclysmic events of 73 CE, to become an historian who tried to explain the Jewish point of

view. He became vilified by co-religionists and some commentators as an apologist and propagandist for the Roman imperial cause. Whether there is merit in that argument or not, will not be dealt with in the ambit of this study. Nevertheless, the works of Josephus are the only detailed and comprehensive work on the period upon which to base a study of banditry in Palestine of that era, especially because Josephus blamed banditry as a major cause for the deteriorating relationship between Jews and between the Roman establishment and as one of the major causes for the war.

1.4.3 Other Sources

Jewish Literature

Philo was a Hellenized Jew who held an important position in the Jewish Alexandrian community. He was chosen to head a delegation to the Emperor Caligula in 39 C.E. in order to plead for the cause of the Jewish people who were being persecuted by the Greek populace of Alexandria. In one of his works, *Gaium*, he describes the plan by Caligula to place a statue of himself in the Temple in Jerusalem (7.3.6) As such, he provides another corrobatory source to this incident besides that described by Josephus (*War* 2: 184-203; *Antiquities.* 18: 2-9; 261-309).

Other Jewish writings of this period probably date to the period after the destruction of Jerusalem and do not deal directly with historical events of the era and its relevance lies more in its importance to Jewish religious thought (Grabbe

1992: 375). It is difficult to accurately date these texts since many survive as copies made by Christians in languages other than the original.

New Testament Literature

Both the Gospels and the Acts of the Apostles are important for throwing some additional light on Jewish life and institutions of the time, but need to be treated cautiously as an historical source because they were presumably composed after 70 C.E. and reflect a clear antipathy towards the Jews and other enemies, but its main purpose is that as a theological body of work dedicated to Christian doctrine and faith (Grabbe 1992: 376).

Graeco-Roman writers

Tacitus, most of whose work is no longer extant, refers only briefly to the Jews. However, the portions that have been lost are known to us through the work of Cassius Dio. The value of his work is not so much as a record of Jewish history, but more as a major source of Roman history. Cassius Dio, most of whose work is still extant deals extensively with the Herodian period. Strabo, as we have seen, was in turn a major source for Josephus. There are others of course, such as Livy, Plutarch, Suetonius and Appian, whose influence is considerably less as historians of Jewish history and life, but are nevertheless important as Graeco-Roman writers and commentators in their own right.

Archaeology

Prior to the establishment of the State of Israel in 1948, little effort went into using archaeology as a means to validating Josephus's reliability as an historian. As more and more archaeological expeditions uncovered important ancient sites in Israel and the neighbouring territories, a re-evaluation regarding the works of Josephus occurred and this further served to confirm his reliability as an historian of first-century events in Palestine (Bilde 1988: 18; 199). Excavations at Masada, Caesarea, Jericho and Jerusalem, especially the Temple area and Herod's palace, confirmed many of the details contained in Josephus's works. In support of many of these conclusions are numerous papyrological remains, of which the evidence extracted from the caves of Qumran remains the most vivid and best attested example.

1.5 THE STATE OF THE RESEARCH

Thomas Grunewald in *Bandits in the Roman Empire: Myth and Reality* provides a useful synopsis of the literature and research on banditry within the Roman Empire including some of those which occurred in Judea (Grunewald 2004, 9-13). The study of banditry in the ancient world only came into its own as a field of scholarly endeavour after the publication of R McMullen's work, *Enemies of the Roman Order* in 1966. He deals with brigandage in a brief but important appendix in which he defines what the Romans understood by the term bandit (*latro*). Until then most of the literature on Roman

history dealt with banditry as nothing more than random collections of historical material and not as a subject worthy of analysis and research in its own right (Grunewald 2004: 9). In the 1950's the social sciences started to pay serious attention to the nature of peasant societies (Harland 2002, 511).

McMullen however, was the first to deal with how the Romans regarded bandits in their time and space, not merely as common criminals, but as individuals and groups who posed a constant threat to the political well-being and security of the Roman state (McMullen 1967: 255-68). The study of banditry in antiquity came into its own as a legitimate field of research therefore only in the 1960's. Marxist historians and social scientists, not surprisingly, used dialectical materialism in an attempt to interpret banditry as a process of continuous class conflict between different social classes.

Eric Hobsbawm pioneered the concept of the social bandit in history by drawing largely on examples of robber bands in the modern era (Hobsbawm E: 1959 & 1969). Despite this, his work has had a significant impact on subsequent studies of banditry in antiquity, and in particular, on the history of banditry of first century Palestine. According to Hobsbawm, social bandits emanated from agrarian societies and their acts of criminality and violence were in response to socio-economic motivations and represented a form of individual or minority protest against the perceived perpetrators of their misfortune. Richard Horsley in a number of seminal works on the subject of the Jewish bandits and the role they played in the events leading up to and during the revolt claimed that the Jewish bandits conformed neatly to the model of social banditry as

described by Hobsbawm. Because of the contribution of Hobsbawm to the debate on bandits and the fact that his is one of the only complete sociological models against which a type of banditry can be measured and assessed, a specific section devoted to Hobsbawm's model of social banditry will follow.

However, the works by Hobsbawm inspired a number of critical studies, some of which ultimately rejected the notion of the social bandit as a particular social type. Foremost, are two articles by Brent Shaw (Shaw B.D. 1984 & 1993). In the former, Shaw first deals with the issue of the ubiquity of banditry in the Roman Empire and then analyzes who became bandits. He comes to the conclusion that bandits were not only endemic but also an integral part of Roman society throughout the Empire that at critical times threatened the security of the state. Anton van Hooff in "Ancient Robbers" contributed significantly to the debate on bandits by attempting to understand how the Romans saw and related to *latrones* (bandits) and *latrocinia* (banditry) *(*Van Hooff 1988: 105-124). Grunewald on the other hand has put forward an alternative hypothesis on the social role of the bandit. Essentially, he writes, the bandit existed only as a contemporary perception of the figure of the *latro* and this is in essence what constitutes the bandit as a social type. The *latro and latrocinium* is therefore merely 'an artefact of literary imagination' (Grunewald 2002:13).

This then constitutes a brief survey of the leading modern scholars who have contributed to the study of banditry in the ancient world and who have impacted in some way, to a greater or lesser degree, on the field of studies into Jewish

banditry, particularly in the 60 years or so that led up to the revolt against Roman domination in 66 CE. The theory of social banditry developed by Hobsbawm in particular provided a different approach to analyzing the individuals and groups that played such an important part in contributing towards the political unrest and mayhem, so vividly described by Josephus. Did Jewish bandits conform to the model of social banditry? Could they rightfully be described as the only known instance of social bandits who transformed themselves into revolutionaries?

1.6 Hobsbawm And Social Bandits

Eric Hobsbawm, a British social historian, was the first scholar to define and explain social banditry as a special form of primitive protest and a phenomenon in its own right. The result was the formulation of a distinctive sociological model against which ancient and modern rebellions could be compared and analyzed in order to explain some of the characteristics of socio-political popular protest. He attempts to provide a clear distinction between the activities of mere robber-criminals and social bandits whom he categorizes as a separate sociological phenomenon arising as a result of clearly defined historical and socio-economic circumstances. Hobsbawm provides a definition of social banditry that describes it as a universal and unchanging phenomenon, that amounts to little more than peasant protest against oppression and poverty; it is a form of vengeance against the rich and other oppressors; a vague dream of righting the wrongs of the present and a return to a better form of life rooted in some mythical past (Hobsbawm 1959: 5)

In this theory, Hobsbawm cites that social banditry arose as a form of pre-political protest by agrarian based peasants as result of the oppressive unjust, economic and social conditions they endured. They were inextricably linked to the communities from which they originated and were supported by their kinsfolk who respected and admired their activities and were thus not regarded as common criminals. They operated in small gangs of no more than twenty individuals. They typically had no programme for social reform and had no interest in the violent overthrow of the ruling government, but acted merely to bring about a return to the traditional way of life of the peasant in which social and economic justice prevailed. Hobsbawm saw social banditry as part of a process, a continuum which at some later stage in the historical process became revolutionary.

1.7 HOBSBAWM: AN ANALYSIS OF THE MODEL

Eric Hobsbawm provides a conceptual model for banditry that suggests a sub-type of bandit for which he gave the term 'social bandits.' These are made up of groups of peasants from mainly remote rural settlements who engage in brigandage as a form of primitive rebellion against some kind of political, economic or social injustice.

According to the definition of the model, social banditry is:

- A universal and unchanging phenomenon
- It is a primitive form of organized social protest
- They are regarded as criminals by the structures of authority, but not by their local kinsfolk

- They are seen as avengers and heroes to their fellow peasants
- They are peasant reformers, not revolutionaries, although they could become allied with those who are determined to overthrow the existing order.

The focus of Hobsbawm's model is largely descriptive in that he deals primarily with the reasons for the spread of banditry in primitive, pre-industrial communities. Hobsbawm suggests that social banditry is a form of primitive protest conducted mainly by the peasants and other rural desperados, but he deals only superficially with the world of the peasants and the larger societies they are a part of. It therefore becomes difficult to contextualize the peasant as a bandit in relation to the larger problems of a particular society. For instance, Hobsbawm uses the Colombian struggle of the mid-twentieth century by indigenous groups for independence extensively, but only as a means to describe particular kinds of bandits and bandit action in order to support his model. The reader therefore learns that the indigenous population of Colombia rebelled in some form or another, but cannot contextualize their activities in relation to the wider political situation of that time. This view is supported by Blok, who states that banditry of any kind cannot be understood without giving due consideration to the larger society in which they existed and the peculiarities of the outside world that affected them (Blok, 1974: 497-8). The picture that emerges therefore in both *Primitive Rebels* and *Bandits* is one in which it is difficult to contextualize the social, political and economic conditions as factors which were the major causes for the spread of banditry in the ancient world.

There are three aspects of Hobsbawm's work which are problematic. The first deals with the premise that social banditry is a phenomenon of traditional peasant societies. The problem is that Hobsbawm does not present a definition or description of what constitutes 'the peasantry' or what constitutes a 'traditional world' in which such peasants lived. Hobsbawm applies a blanket description of peasants to all the situations of banditry, social or otherwise, with no historical-contextual background or allowing for chronological differences.

Trying to define 'peasantry' is difficult and confusing even among modern authors who are experts in the field (Landsberger 1974: 6-7). On the one hand, peasants could be defined as persons who own land, are legally subordinate and are culturally distinctive (Moore 1996; 111); or they could be classed as rural cultivators who are exploited because they do not control the means of production, but are dependent on others to dispose of surplus production (Wolf 1966:3). Others for example have stressed the cultural dimension as the defining element of peasantry.[6] Peasants are therefore definably distinct as a social group, but may be autonomous on the one hand as a social entity, but on the other also form part of a larger societal context. Landsberger calls this the 'blurring at the edges' (Landsberger 1974: 8). Another difficulty with Hobsbawm is the claim that social banditry arose only in pre-capitalist and pre-industrial economic environments (Hobsbawm 1969:18); yet he does not contribute

[6] Other scholars who have followed this trend: Robert Redfield, 'The Folk Society,' *American Journal of Sociology*, vol. LII (1947), 293-308; G.M. Foster, 'Peasant Society and the Image of the Limited Good,' *American Anthropologist*, vol. 67 (1965), pp. 293-315; A.L. Kroeber, *Anthropology*, New York, 1948.

any argument as to why this should be the case, nor can he explain the inconsistencies in this argument when he provides copious examples of social banditry in capitalist societies, such as in twentieth century Italy and Colombia (O'Malley 1979: 490-491). Following Hobsbawm's argument, it would mean that social banditry can only exist in a social structure that is relatively disconnected and isolated from the wider economic and social networks that existed even in archaic societies. O'Malley proposes that social banditry could exist in situations where there is no 'traditional peasantry nexus, but more so where there is evidence of a 'chronic class struggle' based on a shared sense of conflict and the 'absence of effective institutionalized political organization of the direct producers' for the attainment of their commonly sought ends'(O'Malley 1979: 494).

A third problem with Hobsbawm's model is that he based the concept of social banditry on mythical characters who presumably lived up to the ideal of the Robin Hood type of bandit, that is, protecting the poor and identifying with their struggle against oppression and injustice.

> '...in many societies it is regarded as such by the poor, who consequently protect the bandit, regard him as their champion, idealize him, and turn him into a myth: Robin Hood in England, Janosik in Poland and Slovakia, Diego Corrientes in Andalusia, who are all probably real figures thus transmuted. In return, the bandit himself tries to live up to his role even when he is not himself a conscious social rebel....However, something like an ideal type of social banditry exists, and this is what I propose to

> discuss, even though few bandits of recorded history, as distinct from legend, correspond completely to it' (Hobsbawm 1959: 13)

In his later work, '*Bandits*', Hobsbawm deals in more detail with mythical bandit characters from Australia, China, Turkey, Asia and South America. In this work, as in the former, Hobsbawm stresses that social bandits are necessary creations by the peasantry for a fighter who will dedicate his life to fighting their cause against injustice: 'they have a need for him, for he represents justice' (Hobsbawm 1969: 13).

This aspect of Hobsbawm model has come in for some harsh criticism from a number of scholars in the field. One of these is Anton Blok, who wrote that very few bandits were in fact genuine figuresof social protest. He considered bandit myths to be flawed as a method of explaining the social bandit as an expression of peasant social protest. Blok's own researches amongst the Mafia of Sicily led him to conclude that the Robin Hood-like bandits were 'violent, antisocial men who preyed on peasants whose interests they were supposed to protect' (Blok 1972: 496). Myths are too unreliable to use as evidence of the historical social reality of an event or an historical period (Blok 1972: 502). It is worth noting Hobsbawm's reaction to Blok's assertions. He said that while he accepted the fact that myth is an unreliable measure of social reality as many of the bandits may not have been conscious of themselves as social protesters, what was more important was what the peasants **believed** him to be doing (Hobsbawm 1972: 503-5).

Brent Shaw agreed with Blok's argument and wrote that Hobsbawm had based his approach largely on perceptions by

the peasantry as to who best represented their interests. Perceptions differ and are relative to who is making a claim for or against a bandit cause. The following quote from the second century physician, Galen, neatly illustrates the dilemma peasant communities could find themselves in:

> "On another occasion we saw the skeleton of a bandit lying on rising ground by the roadside. He had been killed by some traveller repelling his attack. None of the local inhabitants would bury him, but in their hatred of him were glad enough to see his body consumed by the birds which, in a couple of days, ate his flesh, leaving the skeleton as if for a medical examination."[7]

If perceptions differ, then how is it possible for the historian to choose a version that accurately depicts the social reality? Shaw continues that the problem with relying on myth as a form of evidence is that it eventually becomes reality and, as used by Hobsbawm, it is flawed as a methodology, as there is no clear cut separation between the myth and fact. In other words, at which point is it myth and when is it factual? It would therefore mean that it is the perceptual relationship that differentiates between the noble bandit and the criminal (Shaw 1984: fn.4-5).

An opposite conclusion is drawn by Cheah Boon Kheng who researched the social protest movements that took place in the Malaysian state of Kedah between 1915 and 1920. In this study he used Hobsbawm's premise that peasant myths are a

[7] Galen, *On Anatomical Procedures*, 1.2 (Kuhn, ii, 221-2), trans. C. Singer, Oxford, 1956

reflection of the historical reality of social banditry. He based his study on a bandit called Nayan bin Derani who became a genuine peasant bandit. Nayan became glorified as a Malay folk hero, and according to Kheng, demonstrated how certain economic and social conditions gave rise to banditry and became durable symbols of peasant social protest. The conclusions he came to were that Hobsbawm was correct in claiming that social banditry is a universal phenomenon. However, it is only partially true that social bandits actually lived up to their legends when measured against the historical reality. Ned Kelly, Jesse James, Pancho Villa appear to be examples of such social bandits whose historical reality approximated the myths built up around their careers as bandits. In numerous other cases, such as that of Salvatore Giuliano in Italy and Lampiao from Brazil to mention but a few, illustrated that the underlying assumptions of Hobsbawm's thesis is flawed (Cheah Boon Kheng 1985: 1-51).

1.8 RICHARD HORSLEY AND JEWISH SOCIAL BANDITS

The century leading up to the Jewish revolt in 66 CE was a period of great upheaval and change in many ways for the Jewish people, indeed as it was for the region as a whole. As in many other parts of the Roman Empire, *latrocinium* (banditry) was an endemic feature of daily life. Trying to come to terms with the exact nature and type of bandit activity is complex and potentially confusing, taking into account too the caution by which Josephus's treatment of the subject needs to be approached.

Richard Horsley, in a number of studies has suggested that the "Jewish revolt against Roman domination may be the most vivid and best attested example from antiquity of a major peasant revolt preceded and partly led by brigands" (Horsley and Hanson 1999: 77). It is Horsley's view that all the incidents of brigandage from approximately the 150 years before the outbreak of the revolt per se, are perfect examples of social banditry as defined by the model devised by Eric Hobsbawm.

Further in this work, I shall deal in more detail with Horsley's (and partly Hanson's) views on how individual bandits and bandit groups fitted into the scheme of social banditry. However, it is pertinent to note that Horsley does not propose alternative models or theories as to how brigands became social bandits, beyond the reasons posited by Hobsbawm. It is only by closer investigation of Josephus's motives and a detailed examination of some of the bandits that Horsley believes were typical social bandits, coupled with a sociological analysis of similar types of bandits and their activities from other periods will it be possible to compare the Jewish bandits from the first century to the model of social banditry and thereby refute Horsley's somewhat (with respect) hasty assumption that all the Jewish bandits of first century Palestine closely resembled Hobsbawm's model.

1.9 LANDSBERGER AND RURAL PROTEST MOVEMENTS

This work will endeavour to show that banditry became a by-product of a more comprehensive movement of protest, by which the peasants and the poor of Palestine engaged from the death of Herod onwards in a struggle for justice and eventually freedom from foreign domination. Landsberger provides arguably the most suitable framework by which the rural movements in Palestine can be placed into a broader context than mere peasant agitation and rebellion and shown to be rather as a dynamic for revolutionary change.

Landsberger and others (Landsberger H.A. 1974) have applied a variety of sociological tools to construct an analytical framework by which rural protest movements by peasants can be analyzed and explained. What is interesting is that although the framework and methodology proposed by Landsberger *et al*, was developed around medieval and modern notions of peasantry and protest movements, there are, in my opinion, some characteristics that are startlingly applicable to rural protest movements and revolts in certain cases from the ancient world and which may help to understand how widespread dissatisfaction and enmity in the countryside was able to sustain itself for such a long period of time, and to eventually coalesce into a revolutionary movement.

As a point of departure, it will be necessary to define exactly who is referred to by the term 'peasant'. Peasant unrest has been continuous in both space and time and has been characteristically common across a wide range of rural societies, both ancient and modern. How exactly did banditry, such as it existed, fit in with peasant protest and unrest? Was it a beginning phase, and at what point did its limited goals fit

in with the wider objectives of a movement? Eric Wolf claims that it is impossible to define peasantry with exact precision (Wolf 1974: 7). Landsberger agrees and goes further by stating that there is too much 'blurring' at the edges when trying to place human beings into specific categories. Is someone in or out? Is he a peasant or not? He proposes rather to define rural cultivators (the one certainty everyone can agree on) by means of a broader model that deals with a number of dimensions (Landsberger 1974: 8-18). The two most important defining criteria for peasantry are political and economic dimensions. In order to arrive at a more accurate definition, Landsberger proposes that these two be measured against three additional sub-dimensions: how much economic and political controls are exercised over the land and capital; how much control over transforming the land (e.g. deciding what to grow and when); and what level of personal and group security exists. Finley also speaks of a 'peasant spectrum' in which the defining criterion is some form of a tie to the land, be it as a peasant with a landholding (*coloni*), but excluding the pastoralists (Finley 1999: 104-5). This schema allows for a far broader and more inclusive approach as to who falls within the category of rural cultivator, or not.

Like the rest of the Roman Empire, the peasantry in Palestine included small landowners who survived by subsistence farming, tenants who lived and worked the land owned by wealthy landowners and wage labourers who worked the farms of the wealthy for a wage or were compelled to turn to banditry when there was no work available. (Harland 2002: 515). All three categories of peasant in Palestine in the first century therefore fall into Landsberger's and Finley's definition with the land owning peasant having relatively more

security and the wage labourer having none, but still being part of the 'peasant spectrum' identified as such by Finley. This model also excludes pastoralists, the shepherds who roamed between grazing areas and were marginalized because of their profession, but who were part of life in the countryside. We can also assume that there was an element of mobility between the different types of peasants in which landowners became tenants on farms or worse, wage labourers. Some became unemployed and roamed the countryside in search for a means of survival, with some joining up with brigand bands. Natural disasters such as droughts would have added to the numbers of desperate people who turned to brigandage and criminality. McMullen describes conditions in the Empire during the fourth century,

> "...And it seems likely, too, that social mobility in a broad sense not only took on a predominantly 'anti' character but also increased absolutely. Many who changed their place in life became brigands – just how many we cannot say, but peace in Isauria, for example, more or less vanished, and travel was made impossible in Thrace and in parts of Italy in the last quarter of the fourth century" (McMullen 1967: 200).

Turning once again to Landsberger's schema, and without engaging with relevant economic data, which anyway doesn't exist, one can propose that the relative status of the peasant population (in the broadest sense), was challenged by economic and political events beyond their control. Those groups who had experienced real losses in the remembered past and the constant threat of continued and uncontrollable

loss in the present and into the future were motivated to participate in desperate measures (Landsberger 1974: 18).

Pectora roborant cultus recti

CHAPTER 2

BANDITS IN THE ROMAN WORLD

2.1 THE LEGAL AND POLITICAL BACKGROUND: ROME

Shaw has acknowledged the complexity of distinguishing social bandits from bandits in the general sense in his study on *Bandits in the Roman Empire* and proposes an approach that will first examine banditry *per se*, as a general phenomenon, before attempting to deal with the issue of social banditry (Shaw 1984: 1-5).

It was axiomatic of the ancient world that bandits were never regarded as simply common criminals, but were seen as outlaws, both figuratively and literally, in that they were placed in a position outside of the law, as it existed. The bandit became a 'non-person,' that is one who did not have recourse to the normal protections of the law, but were grouped together with slaves and the insane. This not surprisingly became the basis by which the upper classes, including philosophers and writers came to view bandits, as outcasts from society who were beyond the pale (Shaw 1984: 22-3). It can thus be argued by extension, that Josephus, an upper-class and well educated Jew living in a Roman province at the periphery of Roman influence, was merely responding to the plague of banditry in Palestine according to the legal and political norms of his era and background.

In Roman legal terms, a bandit was defined as a *latro* and the act of banditry as *latrocinium.* Roman law however made further distinctions between different types of robbery:

robbery was designated as *rapina* and robbery without any violence was further defined as *furtum*, theft. To confuse the issue even more, technically, anyone involved in *rapina,* could be said to be a *latro*, depending on circumstances which means that not in every case was a robber always a *latro.* What was not in doubt was that those who committed robbery with the use of weapons and with an element of premeditation and through forming of bands with a common purpose of plunder, these were always considered as *latrones* (Grunewald 2002: 16). Roman legal jurisprudence therefore adopted the line that any form of violent opposition to established authority was an act of *latrocinia* with almost no attention paid to degrees of violence that could emanate from the concept of *latrocinia.* The only form of organized and legitimate 'state' violence recognized by the Roman legal system was that of warfare, or *bellum,* by its legal term. Roman jurisprudence and political practice recognized only one type of organized violence as legitimate warfare, as that occurring between two 'legitimately established' states and 'sharing politically manifest structures,' who engaged in conflict conducted 'according to recognized forms of combat' (Shaw 1984: 6). Legally, this situation was termed '*bellum iustum.'* The opposite of *bellum iustum* defined a condition that is ideally described as 'irregular warfare' or warfare conducted against a foe that was unrecognizable, unstructured and socially inferior (ibid 6). It became the legal norm therefore to group all types of irregular warfare (as opposed to *bellum iustum*) under the designation of *latrocinium.*

Banditry was endemic to a lesser or greater degree in all parts of the Empire throughout its long history. Travel by road was fraught with great danger and large numbers of guard posts,

watchtowers and other assorted fortifications were constructed at strategic places in the Empire, including Syro-Palestine, not only as defensive measures against external enemies, but also presumably to offer some protection for travellers using the networks of roads (Shaw 1984: 12).[8]

Banditry was so abhorrent to the Romans that it indirectly affected many legal conditions. Many laws that dealt with marriage, civil contracts, wills and dowries, for instance, had special conditions attached to them whereby brigandage is specifically mentioned as a conditional factor affecting the status of the contract and the contracting parties. Even in the military sphere, the law that dealt with soldiers missing without leave differentiated between those who go missing on their own accord as opposed to those who are absent through no fault of their own when detained by bandits while on official leave (Shaw 1984: 9-10).[9]

The state thus had a moral duty to protect its citizens as well as its territorial integrity. It was a governor's express duty to defend his province from any form of unrest and lawlessness. Shaw quotes an apt passage from the Roman legal *Digest* on an instruction concerning the duties of provincial governors:

> "It is the duty of a good and serious governor to see that the province he governs remains peaceful and

[8] There are numerous references to people being attacked or going missing never to be seen alive again. For instance Pliny writes of a friend of his, Robustus who, together with a friend went missing whilst traveling on the Via Flaminia, a major highway to Po in the north. (Pliny, *Letters* 6.25).

[9] *Digest and Codex Justinianus* deal with a whole range of legal acts that specifically mention banditry in one sense or another as an affecting agent in law, 3.1.1-5; 4.2.2-2.

> quiet. This is not a difficult task if he scrupulously rids the province of evil men, and assiduously hunts them down. Indeed, he must hunt down desecrators and pillagers of sacred property, bandits, kidnappers and common thieves, and punish each one in accordance with his misdeeds. And he must use force against their collaborators without whom the bandit is not able to remain hidden for long." (Shaw 2002: 14)[10]

This injunction to governors therefore reduced every action by a common thief or brigand to the level of a threat to the state (Shaw 1984: 14). In the absence of an organized police force as in the modern context, the army became the natural enforcer of law and order. What little authority existed at the local level, if any, did not have the consequent authority or power to represent any kind of long-term solution to controlling banditry (Shaw 1984: 18). In the absence of a centrally controlled police force, governors of provinces with limited military resources were at times compelled to use local forces and institutions in order to capture bandits. The Roman state gave legal justification to such individuals (in the name of "common peace") who took it upon themselves to capture bandits and deliver them to the authorities for trial and punishment. This political expediency allowed such a person to pursue, injure and kill alleged bandits without fear of prosecution for their deeds (Shaw 1984: 19).[11] Contextually, this gave Judas and the party who accompanied him, the authority to affect a 'citizen's arrest' when they apprehended

[10] *Digest*, 1.18.13
[11] The legal sources are *Codex Justinianus* 3.27.1-2; 9.16.3 and *Digest*, 9.2.7

Jesus in the Garden of Gethsemane. Jesus response was, "have you come out as against a bandit, with swords and clubs to capture me?" (Mark 14:48). This dramatic example, if anything, serves not only to illustrate the ubiquitous nature of banditry and its pervasiveness in the culture and norms of even non-Roman society, but it also shows how individuals and groups could bear arms and legally act in the name of the state. This incident is evidence of a 'Roman' response to an essentially localized Jewish occurrence in Judea. To what extent did a bandit really threaten the safety and well- being of the state? In the Roman legal system law there was little distinction between civil and criminal law so that when the various laws were applied, they were done so in the absence of any investigating, policing and prosecuting authorities, in the modern sense, being involved. The weakness of the state to deal with breaches of civil law and of the individual to claim redress against the state and individuals, meant that any suspected subverter of the law, could potentially be accused of threatening the whole social order. Men committing acts of violence immediately became outlaws and were dealt with by the collective instruments of state power (Shaw 1984: 21).

Because *latro* were seen as outlaws and 'enemies of the state,' it is to be expected that the penalties were different to those exacted on common criminals and the nature of the punishments for their crimes, were concomitantly savage and uncompromisingly harsh. Torture was almost routine and quite often performed on the spot where they were alleged to have committed their crimes. Savage retribution was both expected and regarded as well-deserved and convicted bandits could expect to be burnt alive, thrown to wild beasts or crucified (*Digest* 48.19.16.10). Such punishments were often carried out

publicly where a clear statement was made as a deterrent to any one else from pursuing any similar action. As Shaw put it, "it is this publicity of punishment that makes them as men apart" (Shaw 1984: 21).

According to Roman legal thought, *latrocinium* should have been used to denote banditry of a nature that would have been the equivalent of irregular warfare, thus implying a political connotation to every such action. However, what it boiled down to was that *latrocinium* simply came to be applied to a whole range of petty deeds, or as characterized by Grunewald 'wrongdoings' (Grunewald 2002: 17) accompanied by a strong emotional bias of disgust and loathing about such individuals or groups.

2.2 THE LEGAL BACKGROUND: JEWISH LAW

The two principal Hebrew words used in Biblical times to denote theft were *ganav* and *gazal.* In the later Tannaitic era, there was a clear cut legal distinction between what these terms actually denoted. The *ganav* was one who acted secretly, that is by stealth, and the *gazlan* was one who robbed in the open and with an element of violence associated with the act. However, in their development, these two terms were never used consistently in order to describe antisocial and unacceptable actions and they were used interchangeably depending on circumstances and the interpretation of the time. *Ganav* also described the action of an individual, whereas *gazal* in its pre-prophetic context, came to describe an action usually committed by a group. *Gazal* in late and post-Biblical sources was later used as a legal definition for robbery

(Jackson 1972: 6). In early Biblical times, the word *gazal* clearly was used to describe a raid by an organized group of men. The inhabitants of Shekhem placed men on the mountain tops to presumably rob the travellers from Avimelekh with whom they were in dispute (Judges 9.25). Bandit-like activities of this nature was an accepted means of political opposition amongst ancient communities that had weak central government and control over rural areas (Jackson 1972: 7).

The earliest Biblical legal code, the Covenant Code in Exodus (Exodus 21-22) applies the *ganav* to the internal offender, in other words, a member of the community. Jackson provides a stark example of the difference between *ganav* and *gazal* by quoting from Hosea.....'They deal falsely, the thief (*ganav)* breaks in and the bandits (*gedud*) raid without' (Hosea 7.1) (Jackson 1972: 9.) So too, the example of the incident in which Rachel steals her father's household gods *(terafim*)to which the deed is ascribed to a *ganav,* in the sense that it was an internal offender, in this case supposedly a member of Laban's household (Genesis 31. 19; 32).

The verb *gazal* was used in the pre-Davidic era when central authority was weak and the dangers from raiding parties were more common. As these threats gradually lessened, so the term *gazal* became more blurred and it was adapted to other contexts (Jackson 1972:4). Isaiah used the verb *gazal* in order to rail against the economic exploitation of the poor as a prophetic warning against the excessively harsh measures used in the collection of unpaid debt which further enslaved the poor (Isaiah 3.14; Psalm 35.10). Similarly Ezekiel, who cried out against forcible debt collection, even though this may have been done within the confines of the law of the time

(Ezekiel 18.7-9). Besides its legal connotation, *gazal* took on an emotive and prophetic meaning, probably reflecting the political and economic situation of the times. Increasingly, the word was used less and less to refer to raiding groups and it was also applied to individual acts of theft or robbery with the result that both *ganav* and *gazal* was used interchangeably in a legal sense, in a number of Biblical sources.[12]

Other ancient legal systems followed a similar terminological pattern. For instance, in the Code of Hammurabi *saraqu* denoted theft by an insider from the community and *habatu* for that committed by a raiding party. A similar distinction is found in the *Nuz*i documents as was the case in the historical development of early Roman law. This is understandable given that raiding parties represented serious and constant threats to the authority of the state in ancient times. Raiding parties and bandits could not therefore be dealt with under the laws of the community, as they fell outside of its protection and came to be regarded as enemies who had declared war against the authority of the community structures and the state (Jackson 1972: 12-14). By post-biblical times the state, such as it was, had started to gain control over untamed areas and with this power came legal jurisdiction and the offences of raiding and banditry became an offence against the law of the land (Jackson 1972: 16).

Brigandage as a form of political opposition represented a serious political threat to the governing authorities as Josephus rightfully perceived, when he placed a great deal of the blame on the activities of brigands in the break down of

[12] The Covenant Code (Exodus 21.37; 22.1, 2, 3, 6) uses *ganav* and the Holiness Code (Lev. 19.13) and Priestly Code (Lev. 5.21, 23) both make use of the term *gazal*.

law order in Palestine, which will be dealt with in greater detail further on. However, it is the polemical context which is of great interest, in that it describes the conceptual framework around brigandage and the way in which it was recorded by authors from ancient societies. Leaving Josephus aside for the moment, the characterization of individuals who opposed the king or ruling authority, as bandits, was an accepted literary practice. Jackson for instance, provides a delightful cameo of a parable by R. Meir of twin brothers, one who became a king and the other a bandit (*Tos. Sanh*. 9.7). The polemical usage of portraying the brother as a robber was to emphasize that he was a pretender to the throne and thus a political threat and was a typical example of the type of Roman polemic which was adopted by Jewish writers (Jackson 1972: 35). The connection between brigandage and animal husbandry is a constant refrain in ancient times, presumably because shepherds and herdsman roamed freely and were not easily assimilated into the mainstream of community life. The Mishnah more specifically advises against certain professions which were akin to that of robbers (*listim*):

> 'A man should not teach his son to be an ass-driver or a camel driver, or a barber or a sailor, or a herdsman or a shopkeeper, for their craft is the craft of robbers' (M. Kidd. 4.14)

Another example of Jewish attitudes towards banditry can be derived from the dictum given by R. Judah that advised, presumably fathers, that 'he who does not teach his son a craft, teaches him brigandage' (M. Kidd. 29a).

The legal differences between *listim* on the one hand and the *ganav* and *gazal* on the other, were important as it determined the extent and severity of the punishments that could be imposed on a transgressor. The punishment for brigandage, especially under Roman law, was usually execution which was quite often conducted on the spot as an example to others. An important issue that needs considering is the relative leniency of punishments imposed under Jewish law for matters involving *gneiva* and *gezeilut.* According to Jewish legal processes, the robber was usually only expected to restore the stolen property or the equivalent value and if the offender confessed willingly, then he would be exempt from punishment completely. Jackson believes that the overwhelming reason for this lenient approach to sanctions on offences involving theft and robbery was primarily due to the desire of the Rabbis to keep the offender out of reach of Roman jurisdiction (Jackson 1972: 251). As discussed elsewhere, the Romans regarded brigandage as tantamount to irregular warfare and dealt with it by military means rather than the legal route, usually demanding that local inhabitants assist by giving up perpetrators or assisting in apprehending them.[13]

It is also reasonable to assume that the Roman ruling structures in Palestine were as limited in manpower and capacity as to have made it unlikely that they could have had much jurisdictional and military control over most of the settlements. Judea was administratively independent (Smallwood 1981: 145) and besides, the army and

[13] During the governorship of Cumanus an imperial slave was robbed and Cumanus ordered neighbouring villages to assist in capturing the offenders and then proceeded to severely punish them when they were unable or unwilling to carry out his orders (*Jewish War* 2: 228-9)

administrative functions consisted of a few military cohorts based mostly in Caesarea whose chief function was to maintain control over the whole population (Goodman 2002: 21). It is safe to assume therefore that the vast majority of cases involving theft and robbery were handled by local village and town authorities using Jewish legal processes although, as Jackson has indicated Roman intervention was not only limited to dealing with brigandage, but that they also on occasion became involved in dealing with instances of petty theft (Jackson 1972: 254-6). There is an example of one, R. Eleazar, who assisted a Roman officer in arresting some Jewish thieves by suggesting to him a method of flushing out the offenders (B.M. 83B). The arrested thief (in this case, *ganav)* was later executed, which could possibly mean that there was a political context to the incident, or that he may have been involved in smuggling or piracy (ibid). I would suggest that the passage also indicates a level of co-operation between local inhabitants and the Roman authorities. Possibly, the solution lies in a careful reading of the opening passage: "R. Eleazar, son of R Simeon, once met an officer of the (Roman) government who had been sent to arrest thieves *(ganavei)"* Had the offence been a local matter of some petty thieving, the probability would have been that the local town or village elders would have disposed of the matter between themselves. However, here it specifically states that the Roman soldier was sent, but does not say by whom. There must have been a prima facie motive strong enough to have motivated a Roman officer to seek out and hunt down an alleged offender who it can be assumed, to the Roman way of reckoning things, probably fell into the category of bandit and gave the situation an overtly political connotation. It also indicates the tenuous link that existed

between what constituted theft/robbery and brigandage and how inconsistently it was applied in practice.

Jackson also mentions an incident in which a Roman officer whipped thieves in Caesarea (Jackson 1972: 256).[14] There is insufficient evidence to draw a firm conclusion that Roman involvement in incidents involving theft and petty crime amongst the Jewish population was widespread, but that it constituted more of a potential threat of interference, that probably motivated local Jewish authorities to encourage offenders to confess and restore the loss quietly amongst themselves rather than call in the Roman authorities, which would anyway have been regarded as offensive by the community at large (Jackson 1972: 260).

2.3 WHO BECAME A BANDIT?

The question raised is at what point in the history of archaic states did banditry become an identifiable social type on its own that merited a lexicon and separate identity? By the fifth and sixth centuries BCE, the terms *lestai* and *lestes* were commonly employed to denote piracy and banditry. Prior to that, these words did not have a negative connotation at all, but described an accepted way of earning a livelihood by means of plunder and booty (Shaw 1984: 24-5) Aristotle in describing the five modes of life which he believed formed the basis of the state, defined them as pastoral nomadism, hunting, fishing, banditry and agriculture.[15]

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[14] Lev. Rabb. 6.2, although as conceded, the text is doubtful (Jackson 1972: 256).

[15] *Politics*, 1256 a-b: Plato described banditry as a sub-type of hunting, but called it a 'bad' type and only hunting on

One of the oldest occupations in the ancient world that became almost synonymous with banditry is that of the shepherd. These were transhumant pastoralists who inhabited the mountainous areas remote from urban centres and military and political control. As such they represented a socially homogenous group that were seldom affected by state institutions and social structures of the state but were nevertheless integrated into the wider economic networks, either as traders of livestock or as thieves who were dependent on agents and landlords for trading livestock and, probably the procurement of supplies. These were tough, hardy men for whom constant vigilance and violence was a way of life. Their bandit activities were largely focussed on the theft of livestock or rustling, (*abigeatus),* an offence so common under Roman law, that it was considered an aggravated crime (Shaw 1984: 31; MacMullen 1967: 192; 256).[16] Highland banditry was endemic and continuous throughout most regions of the Empire and the central government was at most times powerless to control it. To illustrate how difficult it became to control it in Italy in the fifth century CE, the authorities attempted to take away the one advantage enjoyed by shepherd-bandits, that of their freedom of movement, by passing laws that restricted the use of horses to everyone but high ranking officials and other officers of the state and the military (Shaw 1984: 32).

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horseback was the 'good' type: Plato *Laws,* 7.823d; Thucydides noted that there were many Greek communities for whom banditry was an acceptable and honourable pursuit: *Thucydides* 1.5.

[16] Dig. 47.8.2.21; 47.14.1.3 as well as the texts of Ulpian and Callistratus.

That there were many heavily populated Jewish settlements in mountainous areas of Palestine can be seen from the archaeological remains of village sites which show that many Roman period villages and settlements were built on hillsides or spurs. Gamala, Jotapata, Gischala and Nazareth were situated on steep hills, possibly for defensive reasons, of which protection from brigand gangs would have been a prime reason. However in the second century there is a pattern that settlements were built on lower slopes, either to be closer to water sources or because of the altered security and political situation in Palestine after the Second Revolt (Anderson 1998: 451). Banditry flourished in these remote rural areas far from the loci of power and administrative controls. The opposite holds true too, in that wherever rural hinterlands were opened up by networks of roads and central authority was established, so brigand activity diminished.

The peasantry was a natural source of banditry because of the nature of the peasant economy and the fixed nature of the peasant to the land. This fixity is based on the peasants' traditional roots to the land to which he and his off-spring were tied. Hobsbawm and Shaw both concur that it is not so much the economic vulnerabilities that impel peasants to become bandits, but this immobility that ties them permanently to the land (Hobsbawm 1969: 30-5; Shaw 1984: 31). Rural economies that were not able to provide jobs, or expand production either because of a lack of sufficient land for distribution amongst extended families, or simply because of the nature of pastoral farming in highland areas, poor soil and weather conditions, resulted in a constant stream of surplus labour forming within local rural economies. Another factor that would have resulted in periodic unemployment is the fact

that for long periods of time of each year the land would lie fallow. The natural outlet for the unemployed rural proletariat would have been to gravitate towards joining armed bands as an alternative source of income, at least for certain periods of the year when jobs were scarce. 'Nothing is more natural that some of them should become bandits, or that mountain and pastoral regions in particular should be the classical zones for such outlawry' (Hobsbawm 1969: 31). Hobsbawm states further that typical bandit groups consisted of young men, usually under the age of twenty five, with no permanent social ties or family obligations, who roamed the countryside in pursuit of opportunities to seek out a livelihood, albeit temporary, often by means of petty theft and other minor criminal activities. Presumably, these youths, whom Hobsbawm characterizes as the 'mobile margin of peasant society would migrate back to their isolated villages at some point in order to settle down and marry and become part of the settled life of a peasant farmer (Hobsbawm 1969: 31).

Poverty and economic hardship are on their own insufficient reasons for the spread of banditry, particularly in rural economies (Shaw 1984: 30). What appear to be critical are two other determinants: famine and landlessness. Dealing with the former first, famine was an ever-present danger for the majority of people in the ancient world. Poor management and state control over vital resources, the vagaries of weather and climatic patterns as well as political instability, resulted in periodic famines breaking out from time to time. MacMullen provides an entire appendix on the subject in which he lists a prodigious amount of epigraphical sources from the Roman world dealing with this subject (MacMullen 1967: 249-254). Essentially, what happened was that whatever surpluses were

left after taxation went to the cities where these were hoarded for the benefit of the city dwellers. Peasant folk in the rural hinterland were left with little else to eat and had to subsist on unwholesome foodstuffs resulting in nutritional diseases and starvation. [17]

In the thirteenth year of Herod's reign there was a severe famine in his kingdom. Josephus provides a graphic illustration of conditions that prevailed due to this event, including the fact that people suffered from malnutrition and disease, "this distress they were in made them also out of necessity, to eat many things that did not used to be eaten..." *(Antiquities* 15.303). The outcome was desperation and widespread dissatisfaction for which the people blamed the ruler. "Nor had he (the king) any people that were worthy of his assistance, since this miserable state of things had procured him the hatred of his subjects; for it is a constant rule, that misfortunes are still laid to the account of those that govern." (*Antiquities* 15 304). It is possible then to surmise that hunger and desperation drove many to steal in order to survive and that organized banditry, particularly by economically marginalized groups must have been an ever-present reality in the ancient world.

Josephus records details of another famine which occurred during the procuratorship of Tiberius Alexander 46? -48 CE. However, in this instance the generosity of the royal family of Adiabene helped to avert disaster by purchasing food supplies from Cyprus and Egypt (*Antiquities* 20.15). During the siege of Jerusalem in the year 70CE, the grain crops were destroyed

[17] MacMullen R. 1967: 253, cited from a description given by Galen of a typical famine situation in Italy from Millar F 1964: a *Study of Cassius Dio,* 174.

which led to a disastrous situation in the city, given that the Roman troops had surrounded the city walls (*War* 5. 24), a situation made worse, according to Smallwood, because the years 68-69CE were sabbatical years and by May-April 70, Jerusalem was already under siege which meant that food stocks were already in short supply before the fire broke out which destroyed the remaining stocks of food (Smallwood 1981: 316-7).

The changes implemented by Pompey after 63 BCE saw a huge reduction of arable land available to Jewish farmers when he broke up the Hasmonaean kingdom by separating the formerly Greek cities of the coastal plain, Samaria and Transjordan from Judea. A significant number of Jewish farmers lost their land and were forced to relocate to Judea during a period when the Jewish population of Judea had reached its zenith and was still increasing in number (Applebaum 1977: 361; Anderson 1998:451). Archaeological surveys of Jewish settlement sites have shown a substantial increase in the number of settlements in the Roman-Byzantine period which indicates that there must have been considerable demand for land and pressure on the already cultivable areas as population density increased, especially in the hilly and mountainous areas where arable land was in short supply and competed with grazing requirements for livestock (Anderson 1998: 451). Smallholdings were extremely small in some of the areas which meant that peasant farmers had to eke out enough produce to feed themselves, produce a surplus and pay taxes from their output from a minuscule piece of arable ground. Applebaum cites the example of two Galilean kinsmen from the Galilee who each had to subsist on 2.39 hectares of

land (Applebaum 1977: 365).[18] With this situation prevailing, one can deduce therefore that large numbers of able-bodied people either migrated to the towns and cities to seek employment there, or may have been tempted to join up with groups of brigand gangs as an alternative measure of survival (Goodman 1993: 63).

Applebaum sums it up as follows:

> ' ...The Jewish peasant at the end of the last century BCE was suffering the effects of expropriation from the coastal plain, Samaria and Transjordan; he had been afflicted by a succession of wars and arbitrary impositions, was desperately short of land and reserve capital, and continued to experience gruelling taxation coupled, where a considerable section of his class was concerned, with an oppressive and humiliating tenurial regime exacerbated by debt and the non-Jewish or pro-Roman attitude of its administrators and landlords' (Applebaum 1977: 378).

As the Roman Empire expanded, it increasingly made use of professional soldiers. When these soldiers retired from active military service, it often happened that their accumulated savings and bonuses were insufficient to fund an alternative post-retirement career, usually as farmers. Many were not suited to a life of farming or any other occupation and it was easier for them to continue with a life of violence, to which

[18] Hegesippus ap. Euseb. *Hist. Eccles.*, III, 20, 1-2. According to Halakhik tradition, the smallest divisible plot had to be 0.1 hectare.

they had become inured over the years, as bandits or as men of violence in the employ of landlords (Shaw 1984: 29). It was indeed not uncommon for bandit gangs to be hired by state appointed officers and landlords for specific tasks. More common were the deserters from army service who drifted into a life of banditry. The life of a soldier in the Roman army was harsh and brutal and desertions were common occurrences. There weren't many alternatives open to such individuals who had little or no skills other then soldiering, so it became common for many of them to drift into a life of banditry and crime (Shaw 1984: 30).

Whenever state power declined through civil wars and political upheavals there was an ebb and flow of men who crossed the legal boundaries to become bandits. Shaw suggests that the nature of the Roman state made it conducive to groups of people who fell outside of Roman society to become marginalized and fall outside of its social and political structures. Roman society consisted of two distinct entities which were never really integrated completely into what can be termed a Roman state. The one was the network of relationships that bound soldiers, traders, administrators, landlords and others into a form of a social system. The other was the political system. This effectively meant that regions that were geographically distant from the central loci of power were rarely totally incorporated into the Roman world. Large groups of people that were under the domination of the Roman political and military system could therefore be designated as bandits, almost as foreign enclaves within the Roman Empire. Examples of such peoples were the Isaurians who inhabited the highland zones of south-eastern Anatolia, the Saturiani of the later Empire, and the Maratocupreni of northern Syria and

of course, the bandit gangs of Judea, who were prevalent from the middle years of the first century (Shaw 1984: 40-2).

2.4 SOCIAL BANDITS

Although the conceptual model of social banditry as a special type of bandit in itself may be flawed in many respects as a descriptive tool, there is nevertheless a great deal of information as to the conditions under which banditry flourished in rural regions and the economic and political characteristics that promoted this form of activity. Many of the features that Hobsbawm has delineated as typical of social bandits are in fact applicable in some measure to bandits and bandit groups in general.

Social bandits are rooted in the countryside and their activities are expressions of peasant rebellion against the local authorities. Hobsbawm stresses throughout that social bandits are members of peasant communities who are regarded as heroes by the people living in those communities, but are seen as outlaws in the eyes of the landholder, lord or the state authority. Social bandits do not prey upon the poor or fellow peasants, such as is the case with common robbers and bands of professional raiders who seize any opportunity to attack and steal from any group for purposes of plunder and booty. What makes social banditry unique is that it exists as "a universal social phenomena"; it is geographically widespread and occurs in all types of human society that has evolved from a tribal or kinship phase to a capitalist or industrial economic and social system (Hobsbawm 1969: 18-19).

Despite the widespread occurrence of social banditry amongst a variety of communities in different continents and over a considerably long period of human history, the defining criteria are amazingly uniform in nature, regardless of the specific individual nature of each instance. Primitive societies, especially those with a tendency towards feuding and raiding, would at some point develop more complex internal social stratification and social cohesion and a consciousness of belonging to a distinctive community with a defined identity and common economic, religious and social interests which they would rise up to protect against such forces, internal or external trying to change the way of life they had forged for themselves. According to Hobsbawm, it is at this point that social banditry becomes rebellion (Hobsbawm 1969: 19).

Although social banditry was widespread over many areas of the world, the numbers of active armed participants were uniformly small in the majority of cases. For example in the civil war in Colombia during the 1940's there were no more than forty different bands of rebels, each with between ten to twenty armed insurgents. According to Hobsbawm, the figure of ten to twenty men represents a norm for the size of typical social bandit groups throughout all continents and historical periods. Taking this as a base line, bandits would not have exceeded more than 0.1% of the total rural population (Hobsbawm 1969: 20).

Factors that encouraged the spread of banditry were periods of great economic stress brought on by natural disasters, crop failures, war, conquests, oppressive rule and a breakdown in social and political order. In the event where social banditry became part of major upheavals in a society, especially in

cases which accompanied the transition from one social order with another, at such moments in history social banditry could become part of a peasant revolution. In China, for example, social bandits epitomized a long tradition of native popular resistance and with the demise of dynastic imperial rule, they played a critical role in the revolution as millions of peasants became caught up in a revolutionary quest towards creating a new social order.

The social bandit was a product of the peasant world and the vagaries of peasant life and he did not see himself as a revolutionary transformer of his society. Forced into a desperate situation by economic crisis, famine, war or natural disasters, the peasant social bandit became an outlaw in order to survive or defend his traditional peasant way of life. They typically defended what they knew and did not possess any particular ideologies or plans for social change. According to Hobsbawm, their aims were modest in that they generally sought simply to restore 'the traditional order of things", usually based on some mythical construct of the past (Hobsbawm 1969: 26). Although not opposed to the rich, whom they accepted as part of the traditional order, they did fight against undue and intolerable injustices perpetrated by the rich against the poor and the ruler against the subject. They accepted the fact that there would be lords, kings, rich and poor, but within the bounds of what were deemed fair, tolerable and morally acceptable for the times.

Hobsbawm also identified other marginal groups who were attracted to some form of banditry and who lived on the periphery of rural life, such as demobilized soldiers, freedmen and migrants who sought respite from evil landlords by moving

to the countryside. He also cites herdsmen, that is, individuals who were part of peasant life, but lived a largely isolated existence in the mountains, cut off from the daily ebb and flow of village life that identified with and supported the bandit groups they came into contact with and quite often joined up with them as outlaws (Hobsbawm 1969: 32-4).

Besides individuals who joined up as part of a group, Hobsbawm also makes mention of men who did not meekly accept the social injustices of the day, but took up arms against the injustices under which their people lived. These were rare individuals, the 'Pancho Villas' of the world who stood up and fought for a cause and thereby gained the respect of their peers. They became the champions of the underdog, the avengers and heroes around whom myths were created and kept alive for generations. An example would be the *Mafiosi* of Sicily, who carved out a niche for themselves as strong men who moved from being mere bandits to respected local overlords in their respective communities (Hobsbawm 1969: 35-6).

An important distinction between peasant bandits and common criminals was that peasant bandits shared the value systems of the peasant society of which they identified with and belonged to. Criminal robber bands, such as those of central Europe and India of the seventeenth and eighteenth centuries were composed of members of specific social castes, such as the knife–grinders of Germany and the hawkers and fairground people of central Europe. They lacked the social background and common roots of the peasant and could thus not be classed together with the peasant social bandit. These were simply just bands of professional criminals, vagrants and

nomads who preyed upon the peasants as well as the wealthy within a wider area of activity than that of the rural peasant and social bandit (Hobsbawm 1969: 39). Some of these common criminals were sometimes idealized in instances when they robbed from the rich and avaricious merchants and landowners who were typically despised by the poor. These individuals became the typical medieval Robin Hoods of their day and the mythical exploits of these characters were perpetuated down the centuries in other parts of Europe.[19]

Social bandits were not regarded as criminals by their kinfolk and were respected members of their communities (Hobsbawm 1969:47-8). They generally did not operate far from the area of their village and they were maintained in food and supplies by their people out of a sense of identity and community with their goals. Hobsbawm makes the point that peasant society made very clear distinctions between social bandits who earned their approval and those who did not (Hobsbawm 1969: 49). Social bandits were thus not revolutionaries who wanted to overthrow the status quo, but typically had rather modest objectives: fairness, re-establishment of the old ways of their ancestors and social justice within the parameters of the existing social order.

2.5 BANDITS AND VIOLENCE

The social bandit was not always simply just an avenger of the poor, robbing from the rich and righting injustices perpetrated

[19] Other such notable robbers were: Dick Turpin 1705 1739; Cartouche 1693-1721; Johannes Peuckler, who was also known "Schinderhannes", 1783-1803 and the French smuggler, Robert Mandrin, 1724-1755.

against the peasants. Excessive violence and cruelty is an endemic ingredient of banditry. As Hobsbawm puts it, peasant bandits' agendas were limited and ranged between robberies, intimidation and acts of petty violence. There were however numerous examples of bandit groups who resorted to acts of unbelievable cruelty, including rape, murder, torture and wholesale destruction (Hobsbawm 1969: 65-6). Hobsbawm suggests two reasons for bandits resorting to extreme forms of violence and savagery. The first is that bandits needed to inspire fear and terror in the hearts and minds of their oppressors and the second is that vengeance and cruelty go hand in hand with the intimidatory tactics and objectives of bandit activity. Bandit gangs could not wreak vengeance on their oppressors by using the structures of wealth, power and social standing, which were all anyway in the hands of the wealthy and privileged. In the bandit's view, the most effective resources available to achieve their aims were to inflict utter humiliation and cruelty on their victims, thereby delivering a clear message of opposition to and frustration with the conditions under which they and their community lived (Hobsbawm 1969: 63). Examples of extreme violence are found in groups who are particularly humiliated and made to feel inferior, such as in instances of extreme and pervasive racism as well as where minorities are brutally oppressed by majorities. The impoverished peasant Indian communities of Colombia reacted savagely and indiscriminately against their white oppressors during the revolution of the 1940's.

There are numerous examples of peasant rebellions that have failed and left behind a lasting legacy of violence and hopelessness that was passed on to future generations. In order to illustrate the depths of utter despair he and his

people had endured, it is worth quoting from an interview with a Colombian bandit chief, Teofilo Rojas, who at the age of twenty-two had been charged with about four hundred criminal charges ranging from allegedly murdering 110 people to other assorted acts of violence and cruelty:

> 'What has impressed you most?
> *Seeing the houses burn.*
> What made you suffer most?
> *My mother and little brothers weeping for hunger on the mountain.*
> Have you been wounded?
> *Five times, all rifle shots.*
> What would you like most?
> *Let them leave me in peace and I shall work. I want to learn to read.*
> *But all they want is to kill* me. I'm not one they will leave *alive.*'[20]

2.6 POLITICS AND ECONOMICS

The bandit led a life of dual existence within the social order: On the one hand he was free from the constraints of normal village community life, whilst at the same time he was not able to divorce himself entirely from the structures and realities of the local landscape, of which he was by necessity, an integral part. According to Hobsbawm, as much as the bandit is apart from the normal social order and conventions of the daily life

[20] From Hobsbawm 1969: 67. Quoting from Genaro Matos, 'Operaciones Irregulares al Norte de Cajamarce' in an interview conducted by Salamon Vilchez-Murga, *Fusiles y Machetes, a Local Source*: 1968, 390-398: Lima.

of the community, the existence and survival of bandit groups depended on interacting and relating to the economic, political and social systems of the regions in which they operated (Hobsbawm 1969: 84)

Bandits are part of the local economies in which they carry out their activities in the sense that they need to obtain food, supplies and arms. They also need to dispose of their booty in some way or another, either by distributing it amongst the poor and needy, or by selling it to the local people for money by which to buy supplies, or by barter and thereby contribute to the flow of goods and money into local economies. In numerous cases, they could also become a part of the wider monetary system, beyond the limited ambit of their local domains when they sell and trade their ill-gotten gains with local merchants, such as inn-keepers, cattle traders and other commercial middle-men of rural society. Bandit groups would need to stay in touch with the local economic realities of the markets in order to successfully dispose of their booty, in much the same way as would a trader or a farmer. Cattle rustlers would often also become bona-fide livestock dealers as occurred in the Balkans, and merchant captains would try their hands as pirates, or vice versa, often with the knowing connivance of their governments, thereby becoming legitimate privateers (Hobsbawm 1969: 85).

The rustic life of a peasant bandit could change in dramatic ways if he was able to widen his economic and social horizons by joining bandit groups. An apt example is that of Sicily and Corsica, where rural thugs and other disaffected youth started off as local thieves and rustlers and eventually ended up dominating the local economies of these regions. These bandit

groups in time came to be known as the *Mafiosi*, whose leaders and followers evolved into respected businessmen who expanded their illegal activities into a wide range of criminal deeds, whilst at the same time building and running legitimate business empires (Hobsbawm 1969: 87).

A successful bandit chief lived a life of dual roles: that of the poor man, labouring under a yoke of oppression, an outsider and a rebel, who, through cunning, brutality and strength, set himself up in opposition to the hierarchy of local politics. The irony is that the more wealthy and powerful he became, the more he became part of the legitimate establishment while at the same time he remained a champion of the poor. He was able to do that due to the relative isolation of rural life, where contacts with tax-collectors, police and other government officials were intermittent and rare.

The isolation of rural communities was ideal for the spread and existence of banditry. The bandit group became a political reality for the local inhabitants, with whom they had to form an effective relationship, there being no other means of maintaining law and order. By calling on outside authorities, peasant communities would have exposed themselves to more harm than intended; as outside military forces were wont to lay waste the countryside in dubious endeavours to restore peace to the region. The following passage succinctly encapsulates the dilemma rural communities faced in the absence of a strong central authority and in areas where banditry flourished:

> ‘I much prefer dealing with bandits than the police,’ said a Brazilian landowner around 1930. ‘The police

> are a bunch of 'dog-killers' who come from the capital with the idea that all the backwoodsmen protect bandits. They think we know all their escape routes. So their chief object is to get confessions at all costs.....If we say we don't know, they beat us. If we tell them, they still beat us, because that proves that we have been tied up with the bandits.....The backwoodsman can't win.....and the bandits? – Ah the bandits behave like bandits. Mind you, you have to know how to handle them so that they don't cause trouble. Still, leaving aside a few of the lads who really are cruel, they cause no harm except when the police are on their trail' (Hobsbawm 1969:89).[21]

The politics of remote rural areas encouraged the growth in power and prestige of local landowners and magnates. It was a simple fact of the pre-industrial era that the central authority had little interest or capacity for that matter, to police and maintain order over inaccessible and far-flung parts of their dominions. In these isolated regions, leading families who in some way or another were able to accumulate sufficient power, arms and influence, would typically fill these functions. Banditry flourished under such conditions, as they were used in order to advance the interests of a particular magnate or landowner by offering their services as a fighting force or to garner political support for their patron. Banditry therefore became an important and integral part of the political structures of pre-industrial communities. The only situations in which bandit groups did not form bonds with local influential kinsmen were when such outlawed groups were so rebellious

[21] Leonardo Mota, 1968: *No Tempo de Lampiao*, Rio de Janeiro, 54.

as to be too risky with which to form any sort of alliance and were better off eliminated than left to upset the local political landscape (Hobsbawm 1969: 91- 93).

Rural politics are conducive to the spread of banditry. Bandits are protected by their own people. This is particularly so where there is weak or no central government influence over the political affairs and conditions in rural regions, especially in the remotest and most inaccessible areas. Powerful local families made use of bandit groups to promote their power bases and protect trade routes and perform a host of other functions to consolidate their control over the local economy and their political power. However, as the wealth and influence of such magnates increased, particularly as access and transport routes opened up, they became integrated, with time, into the legitimate political and economic structures of the state. The attraction of utilizing bandits for political purposes thereby gradually diminished. At such point, the bandits who had largely been schooled in violence and criminality, came to be seen as a threat and were regarded more as outlaws who needed to be eradicated. Rather than continue to make use of bandit groups to protect their interests, the "newly" respectable local leaders would now prefer to use regular police and army units to guard their land, property and economic and political interests. In the court of public opinion, the image of the bandits as local "heroes," changed, and they were increasingly seen as outlaws to be reviled and killed.

2.7 THE BANDIT AS REVOLUTIONARY

A distinguishing difference between common criminality and genuine social protest is when bandits become enthused with values of patriotism and revolutionary fervour to change the social and political conditions under which they live. Peasant bandit movements are therefore particularly receptive to revolutionary leanings, given the right conditions prevailing for its spread amongst a disaffected populace. Criminals, with a limited agenda revolving around nothing more than robbery and other criminal acts, on the other hand, feed off society and their objectives are nothing more than aimed at seeking personal gain and notoriety. The question that begs to be asked is, at what point does social banditry move beyond the confines of mere local protest into a general movement for revolution and genuine social change? According to Hobsbawm, banditry by its very nature as a focus of social protest has within it the seeds from which could spring the beginnings of widespread revolt. (Hobsbawm 1969: 98)

History has shown that many peasant bands formed around determined brigand leaders who attracted numerous adherents until they posed a considerable threat against the state, mobilizing large numbers who were prepared to fight for some cause or ideal, sometimes closely related to freedom or a return to some form of a (often mythical) previous way of life. The Cossack peasants fled to Siberia where they enjoyed some two hundred years of autonomy, until the tsars tried to incorporate them into the greater Russian state. These Cossack serfs, who greatly valued their freedom, were joined by numerous peasant bandit groups and large numbers of army deserters who were unwilling to join the tsar's army, as

well as escaped prisoners and other malcontents, and embarked on a massive revolt to re-assert their independence that lasted from 1670 to 1774 until they were overwhelmed by the Russian army. The bandit chiefs who led these rebellions were highly esteemed as heroes who were regarded by the people as the 'good' tsars who would replace the evil nobles and lords of Russia. However they lacked any real ideological and political agenda beyond a desire to bring back the past glories of Cossack freedom and ended up embarking on a programme of murder, pillage and destruction.

The internal structures and workings of the typical bandit group made it highly unlikely that such groups could metamorphose into large-scale revolutionary movements aimed at bringing about a new political order. Most bandits groups are small in numbers and lack the necessary ideological basis to represent an entire society, but should rather be seen as only one aspect of the numerous problems a society may be experiencing. Such rebellion therefore remains mainly an expression of peasant dissatisfaction and is only a reflection of the protest of one part of the larger mobilization in the society. Peasant bandits really only understood the world of the poor and consequently did not readily relate to the world of the powerful and rich. Their revolutionary visions were limited and Hobsbawm believes that generally they did not aspire to dreams of liberation and brotherhood. The successful Mexican bandit, Pancho Villa, merely wanted to be a landowner and had no visions of becoming a national leader (Hobsbawm 1969: 108).

In spite of this, banditry has played a role in many modern revolutions. Social bandits could and did identify with national

yearnings for local autonomy and resistance to foreign conquest and is one of the major reasons that banditry could become so much a part of a peoples' struggle for change. At the most basic level, bandits provided a ready body of men who were armed and steeped in a tradition of fighting. Mao Tse Tung actively recruited from the many bandit groups which roamed throughout the remoter parts of China. He recognized their worth as fighting men which was based on a long tradition of native resistance in protecting local freedoms and surviving centuries of peasant oppression. At first this fighting force resembled an army of 'roving insurgents' and was composed of 'soldiers, bandits, beggars and prostitutes', (in Mao's own words).These elements were eventually assimilated into the Red Army, but not before they had played a significant part in the communist revolution in China.

Hobsbawm states however, that not too much must be made of bandits' contribution to modern revolutions. Bandits typically have limited revolutionary and political ambitions as they have almost always found themselves in the ambiguous position between the men of power and the poor on the one hand, and the fact that they operated within the political and social structures of their communities, rather than actually against it (Hobsbawm 1969: 107). So while they may have played some role during periods of social unrest and struggle, their lack of the necessary military structures, organizing ability, ideological justification, bureaucratic structures and resources for sustaining a struggle on any large scale or for any long periods of time resulted in them simply being eliminated or absorbed into the larger and more powerful movements. In the example of Chinese bandit groups, they simply stopped being bandits and became part of the regular army formations.

CHAPTER 3

3.1 HISTORICAL BACKGROUND

The story of the Jewish people is principally the history of its domination by a succession of foreign powers since the fall of the kingdom of David in 587 BCE. The country came under Persian rule in 538 BCE and then some two hundred years later, Palestine fell to Alexander who annexed the territory in 332. Smallwood highlights the problem of nomenclature and the inconsistencies by which the terms 'Palestine' and 'Judea' are applied (Smallwood 1981: 1) In antiquity, Judea was used to describe the area centred around Jerusalem in its narrowest sense. It was also used more widely to denote the whole Jewish and semi-Jewish areas which eventually became the Roman province and incorporated Judea, Samaria and Idumea. After 44 CE the territories of Galilee and Perea were included in the provincial boundaries. Palestine became the name officially of these areas after 135 CE. For ease of convenience I propose to follow the suggestion made by Smallwood to use the term 'Judea' when dealing with the territory in and around Jerusalem and Palestine when referring to the whole Jewish territory (Smallwood 1981: 1). The territory of Syro-Palestine fell under the sway of the rulers of the Ptolemaic Dynasty of Egypt until 200 BCE, when it then became part of the Syrian Seleucid House. The Jews fought valiantly against a succession of Seleucid rulers and eventually gained their independence in 141 BCE. After 80 years of independent Jewish rule under the Hasmonaean Dynasty, Palestine fell under partial Roman control as the Roman Empire aggressively asserted its political and military influence over a weak Syria in order to secure its Eastern

frontiers. In 6 CE, Palestine became a full province of the Roman Empire.

What was there in the nature of the Jewish People that caused them to revolt three times in the last three centuries? The first against Seleucids in the Macabaean revolt (168-165 BCE), then against the Roman Empire (60 -70 CE) and finally, the Bar Kochba revolt (132-135 CE). What was so peculiar in the character of the Jewish People that made them rebel against Roman rule? Were Jews particularly revolutionary as a result of their earlier history? Toynbee seems to think that the formative years of the early Kingdoms of Judah and Israel were a product of the revolutionary origins of the people who eventually came to be the Jews (Toynbee 1976: 162). Horsley and Hanson have suggested that the long history of Jewish resistance to tyranny and oppression is part of an ancient tradition of rebellion going back to the origins of the Jewish nation by the Jewish peasantry driven by a desire to be free and fuelled by an uncommon devotion to its faith and belief in itself as a separate people under the spiritual guidance of a single God (Horsley and Hanson 1999: 4).

> "It is by now a truism in theological and biblical studies that, for Israelite and Jewish faith, the people's history was a major arena in which they encountered and interacted with God and God's will. Therefore, to understand the popular movements and leaders among the peasantry in the first century CE, it may be especially important to sketch the history from which they emerged, and which formed their memories and shaped their ideals. At the same time, we should keep in mind

> the two class social structure that persisted from biblical Israel to Jewish Palestine. For such a structure, when more than ninety percent are peasants dominated by a small minority, is subject to almost inevitable tensions that are a major factor in its historical development" (ibid).

It is worthwhile therefore to examine this in more detail in order to see if a parallel can be drawn between the revolutionary tendencies of early Jewish founding history and the rebellious character of the Jewish populace at the time of Roman rule in Palestine in the first century.

3.2 THE ORIGINS OF ISRAELITE PEASANT SOCIETY

The origins of early Israel has been an area of intense debate and speculation, however, it is generally accepted by most scholars of early Israelite history that the pre-monarchic period had a significant normative effect on the development and history of later Israel, even though the evidence available is at best patch, speculative and incomplete (Chaney 1983: 39).

There are many different approaches, all of them highly speculative and still fiercely debated that have been proposed as to how early Israel originated.

Three of the models bear further discussion as a means to examining whether there is a link between the early 'revolutionary' tendencies of the people who eventually became the Jews, and their proclivity to rebelliousness in

later historical periods. By the early part of the twentieth century, two basic approaches to the problem had been formulated:

- The military conquest model (Jos. 1-15) that advocated an organized, swift military conquest from desert groups who destroyed the Canaanite City States and settled in the conquered areas.
- Nomadic infiltration (Jos 15, Judges 1) by peaceful pastoralists (who could possibly have been the *Apiru* or *Shoshu)* into the populated regions of the hill Country. The archaeological data suggest that these settlements of pre-monarchic Israel were frontier territories which attracted the marginal elements of society who had fallen into disfavour with local officialdom or who chose to withdraw from the existing agrarian patterns of settlement (Chaney 1983: 49 - 50). Mendenhall based this model of peasant revolt around the Amarna letters which consisted of a diplomatic archive from the fourteenth century BCE and discovered at El-Amarna on the Nile. These letters dealt with the rebellious activities of a group of people called *apiru,* who directed their hostility against the petty dynasts of Syro-Palestine. Little else is known about the *apiru* beyond the problems mentioned in these despatches by the minor kings of Syro-Palestine to their nominal ruler, the Pharaoh in Egypt. The identity of the *apiru* has been the subject of intensive scholarly research, mainly because of the possible etymological relationship to the word *'ibri'* or "Hebrews" and "Israelites" of the Bible. According to Chaney, what can be reliably agreed on is that the *apiru were* geographically associated with Syro-Palestine and not an external nomadic influence. The *apiru* is not an ethnic appellation, but refers to elements in the population

who were "declassed, fugitive, uprooted, or who otherwise stood outside the acknowledged social system" (Chaney 1983: 53). However, all three terms, *apiru*, "Hebrews" and "Israelites" are ambiguous and linguistically they vary according to context in the sense that they denote social roles, especially during the pre-monarchic period (Chaney 1983: 57).

- In the 1960's, the problem was approached from a sociological perspective. This approach advocated that the Israelites were in fact fugitives from the lower classes who rebelled against the oppressive Canaanites rulers by means of an armed struggle. This school rejects the notion that the Israelites emerged as an external force and contends that they were a localized phenomenon from within the ambit of the Canaanite territories.

Despite nearly a century of research and scholarship the question of who the Israelites were, where they come from and how to identify them ethnically remains unresolved. The main issue of how to reconstruct their settlement (from Egypt, the Sinai Desert, Urban Canaan or the rural hinterland) and their relationship to the Canaanites and their neighbours are still complex questions that have not been adequately answered by the archaeological records or the textual remains.

Much later, with the Sinai covenant serving as an ideological blue print, the community of Israelites started to become attractive to those who were living under oppressive regimes.

> 'Common loyalty to a single overlord, and obligation to a common and simple group of norms created the community, a solidarity which was attractive to all

> persons suffering under the burden of subjection to a monopoly of power which they had no part in creating, and from which they received virtually nothing but tax collectors. Consequently, entire groups having a clan or "tribal" organization joined the newly-formed community, identified themselves with the oppressed in Egypt, and received deliverance from bondage' (Mendenhall 1970: 108).

This community existed for some two hundred years as a free and independent peasantry without a ruling class except for the Mosaic code which served as an early form of a constitutional programme. As such this early community of Israelites, were able to fend off threats to their existence from both within and without, particularly from the Canaanite kings who could not make effective use of their chariots in the hilly areas inhabited by the Israelites.

According to Horsley and Hanson, it was the collective memory of this community that was passed on to subsequent generations by means of the Biblical narrative. This became a reference point for future generations who strove, at various times, to return the community to an epoch when the Jewish peasantry lived under the rule of God in a just and egalitarian society, without overlords, kings or rulers and free of foreign domination (Horsley and Hanson 1999: 6).

During the eleventh century the Philistines became a major regional power. Only Israel was able to successfully maintain their independence by radically restructuring their political environment as a monarchical regime, based on the kingship model of the type the Israelite state, as it was, had resisted

up to this point. David organized the resources and people into a centralized politico-religious state. The monarchy under David as king now became the mediating institution between the people and Yahweh, giving the monarchy the divine sanction and legitimation to rule. During the reign of Solomon, the monarchy centralized the faith in the temple in Jerusalem.

In Israel, the majority of the peasantry found it difficult to reconcile itself to the structures and authority of a monarchical system and were supported by prophets like Hosea and Amos, who harshly criticized the kings and ruling classes for the oppression and injustices under which the common people lived and predicted divine retribution for the nation unless they returned to their former way of life. The basis for their criticism was deeply rooted in the principles of the Mosaic covenant and the abhorrence of oppression by a ruling class and the social inequalities of monarchical rule. Israel was conquered by the Assyrians in 722 BCE and Judah fell to the Babylonians in 587 BCE.

Pectora roborant cultus recti

The Persians conquered Babylon in 539 BCE and allowed the exiled Israelites to return to their homeland and rebuild their capital Jerusalem and the Temple. The head of the Judean society became the high priest who was based in the temple, together with the high priestly families who became the de facto political, religious and economic power structures as well as the emergent upper-class of Jewish society. With the advent of Hellenistic rule and later the Roman Empire, Judea continued to function as a temple community, but under the external control of an imperial government. The social and economic realities meant that although the peasants were able to continue living under their Mosaic traditions, they became

increasingly alienated from the ruling priestly authorities as they were burdened by taxation and other restrictive measures that marginalized their existence.

3.3 A POLITICAL, ECONOMIC AND SOCIAL HISTORY OF THE JEWISH PEASANTRY IN THE HASMONAEAN ERA

The origins of a great deal of the conditions under which the Jewish populace found themselves in the first century, had its roots in the resistance against Seleucid domination and the subsequent rise of the Hasmonaean Dynasty. Successive Seleucid monarchs attempted to forcibly convert the Jews away from the most cherished tenets of their faith thereby causing a popular groundswell of resistance and rebellion, which was to culminate in the establishment of an independent Jewish state. Judas the Maccabee, one of the sons of a priestly Hasmonaean family led the revolt as an underground movement and was so successful that they defeated a number of large armies sent against them. The peasants' resistance only increased when it became clear that the Seleucids' ultimate aim was to end the existence of the traditional way of life of Judean society by confiscating the land, selling the people into slavery and settling non-Jews onto the confiscated land, mainly in order to repay the debt the Seleucids owed to Rome as overdue tribute (1 Macc.4.36-59).

After a lengthy struggle, the people of Judea succeeded in their war of national liberation. The outcome however, was not a return to a traditional way of life based on a Mosaic ideal, but the establishment of a state that was indistinguishable from any of the other semi-Hellenized states in the region

(Horsley and Hanson 1999: 23). In order to consolidate and expand the amount of land under Jewish control, a national army of considerable size was formed.[22] The land expansion programme was achieved by the conquest of neighbouring territories, the forced conversion of non-Jews to the Jewish faith and the displacement and expulsion of thousands of local inhabitants. Although little is known exactly how the lives of the rural peasantry changed as a result of the establishment of the Hasmonaean state, a few factors can be surmised: As new land was won over by conquest, Jewish farmers were settled on these territories in order to create a class of land holding peasantry who would be free from economic exploitation. It is also possible that in return for the land, the peasantry would have to make themselves available for military service, hence the capacity to recruit a large national military (Schäfer 2003: 66). With regards to taxation, Schäfer has suggested that the hated tribute exacted by the former Seleucid rulers was abolished, the land tax was rescinded and only applied to the royal estates, leaving therefore only the poll tax, customs duties and a possible increase in the Temple tax from one third of a shekel to half a shekel (Schäfer 2003: 67).[23] Less certain is to what extent the land in the newly established kingdom was divided out amongst the members of the royal families and how much was granted to nobles and other leading families of the realm. Applebaum has suggested that there appears to be sufficient evidence from Talmudic

[22] Jonathan had 30,000 Jewish soldiers at his disposal according to 1 Macc. 10:36 and could provide for the hiring of 3000 soldiers to fight against the rebellious soldiers of Antioch (1 Macc. 11: 42-51)

[23] For a more detailed assessment of the land and tax issue during the Hasmonaean and Roman periods, see S. Applebaum (1977). 'Judea as a Roman Province: The Countryside as a Political and Economic Factor', *ANRW* II.8, 355-396.

sources and from Maccabees that the Hasmonaean rulers had appropriated large tracts of land for themselves, as was the custom and practice in the other surrounding Hellenistic monarchies of the region (Applebaum 1977: 358-9). [24]

> "It therefore seems permissible to conclude that on the eve of the Roman advent the greater part of the Jewish peasants of Judea had vindicated their traditional right to be masters of their own lands, and that the small-holder was the predominant figure on the Jewish agrarian scene, although it is evident that estates of the Hasmonaean nobility also existed, and royal domains among them" (Applebaum 1977: 360).

Having achieved its freedom from foreign rulers, the Jewish people were now able to control their own destiny. However, the circumstances under which the fledgling state won its independence and the subsequent conduct of its ruling house would prove disastrous. The Maccabaean movement had its ideological roots in the party of the *Hasidim* which eventually became the Pharisees (Schäfer 2003: 70). Their entire frame of reference was based on the strictest and unswerving observance of the Law in all matters of public and private life. However, once Jewish liberty had been restored, the Maccabaean elite and ruling class shifted its focus to the political sphere in order to advance the national interest by

[24] The sources are: 1 Macc. 10, 89; Josephus's *Antiquities* of the Jews 13: 102 which deals with the granting of Ekron to Jonathan; 1 Macc. 14, 10 refers to the villages of *the Plain of Esdralon* held by Hyrcanus II as well as in *Antiquities* 14: 207; 14: 208 deals with Hyrcanus's property rights in Lydda; B. Gittin 57a, regarding Alexander Janneus's ownership of property in numerous villages in the "Kings' Country", and other Talmudic references to notables possessing land in this region.

following pragmatic policies that were aimed at ensuring economic and political stability and religious compromise. This meant realignment away from the Pharisees to the Sadducaean party, which was comprised mainly of the wealthy and priestly aristocracy who were more inclined to identify with and compromise with the Hellenistic world and its overtly secular interests. The Pharisees, according to Josephus, had great influence and credibility over the people and one can presume that by the time the Hasmonaean dynasty had established itself, they were a major force in Jewish politics (*War* 2. 162-166; *Antiquities* 13.171-173; *Antiquities* 18. 11-17). The political situation thus can be characterized as follows: after a long struggle, Jewish independence is re-asserted. The leaders of the movement for liberty, the Maccabees established a centralized monarchical kingdom and not a state based principally on theocratic principles and institutions. The ruling elites adopted Hellenistic state formations, contrary to the wishes of the majority who became alienated from them and the ruling institutions resulting in the outbreak of a protracted and bloody internal insurrection. A great deal of the hostility came about as a result of the Hasmonaean House deciding to abrogate to themselves the title of 'high priests'. (Smallwood 1976: 16-20) That the policies of the Hasmonaean monarchs, and in particular those of Alexander Janneus, were deeply repugnant to much of the Jewish populace can be attested to by the bloody six year revolt that broke out towards the end of his long reign. Josephus provides what is probably an apocryphal tale of how, on his deathbed, Alexander Janneus urged his wife to make peace with the party of the Pharisees in order to continue with the dynasty he had established (*Antiquities* 13.372-83; 399-404; *War* 1. 88-98.) The extent and ferocity of the revolt is

graphically described by Josephus, however what is of particular note, is that the ideological schism between the Pharisees and Sadducees had hardened, not only on purely religious grounds, but also on the basis of who held the political right to lead the people. Given that Jewish society was fragmented and pluralistic with self-contained groups, each with their own authority figures, these fault lines in Jewish society, carried over to the Herodian era and served as a background to the conflict that was to unfold later in the first century (Rajak 2002: 109).

As a result of this struggle, the country was split between three major parties, the Pharisees, the Sadducees and the Essenes. Essentially, this was the domestic political scene which the Romans encountered when they finally entered directly into the Syria-Palestine region in order to consolidate their control over the Eastern reaches of the Empire.

3.4 ROMAN INTERVENTION

Before he died, the Hasmonaean ruler, Alexander Janneus bequeathed his kingdom to his widow, Alexandra Salome, who initiated a period of peace between the warring monarchy and the Pharisees. This however was short-lived, as soon after her death there arose a period of continuous conflict and instability in the kingdom as her two sons, Hyrcanus and Aristobulus, struggled for power amongst themselves. In the, meanwhile, Pompey had arrived in Seleucid territory in 64 BCE and set about formally annexing the region in order to secure Rome's eastern borders from the continuous anarchy which prevailed throughout the East. The conflict between the two warring Hasmonaean princes gave Pompey the pretext to

intervene in Palestine ostensibly to prevent the internal conflict from causing further instability in the region, but also to firmly secure Roman imperial interests throughout the region. The result was the eventual dissolution of the Hasmonaean Kingdom and drastic reduction of Jewish territory. Pompey's aim was to ensure that Palestine would become an insignificant part of Syria and would not be able to mount a political or military threat to the stability of the region (Smallwood 1981: 27). He started by drastically reducing the extent of Jewish territory and restored the former Greek cities of the coastal plain, Samaria and Transjordan, from Judea. The remaining Jewish territories now consisted only of Galilee, Perea, Idumea and Judea. The whole area descended into turmoil as rival Roman factions fought amongst each other, while the continuing conflict and inter rivalry amongst the Hasmonaeans raged on with Parthian military involvement adding to the chaos in the region.

The effects on the Jewish populace were devastating. Massive taxes were imposed on them, the land was ruined and widespread social turmoil became the order of the day (Horsley and Hanson1999: 31; Grabbe 1992: 334).

By the year 6 CE when Rome started to administer Jewish Palestine as a direct colony of the Empire, Josephus described the situation in the land as a general sickness that... "So deeply were they all infected and strove with one another in their single capacity, and in their communities, who should run the greatest lengths in impiety towards God, and in unjust actions towards their neighbours, the men of power oppressing the multitude and the multitude earnestly labouring to destroy the men of power" (*War* 7.260). The havoc and

instability in this period led to great social and economic distress amongst the peasants on the land and the poor of the towns and cities.

3.5 THE POLITICAL AND MILITARY DIMENSION

In attempting to govern Judea as a province, the Romans committed themselves to protecting Jewish religious liberty, but from a political viewpoint, were adamantly opposed to any nationalist aspirations among the Jewish populace. According to Jewish tradition and practice there was conceptually no separation between the political sphere, the religious and cultural as they saw it all as one and the same. Therefore, any threat, real or perceived, towards any facet of their faith, religious practices and way of life, automatically qualified itself as a political threat to their very existence as a separate people with their own religious ideology. In the absence of moderate Jewish opinion being able to prevail for any length of time, the resulting belligerent and militant resistance right at the start of direct Roman rule in 6 CE became the fundamental cause for repeated turmoil over the next sixty years that culminated in the outbreak of war in 66 CE.

One of the primary objectives of Roman provincial governors was to maintain the peace and stability in the provinces to which they had been assigned. In the larger and politically more dangerous provinces, large army units were stationed and on standby in case of any outbreaks of unrest. In less significant provinces, and we can safely assume that Palestine

initially fell into this category as it was situated on the periphery of the eastern part of the Empire, the military presence was extremely small and limited. Palestine fell under the military and administrative command of a legate of senatorial rank stationed in Syria and who reported to the Emperor while Palestine proper, was in turn placed under the control of a *praefectus* or a *procurator* (from Claudius onwards), usually of equestrian rank and was not seen as a 'plum' posting for a politically or militarily ambitious Roman. Provinces governed by a *praefectus* or *procurator* usually had only auxiliary troops *(auxilia*) at their command, as was the case in Judea. These were composed of soldiers who were recruited from the indigenous population who did not have rights to Roman citizenship, (except for the officers). Their main duties were to man the garrisons and maintain internal order. Jewish citizens of Judea however, were exempt from military service. Besides maintaining order, the governor was entrusted with the task of tax collection and the administration of justice.

Josephus mentions at the conclusion of *Antiquities* that on the death of Archelaus the government changed from a monarchical form of rule to one based on rule by an aristocratic elite (Antiquities 20.251). The Jews retained the right to administer local laws, according to their custom and to implement the customary civic and criminal laws, although only Roman governors had the right of imposing capital punishment. From Josephus's observation, it can be concluded that Judea was once again a community ruled by an aristocracy of high priests, although in practice, the Romans reserved the right to themselves to appoint and depose the

high priests, a right they later ceded to the client kings, Herod of Chalcis and Agrippa II.

According to Goodman, the notion of a social class based on feudal ties or on inherent distinctions of birth did not exist in Judean Jewish society. People did not automatically see themselves as peasants, farmers, craftsman, landowners or merchants, or other such groups with clearly identifiable interests. People regarded themselves as distinguishable only as categories within the context of Jewish ideology and faith. A person was born a Levite, a priest, an Israelite or a natural born Jew. The victims of economic misfortune did not confuse their plight with established Jewish social norms, nor did the poor identify with other poor, and the resentment towards the rich and the exploitation they suffered remained unfocussed (Goodman 1993: 67). While class distinctions may have been blurred because of the central role that religion played in their lives, it presupposes that all Jews believed equally and in the same measure in the tenets of their faith while it is now commonly accepted that there were a number of interpretations of Jewish law, besides the influences of external cultures such as Roman Hellenism; in addition one can surmise that for the extremely desperate, the disparities of wealth and conditions of life must have been only too apparent and focussed. Someone dispossessed of his land must surely have borne acute resentment towards the dispossessor.

When the Romans assumed control of Palestine they naturally applied a form of governance with which they were familiar and had worked for them in other provinces in the Empire. This was based on the practice of leaving local institutions

intact under the control of the existing ruling elites, such as they were. In Judea, the situation was different, in that after the demise of Herod's son, Archelaus, the monarchical form of rule had by then disappeared and with it the whole panoply of aristocracy as an institution of government. The Romans therefore had to 'invent' an alternative aristocracy, and turned to the old and venerable institution of the high priesthood. They created what Goodman calls an 'artificial' aristocracy and the blame for much of what subsequently went wrong can be blamed on this fact alone (Goodman 1993: 110). The problem from the Jewish perspective was that the High priesthood had become devalued as an office in the eyes of the Jewish people after 37 BCE when Herod had appointed individuals to the office who lacked authority and legitimacy for the broad mass of the population. The prestige and credibility of the office had so diminished by that stage already, that when the Roman procurators took it upon themselves to appoint the high priests, the incumbents were regarded as mere puppets of the Roman governor. As far as the broad mass of the Jewish people were concerned, the high priesthood was seen as collaborating with the Roman authorities, while at the same time there existed a great deal of conflict between ordinary priests, the high priests, the scribes and scholars who had attained a degree of semi independence within the Temple and were consequently hostile towards the Roman authorities (Horsley 1993: 130). Therefore as armed resistance and unrest increased in the countryside in the years prior to the outbreak of the revolt in 66 CE, the high priests based in the Temple in Jerusalem did little to intervene in the conflicts that arose in the countryside and people turned increasingly to prophets and self-proclaimed messiahs with fantastical visions of a renewal of

Jewish independence, freedom and a return to a past traditions and way of life (Horsley 1999: 115). The fault lines in Judean society can be summed up as a series of conflicts between the exploited peasantry and frustrated inhabitants of Jerusalem, on one side, and the high priestly aristocracy and Roman rulers on the other. The illegitimacy of the high priesthood and their alienation from the common people as well as the rest of the Temple hierarchy resulted in their inability to rule effectively.[25]

The basic social form of ancient rural societies was the household and village communities. Given the fact that these had undergone traumatic and irretrievable stresses in the years 63 BCE to 6 CE, they had experienced Roman conquest and reconquest three times over the past sixty years. Roman brutality, devastation and scorched earth practices dislocated whole communities, uprooted villages and caused large numbers to flee to seemingly more secure Jewish areas of habitation within Galilee and Judea (Horsley 2002: 87).

The other institutions which may have been a key factor in Judean politics were also rendered relatively ineffective. The first was the Sanhedrin, but evidence of its role in first century events are sketchy and second century rabbinical accounts are confusing, especially when evaluated against the role this body played in New Testament accounts. Goodman also claims that the supreme decision making institution was the popular assembly. This institution was steeped in religious significance and played a decisive role at times of great

[25] M. Goodman (1993): *The Ruling Class of Judea* provides a detailed and excellent analysis of the ruling class in Judea and their failure to impose effective rule at a time when it was most needed.

import for the Jews. The theological basis for this assembly was based on the gathering of all the people to convene with God at Mount Sinai (Exodus 23.14-17).[26] The custom of a people's convention was transmitted through the generations by the mass gathering of multitudes of people in Jerusalem for the annual Passover festival. These were highly emotive occasions during which the Jewish yearning for its past liberty and freedom from oppression was articulated. These gatherings were highly dangerous occasions for the secular authorities who were scared of sporadic and uncontrolled mob violence (Goodman 1993: 110). "For when the multitude were come together to Jerusalem, to the Feast of Unleavened Bread, and a Roman cohort stood guard over the cloisters of the Temple (for they were always armed and kept guard at the festivals, to prevent any innovation which the multitude thus gathered together might take)" (*War* 2.224). However, popular assemblies were not countenanced by the Romans and were suppressed wherever Rome assumed power, or emasculated as rubber stamping bodies, where this was convenient and expedient (Goodman 1993: 110).

The discussion so far has focussed largely on Judea as the traditional central focus of Jewish affairs. However, Galilee, had its own unique history and the unfolding events prior to the revolt and during the course of the revolt, developed rather differently to that of the Judean experience. Galilee had, until Hasmonaean times, been either an independent entity, or ruled as a separate unit of imperial administration for eight hundred years. Horsley remarks that the Judean

[26] At a Jewish assembly in 140 BCE, Simon Maccabee was confirmed as Ethnarch (1 Macc. 14.40); Herod confirmed his heirs to the throne in 12 BCE during a gathering of the people in the Temple (Antiquities 16. 132-135).

experiences and interaction with the Temple cult based in Jerusalem had not affected Galilean Jewish society to the same extent as it had in Judea proper nor, is there clear evidence that there existed any attempts at bridging the divide between the two Jewish 'factions' (Horsley 2002: 88). He describes the differences as the "great tradition" personified by the Jerusalem-based elites and their temple-state version of Judaism as opposed to the "little tradition" exemplified by an "Israelite popular tradition" as found in the Galilean village communities (Horsley 2002: 88). It is probable that Galileans may have held conflicting views to those prevailing amongst the Jewish elite in Jerusalem.[27]

The Roman military did not typically entrench large armies in the smaller and less risky provinces. When a rebellion did occur, they mustered as much manpower as was available to contain it, often using numerically small and poorly equipped forces as a show of force and to quickly regain the initiative before the situation could spin out of control. This willingness to face an enemy, even if grossly outnumbered, was meant to show contempt for the enemy and an unwavering belief in the might and power of the Roman military to eventually prevail. If this initial military intervention was unsuccessful then a fully equipped army with adequate resources was sent to quell the rebellion. The Jewish forces achieved an early victory when fighting broke out in 66 CE, when the Jews defeated a modest Roman force under the command of Cestius (*War* 2.517-22); (Goldsworthy 2000: 144). The Roman forces that were placed

[27] Sean Freyne explores the effects of regionalism on the events leading up to the revolt in a short chapter entitled, 'The Revolt from a Regional Perspective.' Berlin and Overman (Eds). (2002). *The First Jewish revolt*: *Archaeology, History and Ideology.* London: Routledge.

in Palestine consisted of two cohorts in Jerusalem which were stationed in the Antonia fortress consisting of about one thousand men. Another cohort was based in Caesaraea, and another two cohorts and one squadron of cavalry served throughout the province. Practically then, if the Jewish ruling class wanted to assert its authority in response to the endemic unrest, it could not do so effectively without an army or militia of its own and was thus dependent on the Roman military, which it was reluctant to do anyway given the brutal nature and heavy-handedness of the Roman army. The only avenue to dealing with the sporadic outbreaks of unrest, was to use persuasion; but given the lack of credibility towards the Jerusalem ruling class, this was a route that was difficult, and in only a few instances, successful. [28]

3.6 THE ECONOMIC SITUATION

The economy of Palestine was similar to those of other regions of the Roman Empire in that it was largely agrarian in nature with the peasants producing the food consumed in the cities and rural communities. Aside from a few regional peculiarities, Palestine was part of the larger Roman economic world and there are comparable socio-economic conditions that existed elsewhere in the Empire (Harland 2002: 515).

The economy of Palestine was an underdeveloped and agrarian economy based on subsistence level farming by the peasantry. By means of the payment of rents and taxation, the

[28] The resistance to the census imposed by the Roman administration in 6 CE was mediated by the high priest, Joazar, who convinced the people to co-operate. (Antiquities 18 1-2).

peasants supported the socio-economic structure although this resulted in a grossly unequal distribution of the wealth in favour of the elites who represented only a fraction of the population. The income generated in the form of the taxes and rents therefore flowed into the cities and were redistributed amongst the wealthy for their own particular ends without anything flowing back into the countryside, thereby keeping the rural areas perpetually underfunded and in a state of constant penury. Donald Engels explains that the peasants in the ancient economy lived on the margins of survival and had virtually nothing left over after paying their taxes and or rents and maintenance costs, so that any urban exchange of goods and services would not have been viable as the peasant simply did not have enough money left over to serve as disposable income (Engels 1990:1). This, in essence, largely captures the spirit of the primitivist model of the ancient economy in which Finley has been the most influential. More recent studies have revealed that although the Roman economy was pre-industrial in nature, it nevertheless showed signs of complexity, order and systems to an extent that any economic models derived from individual cities need to be carefully qualified (D' Arms 1981: 59). Douglas Edwards argues that rural villages in Galilee for instance, experienced a vibrant interchange of goods between urban centres and back to the villages. (Edwards 1992: 58-62). The village of Kfar Hananya produced high quality pottery which was distributed over a wide radius, incorporating villages and urban centres across the Galilee, including Sepphoris and Tiberius, which probably served as the distribution centres for the neighbouring villages (Bayewitz 1985: 243-253).

Despite the comment from Josephus that Palestine was not a maritime nation or much interested in trade (*Contra Apion* 1.60), here too some caution needs to be applied as the reality may have been different. It is probable that this comment derives from the restrictions placed on foreign trade by the rabbis, (which could possibly explain why Josephus may have wanted to downplay this activity) as well as the custom of some classical authors to depict commercial trading activities in a hostile light, including Cato (Agr. 1.2-4), Cicero (Off. 1.150-51), Varro (Rust. 2.10.1-3) and Columella (Rust. 1.1-17), a practice that Josephus may have been following (Harland 2002: 518). Archaeological evidence has revealed that there may have been quite extensive importation of goods into Palestine, despite comments to the contrary (Harland 2002: 518).

The economic structure of the Jewish territories was one based on villages, not unlike most of Roman Near Eastern society (Millar 1993: 350), but with large towns around which they were anchored for purposes of trade and civil administration.[29] However, Jerusalem played an important role in the Judean economy as it was a centre of considerable wealth and influence (*War* 3.54). Jerusalem became a wealthy city because of three factors. We know that the countryside was particularly productive and produced grain, wood, fruit and cattle (*War* 3.49-50). The Temple spent a considerable sum of money purchasing agricultural and other goods from the local economy that was used in sacrifices and other religious ceremonies. The Temple attracted a great number of pilgrims every year that spent a great deal of money in the

[29] Josephus provides an extensive list of cities, neighbouring villages and Toparchies in *War* 3. 35-38.

city on accommodation and other services as well as by donating gifts to the Temple. Herod and his descendants also injected huge sums of money on building projects and urban improvement schemes. This can be deduced from the large number of workmen who were kept busy on these projects and on completion in 64 CE were unemployed thereby causing concern that they could pose a threat to civil order. Agrippa subsequently ordered that they be employed on a scheme to pave the city. *(Antiquities* 20.222)

There were wealthy families based in Jerusalem and other cities whose primary source of wealth was vested in land ownership. This was particularly so in the case of Jerusalem, where archaeological evidence has revealed the remains of sumptuous private villas. Goodman proposes that landowners were limited in their ability to create wealth from the land only by means of surplus production as most of it was consumed locally. Nor was Judea able to create an export based economy of note. Wealthy landowners and city dwellers who had large reserves of capital exploited the opportunity presented by the deteriorating conditions in the countryside by becoming money lenders to desperate freehold peasants and impoverished landowners of small rural landholdings (Goodman 1993: 57-64). The loss of land, oppressive taxation and the general impoverishment of the Jewish peasant class was a major source of subsequent civil disorder, brigandage and without doubt, a contributor to the revolutionary fervour which swept through the countryside in the 60's CE (Applebaum 1977: 379-380).

What exactly led to the impoverishment of the Jewish farmer? Pompey's reorganization of the Jewish territories drastically

reduced the land area on which Jews had settled, and returned these to their former Greek owners; the Jewish population had been steadily increasing and reached its peak in the first century, thereby creating additional pressure on what little land was still available for agriculture (Goodman 1993: 54). Archaeological evidence from the Upper Galilee has revealed that in the Roman Byzantine era there were 32 settlement sites in comparison to the 19 from the Early Iron Age; in Western Galilee 53 sites when compared with the 36 from Hellenistic times; in the Jordan Valley there were 36 Roman Byzantine sites compared to the 12 Early Iron Age sites; in the Golan 182 sites in the Roman Byzantine period compared to the 75 found for the Hellenistic period (Anderson 1998: 451). Applebaum estimates that there were about 600 settlement sites in Judea and Samaria and a population of between 300,000 and 600,000 (Applebaum 1977: 362). Large cities included in their territories minor urban centres which served a number of outlying towns which in turn served villages (Anderson 1998: 451). Most of the population living in rural areas were found in nucleated villages either on hill tops or close to water supplies and for reasons of mutual assistance (Applebaum 1977: 363). The result was that land holdings became too small to support the peasant farmer. Landholding sizes ranged from 0.1 hectare, which was the smallest recommended by Halakha (M. BB I, 6); unless otherwise agreed by the parties involved, some plots had a plough length of no more than 22 metres (Targ. Jonath. Ad Sam. 14, 14). Rabbinical records speak of holdings of between 0.3 and 0.35 hectares (Applebaum 1977: 365-67).

Goodman suggests that the rising population figures in Judea, and presumably in the other Jewish settled areas was due to

the inherent nature of the Jewish attitude towards family and caring for other fellow Jews. The Jews took the Biblical order to be fruitful and multiply literally and seriously which meant that contraception would not have been used. In addition, abortion and infanticide was not practiced (*Contra Apion* 2.202). In addition, Jewish attitudes towards charity *(Tzeddakah*) as an institution and as one of the most important precepts of Jewish life *(mitzvoth)* ensured that small children and the indigent would have a reasonable chance to survive the depredations of poverty and natural disasters that befell the region from time to time (Goodman 1993: 61).

The pressure on the rural farmers to maintain ownership of the land and to farm it productively must have been intense. This was especially so at the death of the farm owner when the plot size, judging from aforementioned data on the average size of landholdings, made it simply impractical to divide up the land between all the descendants, given the fact that large families would have been the norm. Under Jewish law, the eldest son would have inherited a double portion, but this would have represented an untenable situation for the inheritor, who faced a bleak future on a portion of land that was already being utilized to capacity and the need to produce additional surpluses would not have been easy or even possible. Future prospects of further subdividing the land for additional descendants on the inheritor's death (keeping in mind also the proclivity towards large families), posed a bleak prospect for the peasant landowner trying to keep land and family together. Conditions during famines and droughts increased the pressure on the land to sustain the people living thereon (*Antiquities* 20.51; 101).

There were few options available to the victims of such misfortune. They could have emigrated to other Jewish centres in the diaspora, although it is unlikely that they would have had the capital to undertake such a move. For the landless, an option could have been to move to the cities to seek employment there. We know from the crisis that was precipitated by the completion of the construction work undertaken by Agrippa in Jerusalem that a considerable number of workmen faced unemployment, eighteen thousand, if Josephus is to be believed. Agrippa, fearing civil unrest should the unemployed become restive, engaged them on a project to pave the city (*Antiquities* 20. 219-222). Other landless individuals would have sought work on the big estates or the royal domains as labourers. Goodman states that there was already a large mass of permanently landless people vying for the limited jobs that were available during harvest times (Goodman 1993: 62). It was unlikely that persons from a rural and agricultural background would have been able to enter into a city based craft, which was traditionally handed down from one generation to the next (Goodman 1993: 62).

For desperate landowners there were few choices. The one resort was to lend from the wealthy landowners and city dwellers, the possessors of spare capital, in order to tide themselves over bad harvests or natural disasters. The fact that the debt archives was burnt down during the time that Florus was procurator, 64-66 CE, is evidence that money lending was a legitimate and presumably widespread activity undertaken by the possessors of spare capital. According to Josephus, the 'seditious party' did this in order to persuade the 'multitude' of debtors and poor to join their cause in the

mounting insurrection against Florus's rule *(War* 2.427). It is debatable of course to what extent the effects of money lending caused the wholesale impoverishment of the rural poor and the extent to which this in itself was a reason that a 'multitude' would take up arms against the Roman authorities. That money lending had become an institution of the capital and financial markets of Palestine can probably be gauged by the fact that the Jewish laws cancelling the debt in a Sabbath year were amended, in a sense, so that debtors acknowledged that the full debt would still be repayable despite the advent of a Sabbath year during the term of the loan.[30]

With this as the background, it is possible to draw the conclusion that it was unlikely that those farmers who had borrowed heavily and were deeply in debt would have found it easy or even possible to work themselves out of a perilous situation. Unable to repay their loans, the most likely outcome was that they would have forfeited their lands to their creditors (Goodman 1993: 51-57). They either left their former homes or remained on the property as tenant farmers, or worse, as labourers. Some may have been able to find employment in Jerusalem on construction projects, although it is not clear whether these were drawn from the urban poor and what percentage were derived from the rural poor who had migrated into the city looking for an alternative livelihood (A*ntiquities* 20.219).

[30] Although the *Prosbul* (which is attributed to Hillel) is described in rabbinical texts from the second century CE, (m. *Shebi*. 10. 3-7), Goodman suggests that it was probably in practice in the first century already as it is likely that it would have taken a while for the law to adapt after a previously frowned upon custom would become the norm (Goodman M. 1993: 57-58).

The issue of money lending by the rich to those in need of financial assistance, be they poor farmers, urban dwellers or even the politically ambitious, was not a phenomenon restricted to Palestine, but was a common feature of the economies of the Graeco-Roman world. According to Finley, vast amounts of money were advanced as loans at usurious interest rates to borrowers in the towns and the countryside (Finley 1985: 198). Despite the fact that the land was productive (*War* 3. 49-50), one of the more accessible means to wealth for rich Jews was to lend money and acquire assets in the form of confiscated land or money by charging interest on loans, rather than by investing in agricultural growth or manufacturing output. As Finley has argued, because of the absence of a banking or fiduciary system, accumulated wealth existed either in the form of land or coin, which was hoarded for personal aggrandizement, but was not used as a means for national wealth creation due to 'powerful social-psychological pressures against it' (Finley 1985: 140).

Pectora roborant cultus recti

CHAPTER 4

4.1 JEWISH REBELS AND BANDITS

A good departure point will be to examine the period after Pompey had reorganized the region as it ushered in a period of political and social turmoil. This period of foreign domination, land shortage and economic and social upheavals is the background to much of the trouble that took place from 64 BCE and ended only when the Jews were finally defeated by Rome in 74 CE with the fall of Masada.

4.1.1 Hezekiah

In 47 BCE, Hezekiah, a brigand chief (*archilestes*) terrorized the border region between Syria and Galilee. Herod I, near the very beginning of his reign in 40 BCE, captured him and had him and some fellow robbers summarily executed. Josephus does not provide any more detail than this, other than to say that Herod won the approval of the consul of Syria, Caesar Sextus, for alleviating the problem in the border areas (*War* 1. 204-5; *Antiquities* 14.159). Grunewald suggests that Hezekiah was more than a mere bandit and could have been a supporter of the Hasmonaean dynasty and therefore a possible claimant to the throne; nor, he adds, would the Syrian governor have paid as much attention to his demise as he did (*Antiquities* 14. 160) if he was simply a robber plaguing the area (Grunewald 1999: 95). It is possible that Josephus used the term 'bandit' as opposite to 'king.' It was common practice from the time after the fall of the republic to use the term *latro* to describe a political opponent. Cicero was

amongst the first to employ this word in his campaign to vilify and destroy the career of Catiline. This tradition transferred itself to the East and other parts of the Empire where it became common to refer to self-styled local potentates or pretenders to power who were unacceptable to the Roman authorities, as 'bandits' (Grunewald 1999: 1-90).[31] If we accept that Hezekiah and his followers were indeed a potential rival to Herod, then it would not be prudent to classify them as social bandits with a limited agenda aimed only at opposing peasant oppression (Freyne: 1988: 58). This is contra to Horsley who applied the Hobsbawm model of social banditry as a means to explaining the actions of individuals like Hezekiah and his followers (Horsley and Hanson 1999: 63-69).

Between 39 and 38 BCE, Herod had to win back the Galilee which appears to have sided with Antigonus, who had been placed in power by the Parthians in 40-39 BCE. Once he had subdued Sepphoris, he then sent his troops to subdue "the robbers that were in the caves, who overran a great part of the country, and did as great a mischief to its inhabitants as a war could have done" (*War* 1.304). According to Josephus'ss description, these brigands were not only of a considerable number, but were also skilled in the arts of fighting and it took quite a long time for Herod to defeat them and scatter the remnants across the borders. This episode is indicative of the extent and strength of the opposition to Herod and the opposition to the oppression that the people were experiencing, especially due to the aggressive manner in which Herod set about collecting the additional taxes imposed by the Romans. Horsley claims that these bandits should not

[31] Also T. Habinek 1998: *The Politics of Latin Literature*. Princeton: Princeton University Press, 69-87.

be classified as mere supporters of Antigonus and hence political opposition to Herod, but should be seen in the light of the 'social reality' of banditry (Horsley and Hanson 1999: 64). It seems that Horsley is implying that these groups are identifiable with the Hobsbawm model of social banditry. The only evidence that he provides to justify this is that these rebels were in opposition to the gentry, who then sided with Herod once he had rid the region of the bandit groups. That may have been inevitable, given that they represented the landowners and were probably victims of the brigands anyhow. However, the depth and scope of the civil disturbances were of far greater nature, ferocity and intensity than that which would qualify it to be termed social banditry. Soon after Herod had subdued the brigands, many fled to inaccessible caves in the vicinity of *Arbela* that were perched precariously on mountain sides. It took a great deal of effort and guile to flush out and kill these bandits. Once completed, he left Ptolemy in charge and returned to Samaria in order to deal with Antigonus. Hardly had he gone, when the rebels fell on Ptolemy and killed him, thereby plunging Galilee once again into chaos. Herod returned and restored the country to a semblance of order (*War* 1. 309-14).

It can be argued therefore that the model of social banditry does not adequately cover the events that occurred in those years and in particular in this case. Galilee and its neighbouring territories were experiencing widespread civil unrest as a result of the political changes and military conquests combined with the internal struggles that were tearing at the fabric of the Roman Republic. In 40 BCE the Parthians invaded the province of Syria and the region, including Palestine and was engulfed in a wave of fierce anti-

Roman sentiment. Antigonus seized the opportunity to try and regain the throne of his father and the fighting spread up to Jerusalem (*War* 1.250). The civil disorder, propelled by the fierce opposition to Rome, can only be described as a major insurrection against Herod and Rome, and to describe the participants as social bandits does not effectively capture the scale and depth of this period of major opposition to Rome. We know little beyond Josephus'ss crude description of them as bandits (*lestai*), however it is clear that they were probably a mix of peasants, supporters of the Hasmonaean dynasts and other rural elements united under a common hatred of the foreign oppressor, displaced from their land by the Roman reorganization in 64-3 BCE, buckling under crippling taxation imposed by the Romans at a time of chaotic civil administration and political upheavals. Given this scenario, it is highly unlikely that these groups could be classified as typical social bandits, fighting against the unjust possessors of wealth and capital in order to return to an ideal way of life that existed in the past. There is no apparent evidence in Josephus that these bandits lived in caves or were organized as typical highland people based in remote mountain lairs. It would be more likely, that they used the terrain to their advantage like any guerrilla force, either as a refuge or for offensive reasons. A closer reading of Josephus reveals the following:

- The fighters were militarily organized by Antigonus, under his command as an army (*War* 1. 295-7). This hardly fits the limited agenda of social bandits who operate in small bands of between ten and twenty men (which Hobsbawm claimed was the norm on all continents and in all periods) who simply rob and attack by stealth (Hobsbawm 1969: 20).

- Antigonus's men were able to man garrisons as a defensive and tactical measure (*War* 1. 296).
- The rebel forces were able to engage Herod in a pitched battle (*War* 1.305).
- They were able to and did besiege fortresses after they had killed Ptolemy, Herod's general, also indicating that these groups of rebels were highly organized militarily and under tactical leadership and were not simply intent on random attacks for purposes of robbery (*War* 1. 316).

It can be suggested that the situation which prevailed was therefore most likely akin to a civil war fought by two opposing potential rulers. That groups of brigands possibly took the opportunity to join in the chaos caused by the opposing forces vying for power is very likely. But, the question that arises is, that while Herod was fighting off the threat posed by Antigonus and while trying to consolidate his power in Galilee, including opposition from urban centres like Sepphoris (*War* 1.304), then is it not unlikely that he would have bothered to use his forces to combat common bandit groups, especially those hanging out in caves and remote areas, if they were not part and parcel of the same common threat to his control of the region?

4.1.2 Judas Son of Hezekiah (c. 4BCE), Simon(c.4BCE) and Athronges (c 4-2BCE)

This section deals with three individuals who are identified by Josephus as pretender-kings and not as brigands. This occurred during a time when Palestine once again descended into ungovernable chaos and was leaderless after the death of

Herod I. It was during a period when Herod's son, Archelaus, was trying to confirm his appointment as king by Augustus in Rome and a time when the Jews were in tumult following the death of the hated former monarch and saw an opportunity to redress some of the injustices and brutalities of his rule as well as reduce the punitive taxes that were levied during his long reign. During the Passover celebrations, Archelaus, fearing that the mob would become uncontrollable, unleashed his troops on the turbulent crowds who had gathered in Jerusalem and thousands were massacred (*Antiquities* 17.206-18; *War* 2.8-14). Archelaus left for Rome shortly thereafter to sort out his appointment with Augustus. With Archelaus out of the country, Sabinus, who was the imperial representative for Syrian affairs only inflamed Jewish anger even further by his rapacious and insensitive behaviour, so that when the festival of Pentecost came around, thousands of Jews streamed into Jerusalem from Judea, Galilee, Idumea and from regions east of the Jordan and, in Josephus's words "at the indignation at the madness of Sabinus, and at the injuries he offered them....and were more zealous than the others in making an assault on Sabinus, in order to be avenged on him" (*Antiquities* 17.254). With this as the background, widespread rebellion broke out, not only in Jerusalem, but throughout the country. As Josephus described it, this was an attempt by the Jewish masses "for the recovery of their country's ancient liberty" (*Antiquities* 17.267). It is clear that Josephus regarded these events as part of a widespread war of national liberation aimed at "restoring a free and egalitarian society" (Horsley and Hanson 1999: 116). Their anger was directed at the institutions of power in that they sacked the royal palaces in Jericho and Sepphoris, other royal residences they came across and the homes of the rich and the landed gentry for

these represented the symbols of their oppression, both political and economic.

Josephus tells of three other protagonists who played a role in the turmoil in the days after Herod's reign that Varus, the Roman legate of Syria, had to contend with before he could restore order again in the region. After the repressive rule of Herod, there occurred a sudden power vacuum in government created by the length of time it took Augustus to resolve the succession issues resulting from Herod's will, during which there was a spontaneous reaction to the brutality of Archelaus's actions and those of Sabinus in the interim. There was an outpouring of anger and uncertainty that resulted in chaos throughout the country. Except for the area of the Northern Transjordan and the district of Samaria, the rest of the country became submerged in brigandage and guerrilla warfare as a number of pretenders to the throne made their claims to power. Given this setting, the peasants flocked to support any number of these self-titled kings. "However, their end was not till afterward, while at present they filled all of Judea with a piratic war" (*War* 2.65).

4.1.3 Judas

The first of these was Judas, who was the son of Hezekiah the bandit, dealt with above. Judas was based in Sepphoris in Galilee and organized a large number of 'desperate men' who pillaged the palace and royal armouries and, according to Josephus, plundered from and attacked anyone who came in his way *(Antiquities* 17.271-2; *War* 2.56).

4.1.4 Simon

Another would-be king who arose during these turbulent times was Simon, a one-time royal steward of Herod I. He was an imposing and physically strong man. He organized some followers who proclaimed him king and they destroyed the Palace at Jericho, after having first plundered the goods that had been taken from the people and stored there. They also plundered other royal residences in other parts of the country. That Simon had a substantial following is revealed by the comment that they were joined by "a great number of Pereans" (*Antiquities* 17.276), and it took a great effort on the part of Gratus, the commander of the royal troops to scatter this group, capture Simon and behead him (*Antiquities* 17. 273-76).

4.1.5 Athronges

The third individual who came to prominence during this time was Athronges. He was a strong and imposing shepherd who crowned himself king.[32] He and his men brutally attacked royal and Roman troops, stole booty not only from the army, but even from amongst their own people, causing a great deal of chaos in the countryside until he surrendered later to Archelaus. It is interesting to note, that only at this point, does Josephus mention, that Judea was infested with bandits.

[32] People who worked with animals , such as shepherds, were regarded as synonymous with bandits, according to Jewish tradition, (Jackson B.S. 1972: 38).In the Roman world herdsmen (*pastor)*, were associated with bandits and became a recurring literary device that served to associate the individual with semi-barbaric origins and consequently not fit for high office (Grunewald T. 1999: 35-37). Hobsbawm cites that herdsmen were natural allies of and recruits for bandit groups (Hobsbawm E.J. 1969: 32-34).

It is only now that he makes the connection between individuals who claim themselves king, but end up causing misery, bloodshed and great distress amongst their own people (*Antiquities* 17.278-85). Parente observes however, that in the parallel description in *Antiquities* only a few chapters earlier (Antiquities 17. 269-70), Josephus seems to lay most of the blame on Herod's veterans who fought with soldiers still loyal to the Herodonian dynasty and led by Herod's cousin, Achiabus, but in *War* he makes little mention of this, but places this incident in Idumea and not in Judea (*War* 2.55); (Parente 1985: 185).

In many ways the events that befell Palestine following on Herod's death are not unlike the period preceding his assumption of the throne. Once again, there existed a period during which the political authority of the land was being contested and as the effects of Roman domination only worsened, the time seemed appropriate to try and reassert Jewish independence. The resistance that followed after Herod's death may also have been partly based on religious messianic movements that were deepened by fervent eschatological expectations (Rhoads 1976: 84). Horsley comments that Josephus studiously avoids overt references to fundamental Jewish concepts and 'patterns of thought' when describing the uprisings and we have to make do with the little information we have at hand (Horsley and Hanson 1999: 110). Horsley's approach seems to award a great deal of importance to messianic and eschatological motivations for the uprisings that occurred prior to the revolt of 66 CE that swept through the Jewish territories at this time (Horsley 1999: 110-117). Rajak takes a more pragmatic approach and challenges those

who place too much reliance on messianic beliefs in the political history of first century Judaism (Rajak 1993: 140-2).

The truth possibly lies somewhere in between. The uprisings that occurred at this time came about at a time of intense political, economic and social dislocation causing, one can safely assume, feelings of great uncertainty about the future amongst the Jewish populace. It is likely therefore, that a great many may have had expectations of a renewal for the entire world and the arrival of a messianic age (Goodman 1993: 91). What is certain is that the agenda was clearly political in nature as was its intended outcome: that is the removal of foreign domination and its replacement with an alternative wholly led Jewish authority. The uprising that started as a series of events from Herod I's death, escalated from tumultuous gatherings of the people to widespread resistance in the countryside in which, the three pretender-kings took the opportunity to organize supporters, proclaim their kingship and unleash episodes of brutality and insurrection amongst their own kith and kin and the Roman forces. On this basis alone, they had clear political aims, and for that reason alone, they cannot be classified as social bandits or even as *lestai,* but rather as usurpers; if they were regarded as *lesta*i, it can only be because that is how Josephus describes them (Grunewald 1999: 95-6). Also, the reference by Josephus to Athronges's great size and superhuman strength was a cliché used to describe semi-barbarian rulers (Grunewald 1999: 86). It became a common literary convention, particularly of late antiquity, to label upstarts and usurpers as bandits and to imply that they were semi-barbaric. Grunewald provides an example of the Emperor Maximinus Thrax who, according to his biographer, was a

good soldier, was of a huge size, incredibly brave, untamed, rough and arrogant, but possessed of a fine sense of justice: he could take on sixteen sutlers or seven of the bravest soldiers and he hated anyone of noble birth in his presence. This stylized picture of Maximinus only served to obscure the actual nature of the man. (Grunewald 1999: 84-5). Contrast this with the description of Athronges from Antiquities 17.278-84. He had been a shepherd and of lowly birth; he was tall (his four brothers were also tall); he was exceedingly strong; he was a competent military commander; he had no scruples; and he hated the Romans and attacked them whenever he could. Farmer concludes that these individuals who aspired to become kings, Judas, Simon and Athronges, were probably from Hasmonaean families and that Judas and Simon are typical Macabaean names (Farmer 1957: 147-155).[33]

4.1.6 Judas the Galilean

When the province of Judea was formally annexed in 6 CE, it became liable to pay the *tributum capitis*, the personal tax that was paid by all the inhabitants of the provinces. This tax was in addition to the tax on the produce of the land that had been imposed in 63 BCE in order to finance Roman military campaigns;[34] the *tributum soli*, a land tax as well as indirect

[33] The name Athronges is probably derived from the Hebrew word, *ethrog*, for the limes that are used during the celebration of the Feast of the Tabernacles. Farmer W.R. 'Judas, Simon and Athronges', *NTS* 4(1957-8), pp.147-155

[34] It is possible that the tax was moderated by Julius Caesar in either 48 or 47 BCE by a decree: "Gaius Caesar, Imperator the second time, hath ordained, that all the country of the Jews, excepting Joppa, do pay a tribute yearly for the city Jerusalem, excepting the seventh, which they call the sabbatical year, because thereon they neither receive the

taxes, known as the *vectigalia*, of which the *portoria*, the harbour dues were the most important.

Augustus instructed the Syrian legate, P. Sulpicius Quirinius, with the assistance of the newly appointed governor for Judea, Coponius (6-9 CE) to undertake a census in the new province in order to arrive at a reliable estimate of its population and extent of its landholdings. In order to arrive at the amount payable and by whom, it was levied *in* the name of a person in his home town or city, his slaves and on his property. Once this was known, the tax was collected by the local authorities using the toparchic administrative system (Smallwood 1981: 152).[35]

There was immediate resistance to the census based on what can be ascribed to a natural unwillingness to pay additional taxes as well as in this instance, ostensibly religious reasons. As Josephus described it, "but the Jews, although at the beginning they took the report of a taxation heinously, yet did they leave off any further opposition to it" (*Antiquities* 18.3). The resistance movement against the census was led by Judas the Galilean.[36] The opposition to the census was based on the divine prohibition of counting the population as this would have meant transgressing the promise God made to Abraham: "And I will make thy seed as the dust of the earth; so that if anyone could count the dust of the earth, then thy seed shall also be counted" (Gen. 13.16). Judas together with Saddok, a Pharisee confederate, argued that the census would

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fruits of their trees, nor do they sow their land." (*Antiquities* 14.200)

[35] Josephus lists 9 Toparchies. (*War* 3. 54-56).

[36] He is named as such in *War* (2.118), or "Judas of Gamala" or "Gaulanitis" as he is alternatively called in *Antiquities* (18.4 and 18.23-25), but is doubtless one and the same person (Parente F. 1985: 191).

result in the enslavement of the people and that they would be compelled to fight for their liberty, "and exhorted the nation to assert their liberty (*Antiquities* 18. 4), and elsewhere, "and said they were cowards if they would endure to pay a tax to the Romans, and would after God, submit to mortal men as their lords" *(War* 2.118).

It does not appear from the sparse details in Josephus that the resistance to the census itself was all that serious and it was quickly suppressed. Joazar, the high priest managed to persuade the population that resistance was futile and to let the census take its course. As Smallwood has observed, the long term consequences were far greater as, "the extremist feeling thus unintentionally crystallized by the Romans gave birth to the nationalist party, heir to the rebels of 4 BCE and earlier, which was to develop formidable dimensions during the following sixty years" (Smallwood 1981: 153-54).

What has made this episode particularly interesting is that Josephus at this point reveals the existence of what he called 'The Fourth Philosophy,' the other three schools of thought being the Pharisees, Sadducees and the Essenes. The Fourth Philosophy has greatly engaged scholars who have tried to connect its origins and beliefs to the various incidents and revolutionary atmosphere that ultimately ended in War. According to Horsley, there is no evidence whatsoever that ties the originators of the Fourth Philosophy, who were Judas of Galilee and Saddok, with the Zealots, the Sicarii or for that matter, even to the brigands (Horsley 1993: 77-89). The zealots and the Sicarii only appeared on the scene in the middle of the revolt in the mid 60's. According to Horsley the claim that there was a connection between Judas, Saddok and

the Pharisees and the movements which sprung up during the revolt, has been made repeatedly in Jewish literature and New Testament studies. Foremost of the modern generation of scholars to make this erroneous claim, according to Horsley, has been Martin Hengel. Horsley in a footnote also asserts that Rhoads had also misread the text and that he too is guilty of the claim that the adherents to The Fourth Philosophy were the direct descendants to the zealots (Horsley 1993:24 *fn)* However, Rhoads clearly states that "although there is no evidence that these Zealots embraced the Fourth Philosophy or were connected with Judas' sect, they may have shared a heritage of determined resistance reaching back to the time of Judas's revolt (Rhoads 1976:60).

Part of the debate seems to revolve around Josephus's silence on the Fourth Philosophy after the census issue was resolved specifically because of his unambiguous reference to the founding of a sect. "This man was a teacher of a peculiar sect of his own, and was not at all like the rest of those of their leaders" (*War* 2.118). In the parallel section in *Antiquities*, Josephus writes, "but of the fourth sect of Jewish philosophy, Judas the Galilean was the author. These men agree with all other things with the Pharisaic notion; but they have an inviolable attachment to liberty; and say that God is to be their only ruler and Lord" (*Antiquities* 18.23). If Judas had founded a sect based on divine grounds for resisting Rome, then the impact this would have had on the interlocking events and personalities would have provided a compelling raison d'etre for subsequent events and would have explained the morbid fanaticism of the Jewish resistance fighters.

Josephus does not really expand on what the 'new' philosophy stands for, besides its love of liberty. In *Antiquities* he claims that the "system of philosophy, which we were before unacquainted withal," but he does not explain any further specifically which parts are new to Jewish thought or how this connected with the existing streams (Antiquities 18.9). As Parente has suggested that if *The Wars of the Jews* was aimed at a specifically Roman audience, then it would have suited Josephus to portray the founder of the anti-Roman liberation movement as a "sophist" rather than as an adherent of one of the mainstream Jewish movements. If *Antiquities of the Jews* was aimed for a Jewish readership with its knowledge of the Jewish movements, then he might have been more inclined to admit that the movement founded and led by Judas, was a radical offshoot of the Pharisees (Parente 1985: 192-93).

There is no specific name given to the sect (Rhoads 1976: 53). The term Zealots only appears as an identifier of a specific group in the late 60's, as does the appellation, Sicarii which only came in use in the 50's by the Romans to describe a particular type of resistance (ibid 53). However, beyond the reference that the Fourth Philosophy was in some way connected to Pharisaism, we know absolutely nothing about how this related to the other streams within Judaism and most important, how it aligned the enemies of Rome within Judaism (Rajak 2002: 89).

The only evidence that can associate Judas with the revolutionaries that arose later, tenuous as it may be, are the family connections that are mentioned in Josephus. Two of Judas' sons, Simon and James were captured by Tiberius

Alexander and crucified some time in 46 -48 CE (*Antiquities* 20.102); Menahem who stole weapons from Herod's armoury and took over the siege in Jerusalem as one of its leaders and who also proclaimed himself a king was a son of Judas (*War* 2.433-34); then there was Eleazar who commanded the Sicarii and according to Josephus, was also a descendant of Judas *(War* 7.253). In spite of the fact that there is some evidence of genealogical descent of Judas and his direct ancestors with some of the later revolutionaries who participated in the rebellion in some form or another, it is still debatable whether a claim can be made for an ideological relationship that continued down the years to the outbreak of hostilities. Rhoads claims that on face value there appears to be a strong argument in favour of an ideological connection based on the fact that after 6 CE until 66 CE no mention is made of the sect or any revolutionary activity from 6 to 44 CE; nor is there mention of any ideological justification given for the period 44 to 66 CE. As Rhoads has observed, this silence in the narrative is surprising for the pre-war period especially so as Josephus specifically tried to blame the war on a small group of fanatics who followed a religious view that was an 'innovation' within Judaism; if this group therefore had been active and had been causing unrest in the pre-war period, then presumably, he would have written about it (Rhoads 1976: 56-8).

The conclusions that can be drawn on Judas and the tax revolt are that there is little to justify that the sect he started had such a strong influence on the people; rather it appears to have been a small group and somewhat ineffective. It is possible that the rallying cry for national freedom under one God could have been put on the agenda by Judas, but the

ideal of freedom from foreign domination was not new in Jewish religious and political thought (Rhoads 1976: 60). As Horsley stated, "the ideal of freedom was thus not distinctive of the Fourth Philosophy, but it was understandably an ideal that they would have shared with other Jews who took their faith seriously" (Horsley 1993: 83).[37]

4.1.7 Eleazar ben Dinai (30's to 50's CE)

Eleazar ben Dinai was a brigand chief who operated in the mountainous areas between Judea and Samaria. He became involved in the incident that arose when some Galileans were attacked by Samaritans and killed in a village called Ginea, through which they had to travel on their way to a religious festival in Jerusalem. Josephus relates that the "principal of the Galileans" approached the Roman procurator, Cumanus, for redress and justice, but, as he had supposedly been bribed by the Samaritans, the matter came to nought *(Antiquities* 20.118-124). In *War* however, Josephus writes that only one person, "a Galilean" was killed (War 2. 232). The people were deeply dissatisfied and wanted to take up arms in order to avenge the killings. One can infer that the long-held enmity between the Jews and Samaritans came to the surface and as these were border areas, local rivalries and animosities possibly fanned the flames of extremism. We read that the Jews had customary right of passage through Samaritan territory, but we do not know what caused the provocation that resulted in the death/ s of the Jew/s during this particular journey. One can presume that the Samaritans resented Jews

[37] Rajak comes to a similar conclusion in that the Fourth Philosophy had nothing new to offer than what was already in the other three streams (Rajak T 2002: 89).

moving through their land.[38] The Jews held very negative views about the Samaritans and believed that they were of pagan origin. On the other hand, the Samaritans however believed that they too came from a common ancestral family tree and that although they followed the religion of Moses, it differed in certain fundamental practices in their faith, such as worship at Mount Gerizim rather than the Temple in Jerusalem and that their liturgy and adaptation of the Pentateuch was different, amongst others.[39]

When the Jews who attended the festival heard that Cumanus was reluctant to get involved they enlisted the help of the brigand chief, Eleazar and a confederate, Alexander, and in spite of the "principal men" attempting to calm the crowds and take the matter further with Cumanus, Eleazar subsequently attacked several Samaritan villages, killed the inhabitants and burnt them to the ground. This roused Cumanus to action and he proceeded against them during which time he killed some Jews and captured a number of them. Seeing matters getting out of hand, the magistrates of Jerusalem, assembled to beseech the remaining men who had gone to seek vengeance against the Samaritans, to desist and return to their homes. Most of the Jews dispersed, but a number of them continued to pillage around the countryside. As observed by Rhoads, this incident served as a turning point in Jewish-Roman relations (Rhoads 1976: 73), and Josephus comments that 'After this time the whole of Judea was infested with bands of brigands (Ant. 20. 124).'

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[38] Luke 9. 52-56 in which Jesus experienced resentment from the local townsfolk when traveling through a Samaritan village.

[39] The anti-Samaritan polemic can be found in Second Kings 17; Ben Sira 50: 25-26; Josephus's *Antiquities* 11.302-347; Second Maccabees 6. 1-2.

There are a number of issues that follow from this incident:

- The incident did not have an ideological basis. It arose from the deep seated frustration with the lack of leadership from the Roman governor and the perception that he was not even-handed because, as the story went, he accepted a bribe from the Samaritans.
- The Jews had little faith in the credibility of their own leadership ("principal men"), hence the appeal to Eleazar ben Dinai to attack the Samaritans. Another illustration of this is when the Jews of Perea took up arms against the people of Philadelphia concerning some border dispute and killed some of them "without the consent of their principal men." When Fadus became procurator shortly thereafter, he was extremely upset that the matter had not been referred to him for consideration and he executed one of the ring leaders and imprisoned the others (*Antiquities* 20.2-4). It also demonstrated the obvious lack of credibility that local people had in the Roman administration to deal competently and even-handedly with local affairs.
- Besides the stresses caused by Roman oppression, local disputes and vendettas also played a role in fomenting unrest, some of these breaking out in banditry in the countryside.
- By the time of this incident, there was already widespread dissent and civil resistance in the countryside, indicating that law and order had

broken down completely. In fact, after Cumanus had withdrawn to Rome, the civil disturbances only became worse under the next procurator, Felix (52-60 CE). From then on there are continuous descriptions of brigandage and civil unrest, right up to the period of the revolt, despite the efforts of a succession of Roman governors to contain it. "But there were still a great number who betook themselves to robbing, in hopes of impunity; and rapines and insurrections of the bolder sort happened over the whole country." (*War* 2. 238).

- The Jewish leadership in Jerusalem was acutely aware of the dangerous situation that they had on their hands and tried their best to pacify the multitude. They realized the political implications of rebellion in the country areas spilling over into the cities and causing massive retaliation from the Roman authorities.
- The fact that the matter was heard in the imperial court in Rome indicates that the Roman authorities also viewed the Samaritan incident and its aftermath as rebellion and hence of a political nature and not just a case of local banditry.

What about Eleazar ben Dinai himself? According to Horsley, he embodied the typical features of a social bandit, based on the fact that the people turned to a brigand chief for help, rather than the legitimate authorities (Horsley and Hanson 1999: 74). We know that he operated in the mountainous areas bordering on Galilee and Samaria for a long time. We

can also assume that he was highly respected (even Josephus attributes to him the title of *archilestes*, and not the more common *leistes*) or the aggrieved multitude would not have asked for his help. He was able to organize groups of men into a fighting force, indicating that he had some fighting experience. However, I am not so sure that in this incident, he totally fits the category of social bandit. The incident itself sparked a political crisis and the action undertaken by Eleazar and Alexander was of an overtly political nature, in that he challenged the legitimacy of the Roman authorities. That robbery probably took place is very likely, but it was also an act of political subversion and according to the model of social banditry, the two do not go together (Grunewald 1999: 97). I would suggest furthermore, that it would be highly unlikely that for the twenty years or so that Eleazar and his band operated as a bandit, as alleged by Josephus, that he did so purely on the basis of 'stealing from the rich to feed the poor,' as some kind of mythical Robin Hood figure; or that he consciously saw himself as such. Given the difficulty of policing the mountainous and remote areas of Judea, the lack of a respected and credible civil authority, it can be concluded that Eleazar could have been a local warlord who controlled a given area which was part of a network of villages and local communities and that one of his activities could have been robbery, especially in light of the deteriorating economic and political conditions, in which such individuals typically took the advantage to build a power base, respect and a following as similar disadvantaged persons were attracted to him and his activities. This is not dissimilar to the attraction that local pretender- dynasts had for the desperate, angry and poor, who had little other means or capabilities of dealing with the continuing injustices of oppression and poverty. It is highly

unlikely that Josephus would have portrayed Eleazar, and for that matter any of the other similar figures, in any other light than as brigand chiefs as will be seen in his treatment of John of Gischala, and in line with the common Roman legal and military practice of classifying any and all threats to law and order by 'casting them beyond the pale' in the most denigrating manner possible, that is, as *latrones* and their deeds as *latrocinium*.

This incident and its aftermath also served to highlight the complex nature of the relationships that existed in the countryside between peasant communities and bandit groups. Such groups would form a part of the local economy and would need to barter with their goods, stolen or otherwise, and they would purchase goods from local traders and merchants (Hobsbawm 1969: 85). They also formed a part of the social structures of the communities within their base of operation with family and kinship ties and with belief systems based on the cultural distinctiveness of peasant life, values and perceptions (Landsberger 1974: 8).

There follows a succession of references to brigand chiefs and their activities as the civil disturbances, especially in Judea escalated in the two decades leading up to the war. One of these is about a bandit chief called Tholomeus, who ravaged the territories of the Idumeans and the Arabians in the early 40's CE. He was soon caught by Fadus and slain. Josephus concludes this episode by declaring that Fadus was successful in clearing Judea of acts of robbery and pillage (*Antiquities* 20.5). Because of a lack of any other information about Tholomeus and his exploits, it is not possible to draw any conclusions about him except to comment that he appears to

have been another example of a powerful local chieftain, who had carved out a territory over which he held sway.

The same cannot be said about Jesus son of Sapphias, who Josephus described as "one of the most potent of the men among the seditious" who stole the horses belonging to the envoy that Vespasian had sent to Tiberius to win over the people in that city to his side (*War* 3. 450; 457-59). If this is the same person that is described in *Life*, then he would have had a considerable force of 800 men whose influence seems to have been in the cities rather than the countryside which would immediately disqualify him from being the leader of a group of social bandits. He could have been the bandit chief that Josephus convinces not to attack the anti-Roman party and convinces the cities in the Galilee to pay them a sum of money in order to stop them from attacking the Romans or the neighbouring settlements (*Life* 77-79). In *Life* Josephus identifies Jesus, "the captain of those robbers who were in the confines of Ptolemais" who is promised a great deal of money by the citizens of Sepphoris to fight on their side (*Life* 105). If he was the same individual, then his military and political influence would have stretched from Ptolemais on the coast to Sepphoris and Tiberius in the East, making him a regional threat, and in that case, a leader of rebel forces of some influence.

4.1.8 John of Gischala and Simon bar Giora

Josephus devotes more space to John of Gischala and Simon bar Giora than any of the other *lestai* in his chronicles. The relationship between John and Josephus was an intensely

personal one and his literary treatment of John deserves special attention.

After the ambush and defeat of Cestius Gallus, the governor of Syria, near Beth Horon in October/November 66 CE, even the remaining opponents of the war became enthused with this initial military victory and it sent out a signal that there was a chance of achieving a final and lasting conquest against the hated Romans *(War* 2.540-555). The rebel forces now began for the first time to organize the conduct of the war in a more systematic manner and that meant appointing regional commanders in all the Toparchies who would provide strategic leadership and organize the regions to prepare for the coming war (*War* 2. 562-568).

It was obvious that the Romans would move their forces down from the north and they would therefore attack Galilee first. The task of defending and preparing the Galilee for the war in this region was given to Josephus. As a member of the aristocracy, and one who had just returned from Rome, his appointment was met with a lot of suspicion by the radical element in the leadership in Jerusalem. John of Gischala too, was sceptical of his motives, and believed that his ultimate aim was to arrive at a negotiated peace with the Romans rather than the destined showdown in battle.

Sepphoris remained staunchly loyal to Rome from the outset. Tiberius on the other hand, was engrossed in factional disputes which are dealt with in great detail by Josephus. Essentially what it boiled down to, was that the more urban and prosperous elites in the town led by the city council, sided with the Romans, while the resistance element were drawn

mainly from the poor and the rural inhabitants around the general area of the city. An illustration of this conflict is provided in *Life* when Josephus meets with the "principal men" of Tiberius headed by Capellus, to inform them of the decision taken by the leadership in Jerusalem to destroy Agrippa's palace. However, Jesus son of Sapphias, whom Josephus describes as "one of those whom we have already mentioned as the leader of a seditious tumult of mariners and poor people" and who appears to have been the *Archon* of Tiberius, but clearly the leader of a revolutionary faction, took matters into their own hands and burnt down the palace, presumably not trusting Josephus's motives or that of the rest of the leadership faction. As Josephus described this incident, Jesus and his men simply wanted to take advantage of the situation by dividing out the spoils amongst themselves for personal gain. The fact that Jesus son of Sapphias was *Archon* on the city council indicates that the revolutionary party consisted of a mix of social, religious and less affluent citizens and that the enmity and distrust was in the differences between the social background of the participants (Schäfer 2003: 124).

Before the first actual confrontation between Jewish and Roman forces could take place near Sepphoris, most of Josephus's men deserted and Josephus himself retreated to the fortress at Jotapata where he was eventually defeated by Vespasian. He managed to survive the encounter and then portrayed himself to Vespasian as a messenger from God and foretold that he, that is Vespasian, will one day become emperor, "thou, o Vespasian, art Caesar and emperor, thou, and this thy son" (*War* 3.399-402).

Vespasian was then able to defeat all the other major urban centres and Galilee was finally subdued and in Roman hands by the end of 67 CE. John of Gischala surrendered to the Romans, but managed to flee to Jerusalem before he could be captured, where he joined up and led the radical zealot movement in Jerusalem. Under John's leadership, the zealots seized power and set about eliminating the pro-Roman faction and the more moderate faction of the ruling class by either imprisoning or killing their leaders. They then connived to overturn the practice of appointing the high priests by birth and managed to get their own loyalists placed in office by means of the casting of a lot.

The moderate forces, under the leadership of the Pharisee, Simon ben Gamaliel and the high priest Ananus were eventually able to expel the zealots, but this was short-lived as John of Gischala smuggled Idumean forces into the city who then implemented a reign of terror and murdered their moderate opponents. With that the Zealots were totally in power under the leadership of John of Gischala.

In dealing with Simon bar Giora, there is a singular lack of the intense personal invective that Josephus had used when dealing with John of Gischala.

Simon was a self-appointed leader who commanded a group of extremists who had been active in plundering the Toparchy of Accrabatene in northern Judea (*War* 2.652-54). He caused so much devastation that the leadership in Jerusalem had to send out a force to control him. The Jerusalem leadership was wary of Simon's motives, possibly based on the fact that Simon had waged a campaign of terror against the wealthy, murdering

and stealing from the rich as he went about his campaign that starkly resembled a social revolution in favour of the poor (Smallwood 1981: 301). He then fled with his followers to Masada to join up with the Sicarii holed up there where he was received with some suspicion. He and his group however continued to raid into Idumea and the surrounding countryside. It can be deduced from the activities of John of Gischala and Simon bar Giora that national unity had not yet been achieved and that factional conflicts and personal ambition became the order of the day (Hayes and Mandell 1990: 192-195). Simon had far loftier ambitions however, and he wanted to challenge John for the leadership position of the radical faction in Jerusalem (*War* 4. 509-514). He did this by attacking Idumea and was able to build up a sizeable force together with the Idumeans who came over to his side and by 69 CE he settled in outside the walls of Jerusalem. Simon's scheme fell into place when he was admitted into Jerusalem by the high priestly faction that by now had become so fearful of the reign of terror that John of Gischala and the zealots were waging, that they believed that Simon would represent a lesser evil. In order to get sense of what this Simon was like, and if Josephus is to be believed, Simon's wife was captured by the zealot party and held captive in Jerusalem. This so enraged Simon that he encamped outside the walls of the city and in an uncontrollable rage he enacted deeds of great cruelty against any who came his way. In Josephus's words: "Accordingly, he caught all those that were come out of the city gates, either to gather herbs or sticks, who were unarmed and in years; he then tormented them and destroyed them, out of the immense rage he was in, and was almost ready to taste the very flesh of their bodies. He also cut off the hands of a very great many, and sent them into the city to astonish his

enemies, and in order to make the people fall into a sedition, and desert those that had been the author's of his wife's seizure" (*War* 4. 541-43). Even if one accepts that there is possibly an element of hyperbole in this account, Simon must still have been a ferocious and dreadful foe, but it nevertheless captures the tenor and atmosphere of how brutal and desperate the situation had become, not because of the imminent threat of attack by the Roman forces, but because of how internal factionalism and personal ambition had now become the driving force of the revolt, rather than unity and strategic foresight.

By the time that Vespasian was ready to resume the war in 69 CE, he had to regain the areas held by Simon, in the north of Judea and Idumea. It did not take long to achieve that and then he turned his attention to Jerusalem. The forces he faced in the city were by now badly divided, the ploy to bring in Simon having badly backfired. There were now three separate factions holding different parts of the city: the inner courts were held by two thousand four hundred zealots under the command of Eleazar; John of Gischala's forces were entrenched in the outer courts and numbered some six thousand fighters; and Simon with biggest force of some fifteen thousand controlled most of the upper and lower parts of the city (Smallwood 1981: 316).

4.2 THE BANDITS AND THEIR AGENDA

One of the problems with Josephus's account of the insurrectionary activity both before and during the course of the war is that it is difficult to differentiate between the actions of large bandit groups and ad hoc local rebel actions (Horsley 2002: 99). For instance, the activities of the bandits in Galilee represented one of the few unique instances where banditry had led to widespread peasant revolt. Numerous references in Josephus paint a picture of banditry before the outbreak of the war that was clearly out of control in Judea and Galilee. Terminologically, it is difficult to distinguish from Josephus the exact nature of such uprisings as they are all lumped together as 'robbery' or 'plunder', even when there are groups engaged in clear revolutionary activities, such as in the following section:

> "Now, when these were quieted, it happened, as it does in a diseased body, that another part was subject to an inflammation; for a company of deceivers and robbers got together, and persuaded the Jews to revolt, and exhorted them to assert their liberty, inflicting death on those that continued in their obedience to the Roman government, and saying, that such as willingly chose slavery ought to be forced from such their desired inclinations; for they parted themselves into different bodies, and lay in wait up and down the country, and plundered the houses of the great men, and slew the men themselves, and set the villages on fire; and this till all Judea was filled with the effects of their madness. And thus the flame was every day more

and more blown up till it came to a direct war" (*War* 2.264-265).

As Rajak has noted, Josephus uses a vocabulary drawn from the Greek political vocabulary to describe the rebels and rebellion. Hence the terms: 'seditious', 'innovators', 'formentors of civil strife', revolutionaries', and for their leaders he uses the word, 'tyrants.' *(War* 2.274; 325; 330; 407; 422; 442; 652) These are generally words which signify the views of a political opponent (Rajak 2002: 86).

What Josephus does not overtly deal with is that the bandits in the countryside may have had a political agenda in order to rectify some of the worst aspects of their lives. This in itself was not unusual in the Roman world, where brigandage was an ever-present reality. From the works of Greek and Roman writers left to us, it is not easy to gauge the social aspects which influenced their criminal behaviour. For Josephus, as other writers of antiquity, who were mainly settled, propertied and upper class, there was no real understanding or sense of identification with the oppressed and the destitute (Rajak 2002: 85).

We have already seen that crippling taxation, indebtedness, famine, political oppression and frequent leadership changes, in Galilee in particular, resulted in declining social and economic conditions for the peasantry in the countryside, with many turning to brigandage as a means of survival. That some of these may have conformed at times to the definition of social bandits is indeed possible. Others may simply have opted out of legitimate society and set themselves up as roving criminal bands, feeding off the poor as well as the rich.

There is sufficient evidence from Josephus that clearly indicates that before the struggle turned to the common enemy, Rome, much of the anger was deflected against the rich and the propertied, (*War* 2.265; *Antiquities* 18.7) and even more so when these elites chose a more moderate course than outright opposition to Rome. As the breakdown of law and order accelerated, first in Galilee, then Judea and Idumea, anarchic conditions prevailed, and the large brigand groups that formed around powerful leaders, could not be described, by any stretch of the imagination, as social bandits (a major re-assessment of previously held views by Horsley) (Horsley 2002: 100). On the other hand, Shaw contends, that there may have been some bandits who on occasion *could* have acted as social bandits, but that in itself does not explain the phenomenon of banditry or its evolution into a form of social protest. The few examples that could possibly fit with the Hobsbawm model tend rather to conform more to an imaginative ideal, than objective reality (Shaw 1984: 51).

Shaw proposes that instead of merely looking at individual actions by bandits in order to define their role as primitive rebels within the political economy of the state, it would be better to look at the structural form of the social violence in which they were engaged (Shaw 1984: 44-52). He questions further the value of mentioning isolated instances wherein bandits attacked the houses and riches of the wealthy as this in itself does not fully explain the extent of a bandit's social motivation in doing so. Bandits, like ordinary criminals, attacked a range of persons, ranging from state officials, the wealthy, the poor, and as noted by Josephus, women, children, the elderly and in fact anyone who came in their way. Political conditions within Galilee, and Idumea,

particularly after the death of Herod, when the power of the state was considerably weakened, created a situation in which state authority did not penetrate into the remoter regions as effectively as previously. Galilee for instance, experienced several changes in rulers in the 40' and 50's, which created the 'space' within which local leaders such as John of Gischala were able to fill. From the time after Pompey's reorganization up to the point where Herod finally consolidated his position as king, there was a great deal of brigandage that arose under the weaker forms of state control. Trachonitis and Aurinitis were filled with brigands for many years until Herod brought them under his control (*Antiquities* 15.343-53). In such conditions, bandit gangs can entrench themselves and rule over large tracts of territory, safe in the knowledge that the army or civil administration can do nothing to stop them. This phenomenon of 'strong men' as local leaders is especially significant in Galilee and Judea. John of Gischala, Simon bar Giora, Eleazar the arch robber, Hezekiah, were all men of considerable power and influence in their regions and were able to command large bodies of men by institutionalizing their own power in the absence of credible and powerful state structures and authority. That they were able to generate a large following is due to their followers' desperate longing for someone to save them from their oppression and who could provide an alternative social order within which they could find some form of personal and social identity.

4.3 JOSEPHUS AND THE BANDITS

With the aforementioned as a background to the events both before and during the war, it will now be necessary to analyze

Josephus's relationship and attitude towards the bandits and banditry in general. Because he devoted so much space and attention to John of Gischala and Simon bar Giora in particular, it is possible to use these to examine Josephus's political and historiographical credentials from the viewpoint of a participant in the events he wrote about, and as a Graeco-Roman writer.

When Josephus became commander of Galilee he seems to initially have gotten on well with John and paints a favourable picture of him. Josephus relates how John restrained the insurgents in Gischala from violent action as local hostilities resulted in attacks from neighbouring towns on Gischala. John armed his men, fought back and afterwards rebuilt and fortified the town (*Life* 43-45). Earlier, in *War,* Josephus described how he gave his agreement to John's plan to build a wall around Gischala *(War* 2.575). All of which seems to indicate that initially there was professional respect and courtesy.

However, immediately following on these favourable comments, Josephus does a complete *volte face* in the very next chapter and suddenly unleashes an incredible verbal onslaught on the character and intentions of John.

> "Now, as Josephus was thus engaged in the administration of the affairs of Galilee, there arose a treacherous person, a man of Gischala, the son of Levi, whose name was John. His character was that of a very cunning and very knavish person, beyond the ordinary rate of other men of eminence there; and for wicked practices he had not his fellow

> anywhere. Poor he was at first, and for a long time his wants were a hindrance to him in his wicked designs. He was a ready liar, and yet very sharp in gaining credit to his fictions; he thought it a point of virtue to delude people, and would delude even such as were the dearest to him. He was a hypocritical pretender to humanity, but, where he had hopes of gain, he spared not the shedding of blood: his desires were ever carried to great things, and he encouraged his hopes from those mean tricks which he was the author of. He had a peculiar knack of thieving; but in some time he got certain companions in his impudent practices: at first they were but few, but as he proceeded on in his evil course, they became still more and more numerous" (War 2. 585-87).

Josephus then claims that John gathered around him a band of four hundred vagabonds with which he laid waste all of Galilee (*War* 2.588-589). Contrast this with the description of John in *Life:* "...When John, the son of Levi, saw some of the citizens much elevated upon their revolt from the Romans, he laboured to restrain them; and entreated them that they would keep their allegiance to them" (*Life* 43), a much different picture of the man, but written at a later time when Josephus presumably had had time to reflect on his and John's role in the history of the time and its outcome (Bilde 1988: 104-106).[40]

[40] Bilde proposes that the "*Antiquities of the Jews*" and "*Life*" was a dual work, ('*Ant.-Vita'*) and both were completed in 93-94 CE (Bilde 1988: 105). "For the *Jewish War"* Bilde proposes that this was probably written and published in the 70's when Josephus was already settled in Rome (Bilde 1988: 79).

By casting John as a *lestai*, Josephus is compelled to depict him as one of low social status and claims that he was of "lowly birth" and from a poverty stricken background. This does not correlate with later details where he is depicted as a close associate of the rich Pharisee, Simon ben Gamaliel from before the war (*Life* 190-92). He was wealthy enough however to create a monopoly in the sale of Jewish olive oil to traders in Caesarea Philippi and Syria (*War* 2.591-92; *Life* 74-76). Another indication of his status as a personage of high birth is the way he was treated as a rebellious aristocrat whom Titus was prepared to negotiate with as commander of Gischala (*War* 4.98-103) and after the fall of Jerusalem he was sentenced to life imprisonment rather than crucifixion, a fate commonly meted out to *lestai* (*War* 6. 434). Goodman comments that one has to ignore the description of John as a bandit at *War* 2.585 - 589 and rather focus on the subsequent information that follows, as it is difficult to accept that a poverty-stricken individual would have been able to have had financial and other dealings with the wealthy classes of Galilee (Goodman 1993: footnote 202), a point that Grunewald also makes (Grunewald 1999: 100-106). Grunewald goes further and suggests that John may have been descended from the old landed aristocracy which had become impoverished as a result of the economic changes brought about by the Romans in their Hellenistic reorganization of the territory (Grunewald 202, footnote 69). Horsley makes a similar observation that he may have been a member of one of the leading families who had become impoverished (Horsley 1981: 431). It is worth noting however, that in an earlier work, Horsley claimed that John was a local brigand who started out on his career 'as a lone bandit' (Horsley 1979: 59).

The fundamental nature of their relationship was based on the fact that they were bitter political rivals who were engaged in a fierce struggle for political and military control over the Galilee (Grunewald 1999: 102). John appears to have had the financial support of the upper classes in the Galilee with whom he conspired to get rid of Josephus. The leading men around John also sent him two thousand five hundred men and eminent spokesmen to persuade the people to withdraw their support from Josephus *(War* 2.627-28). Josephus managed to regain his hold over his command, but had to resort to trickery and finally cowed the leaders of Tiberius to support him and then plundered Sepphoris and Gischala in order to bring them back under his control (*War* 2.632-46).

By naming John with the epithet of *lestai,* Josephus was drawing on a long and well established Roman literary political tradition in literature that employed a number of linguistic and historical resources to differentiate between loyal and disloyal citizens. By using these devices, the aim is to frighten the reader, much as modern terrorism does today, into supporting the ruling elites and avoiding alternative structures (Habinek 1998: 70). Josephus therefore had to portray John himself, and his role in Galilee, as illegitimate. He is described in the most radical terms possible in order to distance him and differentiate him from legitimate power holders, in other words, Josephus himself.

This was a method of political discourse that was effectively used by Cicero in his four orations in describing the power struggle between himself and Catiline in 63 BCE. The strategy that Cicero used was to malign Catiline in the most damaging way possible by casting him in the mould of a bandit. By using

banditry as an aspect of oratory, Cicero implied that banditry directly opposed the ideological, economic, religious and military foundations of the state and by casting the bandit in such a role it meant that the mere use of the term bandit automatically excluded an opponent from rational debate or standing within the community and he is excluded from the rules and procedures that apply to legitimate political debate, or as Habinek puts it, "...Banditry, as the mirror image or evil twin of the Roman aristocratic state" (Habinek 1998: 71).

Josephus adopted what Grunewald calls a 'schematic uniformity' by which he classified all the participants of all the groups that were involved with rebellious and seditious activities, both before and during the events leading to the revolt, as *lestai* (Grunewald 1999: 94). Josephus thus tapped into a traditional ideology that always cast bandits as individuals who were opposed to the state or the ruling authority. He alludes to John's lowly birth and origins in order to specifically exclude him from having any relationship with the local ruling elites. His descriptions of John are aimed at a largely conservative reading audience, who would have shared the same values as he had and by casting doubt on John's origins, he would have been made to look like a pretender or usurper of power. Josephus uses names like 'knavery', 'cunning', 'wicked practices' and similar descriptions, with the *coup de grace,* the ultimate invective being that John had conspired to gather around him a band of men who plundered and laid waste all of Galilee (*War* 2. 588).

Josephus was mistrusted from the outset as many believed that he was going to betray them to the Romans at some point. "Now while all Galilee was filled with this rumour, that

their country was about to be betrayed by me to the Romans, and when all men were exasperated against me..." quite probably lies at the heart of his hostility against John. As things turned out, Josephus did indeed abandon the fight against Rome and thereafter worked together with them to dissuade the remaining rebels from continuing the struggle against Rome, while John went on to continue the fight in Jerusalem. This earned Josephus the enmity of his fellow Jews and in *The Jewish War,* one can assume, he was motivated to justify (to a Jewish readership) his conversion to the Roman cause in the most logical manner possible, by portraying his own role as hero for the Jewish cause; as opposed to that of John who was an outlaw and a bandit who stole, connived, plundered and murdered. As Grunewald has observed, "If John had ever had the opportunity to describe the war as he remembered it, one of the participants would no doubt have been a particularly villainous *leistes* called Josephus" (Grunewald 1999:100).

The diatribe against John continued after he had managed to slip away from the surrounding Roman forces and went to Jerusalem, where he joined the zealots. However, when Josephus describes this episode, he does so in such a way as to show John as tyrannical, treacherous, untrustworthy and conniving and out to pursue only his own ends. He assigns to him the most treacherous charge possible during warfare, that he was in fact only pretending to support the high priest Ananus in order to pass on information to the zealots. In other words, John was a quisling (Grunewald 1999: 104).

Was John of Gischala a social bandit? Horsley at first seemed to think so. "The final example of social banditry to be

discussed, that of John, son of Levi, also illustrates how, in the circumstances of open rebellion, a local brigand could rise to become one of the principal leaders of the national revolt. He started out merely as a lone bandit" (Horsley 1979: 59). From the aforegoing, it is clear that John became involved in the war of national resistance; it is safe to claim therefore that he was neither a social bandit nor a robber. In a later article, Horsley provides a perceptive analysis of how brigand activity developed into rebellion, but has dropped the term 'social banditry' altogether and in fact, when he does refer to Hobsbawm's model, it is only in the context of how peasants and brigand groups would join forces in a common fight against oppression. He is also less certain about John's bandit origins, rather saying that it is credible that he *may have* come from such a background to become one of the leading figures in Galilean politics (Horsley 2002: 95).

In the case of Simon bar Giora, Josephus deals with him extensively, but not on a personal plane as was the case with John of Gischala. According to Josephus, Simon's aim was tyranny, and after the death of Ananus he assembled a gang in the mountains where he promised freedom for the slaves and rewards to freedmen who joined his group. This could simply have been a ploy to attract recruits to his group, but it also indicates that he had a social conscience, which, as Grunewald has pointed out, were in line with the egalitarian goals of the Sicarii (Grunewald 1999: 203, footnote 6).

It was not uncommon in Roman historiography and story telling to denigrate an opponent or historical figure by claiming that they connived with slaves and other lower forms of life in Roman society. Tacitus refers to the bandit

Tacfarinas, who was a North African resistance leader in the period 17 -24 CE and whom he accuses of consorting with slaves.[41] It is probable that Josephus used a similar tactic to instil fear and horror in the character and aims of Simon (Grunewald 1999: 104). Grunewald claims that the career of Simon as told by Josephus is simply a fiction and in line with the convention of portraying potential usurpers in a most negative light, albeit always with the same formula: soldier-deserter-bandit. This is also the formula that Josephus applied in his description of the rise to power (or infamy according to Josephus), of John of Gischala. Maternus with a band of army deserters started to raid the countryside, built up wealth and a power base until he was able to present a significant challenge to the Roman army in Spain and Gaul. A similar stereotype was applied in descriptions of the first Sicilian slave war by Herodian.[42] Maternus was cast as a deserter, which in Roman eyes was synonymous with *latro,* as desertion was a crime of dishonour, a breaking of a sacred oath and when the deserter/*latro* is involved with rebellion, no mitigating factors would be considered. By means of this kind of literary artifice, a "literary stock theme" is applied in order to make up for an author's ignorance about what actually occurred and for an absence of anything special to write about (Grunewald 1999: 126). The theme always claims that the cunning and cruel bandit chief started off his career by fleeing to the mountains, from where he imposed a reign of terror by robbing and plundering the neighbouring villages and collecting around himself criminals and other base individuals. Their motives are always cast as a lust for booty. Eventually these bandit groups are strong enough to venture from their

[41] Tacitus, *Ann*. 2.52 from books 2 to 4 of the *Annales.*
[42] Herodian 1.10.1 and by Athenian for the Spartacus slave rebellion (Athenian *Flor* 2.7.10).

inaccessible strongholds and they start to plunder the larger towns until they are able to become a political threat (Grunewald 1999: 105:126). By means of this kind of fictional account of an opponent, he is automatically delegitimized in the eyes of the Graeco-Roman upper class readership.

Simon and his followers were able to develop into a significant power base and attracted a wide spectrum of adherents who, if Josephus is to be believed on this point, treated him like a king, "and since he was now become formidable to the cities, many of the men of power were corrupted by him; so that his army was no longer composed of slaves and robbers, but a great many of the populace were obedient to him as their king" *(War* 4. 510). There was thus John of Gischala in the north of the country and Simon in the south of Palestine who had established what amounted to a state within a state. That they were not regarded then as mere bandits fit only for crucifixion can be deduced from the fact that both Simon and John were sent to Rome by Titus, which as Grunewald has perceptively observed, we see Josephus, as an aristocrat, describing a social equal and not a common bandit. Simon was given a special place in Titus's triumphal march through the streets of Rome and later executed, (*War* 7.154-155), indicating that he was regarded as more important than John (Grunewald: 1999: 105).

Simon can therefore also not be classified as a social bandit. Horsley in fact categorizes him as a messianic leader, together with Menahem, Athronges and Judas son of Hezekiah. Horsley's argument is that Simon can be compared to King David in line with the tradition in Judaism of popular kingship. Like David, Simon gathered about him a large army

and started his bid for power as a military leader, who surrounded themselves with malcontents and villains. Like David, Simon also had great physical strength and people looked to him for leadership, and eventually, as in David's case, so too did the people of Jerusalem. He also comments that like David, Simon also had a social-economic agenda. Horsley amplifies the fact that Simon captured Hebron, a city steeped in Jewish significance, but in this instant, because this was the place where David was originally anointed (Horsley and Hanson 1999: 118-27). It does not appear that Josephus deliberately records the rise to power of Simon as a parallel to that of David. That surely would have given even more legitimation to Simon's role in the war, at least amongst Jewish readers, something that Josephus would have wanted to avoid. By Horsley's own account, "Josephus studiously avoids Jewish messianic language in his accounts, we can nevertheless discern a number of Davidic features in the rise of Simon" (Horsley and Hanson 1999: 119). Any pretensions to kingship may on the other hand, have been practical. Outside of the Jewish and Roman political and institutional structures, someone who considered himself to have gained sufficient support to become 'officially' acclaimed as a legitimate ruler, did not have much choice in terms of terminology and type of position in antiquity, but that of being called a king.

It is ironic in a sense, that the very bandits that Josephus vilified in many parts of the narrative were in fact used by him in a strategy to reduce the conflict in Galilee and to serve as an armed vanguard in his campaign to control the region. Not having an army of his own, he co-opted brigands to his side and then he convinced the people of Galilee to pay them in order to prevent them from plundering throughout the region

(*Life* 77-78). It appears that the practice of using established bandits with their leadership ability was a practice employed by the upper class ruling elite. Sepphoris too, bought the services of Jesus and his eight hundred men in order to prevent Josephus from using the Galilee as a base against the expected Roman incursion *(Life* 105-6). Josephus was able to nullify this threat and by means of a well planned ruse he was able to win Jesus and his men over to his side (*Life* 107-11).

Pectora roborant cultus recti

CHAPTER 5

5.1 BANDITRY AND PEASANT PROTEST MOVEMENTS: AN ALTERNATIVE VIEW

The history of the Roman Empire was filled with numerous attempts at revolt against its rule virtually throughout its existence, but where these have been reported, the records of these, such as they exist in the extant literature at our disposal, lack any significant details or are merely just mentioned in passing. There were more than ninety different provincial uprisings, for example, in the early imperial period up to the reign of Commodus, of which we have detailed records for only a fraction of them (Goodman 2002: 21). However, in the case of the first century conflict between the Jews and Rome in Palestine we have an incomparable amount of material with which to work, albeit that most is derived from one primary source only. While most scholars have accepted that there were a number of factors that eventually resulted in a full blown war with Rome, some have identified one particular dimension as playing a more important role than others as the catalyst that made the Jewish war unique in the Roman world. Some of the more recent work in this field (in English) can be summarized as follows:

- Goodman: the failure of the ruling class to assert its authority during times of economic, religious and social crisis.
- Brunt: because of the religious dimension, class conflict turned into revolution in Palestine, distinct from anywhere else in the Roman Empire.

- Mendels: the revolt was due to an ill-defined sense of nationalism.
- Hengel: the unrest was fanned by the flames of religious fanaticism and the different groups in the struggle were all zealots, in a general sense.
- Collins and Horbury: Messianic beliefs were pervasive before and during the revolt and were the critical force which impelled the Jews towards rebellion.
- Horsley: Most of the bandit groups, at least those before the outbreak of the war, were characteristic of social bandits based on a sociological model developed by Eric Hobsbawm to signify a specific type of banditry separate from common criminals.

It is therefore obvious that any attempt at analyzing the nature of Jewish banditry as one of the primary factors in Palestine in the period leading up to the War against Rome, is fraught with immense complexity as it represents one aspect only of events and historical processes. Part of the problem is that most studies on first century Judea are filtered through Josephus's historical perspective. Josephus adopted an approach of examining various incidents in the sixty years leading up to the war, explaining them and then blaming someone for them. (Goodman 2002: 16).

However, failures in the economic system, societal changes, religious fervour, oppressive rule, nationalistic yearnings and an ineffective ruling class do not in themselves explain how banditry can become so widespread and coalesce into a powerful movement that will attempt to overthrow the yolk of oppression. (Shaw 1984: 41). The Jewish revolt was a

concatenation of inter-related events and developments within Jewish society itself at a time when it had become a province of the Roman Empire.

> "There is now substantial agreement that peasant uprisings are (a) invariably, but (b) in no way simply related to economic and political changes far more profound than those affecting the peasantry alone: more profound even than developments in the agricultural sector as a whole. Changes occur in the objective conditions which govern society as a whole, and largely as a result of these changes there occur others which ultimately produces the status incongruities, relative status losses and the threat of further losses to which we have drawn attention previously. These discontents are, then the immediate but of course not the more profound cause of unrest. *One is tempted to find a single, universally present ultimate cause, but unfortunately, this would be mistaken"* (Landsberger 1974: 28). {My italics}

Brigandage, as is proposed above, was merely one subtext of a wider protest movement which spread from the rural areas and eventually into the cities. The whole of Book 20 of *The Antiquities of the Jews*, reads almost like a countdown to the outbreak of War in 66 CE. With the arrival of Cuspius Fadus (44-46 CE) as procurator, there followed a succession of other dreadful procurators who did little to govern and, in some instances, were instrumental in only inflaming the situation

even more.[43] A series of actions by Roman governors who were insensitive to Jewish religious feelings deeply affected pious Jews, such as the attempt by Pilate to bring military standards with graven images on them into the Temple precincts and thereby violating the prohibition of the injunction on the depiction of human images, especially in a sacred place. Gaius Caligula's attempt to have a statue of himself erected in the Temple grounds, (although this was not the action of a governor), caused extensive disturbances throughout the country and were it not for the common sense of Petronius, the governor of Syria, and the good fortune of Caligula's timely assassination, this incident could have had tragic consequences. Brutality, rapacity, incompetence and an unwillingness and inability to understand the people they were governing, marked the rule of the aforementioned governors. The hardship caused by the burden of double taxation (local and Roman tribute) as well as the temple tax, caused immense suffering, especially in times of drought and famine, and its ultimate effect was to force farmers with small landholdings into debt and penury. The rise of a wealthy Jewish class of landowner and trader only served to highlight how far the Jewish people had moved away from its egalitarian ideals of the past. As Goodman has shown in *The Ruling Class of Judea,* the men appointed by Rome to provide local leadership did not serve the purpose of ensuring peace and security, as the Roman practice of appointing individuals of wealth was inappropriate to the circumstances prevailing in Judea at the onset of direct Roman rule. The chosen elites had no support

[43] These were Tiberius Alexander, 46-48 CE; Ventidius Cumanus, 48-52 CE; Antonius Felix, 52-58/9 CE; Lucceius Albinus, 62-64 CE and Gessius Florus 64-66 CE.

base and lacked credibility whilst conflict amongst the leadership, primarily within the high priesthood only served to exacerbate an already unstable situation. Local rivalries and tensions between cities and communities, for example the incident between the Jewish and Syrian citizens of Caesarea, and especially in Hellenized communities, created additional instability. As matters deteriorated, groups of religious fanatics arose and preached an apocalyptic message of a new world to come out of the ashes of the present chaotic state.

Josephus proclaimed that "Now as for the affairs of the Jews, they grew worse and worse continually; for the country was again filled with robbers and impostors, who deluded the multitude" (*Antiquities* 20.160). This quote becomes something of a refrain throughout the course of the events that lead up to the outbreak of the war. At first glance, one can deduce that there was widespread rebellion in the countryside, which included brigandage; it is often not clear who the impostors were but presumably they were individuals or groups of individuals who were spreading messages of dissent and revolution amongst the peasants and other rural dwellers, by 'deluding' the multitude. Here, as in other instances, Josephus deals with the external focus of a phenomenon or historical event, but rarely does he relate the internal dynamics of a process or event. The same occurs for instance, in his narrative concerning the Fourth Philosophy, where we learn of the existence of this movement, where it possibly could have arisen from and its effects, but little else concerning its internal dynamics.

The responses to the oppressiveness of Roman rule and the consequent political, economic, social and ideological

stresses that the rural inhabitants experienced resulted in a campaign of widespread rural protest, of which brigandage, as has been discussed, formed only one aspect of a resistance movement. As noted earlier, the peasants of antiquity did not leave behind any textual evidence of what they thought and how they saw themselves and the world around them. By using modern tools based on peasant experiences from relatively modern times, we can attempt to construct a basis for examining and explaining peasant attitudes and belief systems from the ancient world.

5.2 PROTEST MOVEMENTS

After the death of Agrippa I Judea again fell under direct Roman rule in 54 CE. All the old hostilities and apprehensions returned and intensified. Poor governance and religious sensitivities merely exacerbated a worsening situation and law and order led to unrest of anarchical proportions and eventually to open warfare.

The tradition of mass popular protest instigated by and conducted by rural peasantry became a feature of Judea and Galilee. There are numerous incidents recorded by Josephus dealing with specific incidents of popular uprisings after the wide-scale campaign of resistance to the Roman imposed census of 6 CE. In all of these protests, people from the countryside played a leading role. Amongst the main provocations that resulted in mass protest was the incident of

the military standards that were brought into Jerusalem, *(War* 2.169-174; *Antiquities* 18.55-59); Josephus wrote: "meanwhile, stirred by indignation of the townspeople, the people from the countryside came together in crowds"; when Jewish brigands attacked an imperial baggage train Cumanus sent soldiers to punish nearby villages during which a Torah scroll was desecrated *(War* 2.228-29; *Antiquities* 20.113-14). The subsequent mass uprising of the common people was only defused after Cumanus had the offending soldier executed (*War* 2.230-31). Gaius's attempt to have a statue of himself placed in the precincts of the Temple evoked a huge popular uprising in which peasants were the leading force; Josephus says "robberies would grow up" if the statue was put in place (*Antiquities* 18.274) and that the entire country could have been plunged into crisis as the imminent harvests would not have been collected, indicating thereby the extent of peasant involvement.

At some point the widespread brigandage and related protest actions became a national force of resistance against Roman rule. This, if Josephus is to be trusted, occurred during the rule of Antonius Felix (52-59(?)CE). Felix actively pursued bandits throughout Judea, but also had to contend with various prophets and other revolutionary bands. There was a character known as the Egyptian Jew who was going to lead a group up onto the Mount of Olives after which he claimed the walls of Jerusalem would fall down (*War* 2. 261-262). Josephus summarized the escalation of revolt in the territory with the following words:

> "Now, when these were quieted, it happened, as it does in a diseased body, that another part was subject to inflammation; for a company of

> deceivers and robbers got together, and persuaded the Jews to revolt, and exhorted them to assert their liberty, inflicting death on those that continued in obedience to the Roman government, and saying, that such as willingly chose slavery ought to be forced from such their desired inclinations" (*War* 2.264).

Even if this statement conceals an amount of rhetorical exaggeration, it does indicate that during this period there existed a great amount of popular sentiment for revolution against Roman rule, bolstered by religious teachings, nationalist fervour and a yearning for better times from the past (Grabbe 1992: 442). At this point it is possible to discern a coalition of sorts, between bandits, people from the countryside and a variety of other groups coming together to form a movement for national resistance.

How do primitive protest movements with a largely rural base progress to becoming a wider movement revolutionary change? Landsberger has suggested that when considering peasant movements, it should be done on the basis of the relatively low status under which peasants live and a movement is to be seen as "a collective reaction to such low status" (Landsberger 1974: 18).

The collective nature of the many protests by rural peasants and to a certain degree, the city mob, was quite likely deeply rooted in a common vision of what life was like in the past. When the various rebel groups and peasants came together, this vision was most likely shared by many, but the dissension arose as to how it was to be achieved, thereby contributing to

the civil war amongst the Jewish groups. We will of course never know what the peasants actually thought and how they rationalized and justified their actions. Their goals were deep enough to sustain the movement for a long period of time, but how these aims were crystallized into a revolutionary fervour for the overthrow of Roman domination, can only be concluded from drawing conclusions from modern revolutions that were initially driven by peasants and resulted in the birth of a new social and political order. It is possible to conclude that in the first half of the century, peasant protests were largely conservative in nature, in that they simply desired to 'right a wrong,' as was the case in which Roman official indiscretions inflamed popular sentiment. When the peasant and his community suffered some form of provocation generally the initial reactions were usually not violent or revolutionary (Landsberger 1974: 37).

The groups in Palestine which fell outside the revolutionary movement were the wealthy and those priests who preferred a moderate course and who either saw opposition against Rome as futile or wanted to maintain their privileged status quo. As pointed out by Landsberger, in order to qualify as a collective movement, there needs to be certain other motives than just merely reacting to low status, such as nationalism and a combination of nationalism and religious motivations. These were clearly the case with the Jewish peasant movements and other groups and their reactions to many of the provocations going as far back as Hasmonaean times, through to the Jewish revolt of 66CE. Individual peasants, who had 'migrated' to brigand groups because of the prevailing socio-political-economic climate, would have shared many of the common views of who the oppressors and their supporters were; and

the reasons for oppression as well as a shared common goal as to the actions that should be taken. The social and economic factors on their own would not have been enough, but the extent to which ideology and religion played a role in mobilizing the peasants is debatable. Hobsbawm observes that it is characteristic of primitive movements of national resistance to exhibit a mix of bandit activity and millennial sectarianism against the occupying forces (Hobsbawm 1969: 103).

Peasant movements arose because of preceding historical changes. These may evolve as a result of one or more of the following societal changes: a lost war, new taxes, bad harvests, changes in the composition of then ruling class, changes affecting the conditions of the higher status peasants and passed on to lower status peasants, changes in the economic situation and ideological factors (Landsberger 1974: 24). All of these factors occurred in Palestine to a lesser or larger degree, allowing for regional differences. In addition, the Jewish peasant movement employed a range of means and methods built up over a long history of resistance and struggle against foreign domination. These included amongst others, popular protests, threats to withhold the in-gathering of the harvest, brigandage, attacks against the homes of wealthy and the elites, eventually ending up in direct assaults against the Roman army. As Goodman has demonstrated the lack of an effective and credible Jewish ruling class, forced peasants to turn elsewhere for guidance when provoked.

In order to qualify as a movement as opposed to a disorganized rabble, there needs to be evidence of leadership and direction towards the common goals. While leadership

seems to have come from a number of brigand chiefs (*archilestes*), they also seem to have had direction from local strong men, such as John of Gischala; but the leadership role changed as it moved from a mainly protest-based movement that resorted to sporadically confronting the authorities by means of bandit-like raids, amongst others, towards a coherent mass-based organization led by powerful leaders who were able to consolidate and focus the various arms of the movement and translate it into a programme of revolutionary action. Landsberger notes that few genuine peasant leaders have been working peasants; in fact as peasant movements become 'national' (as opposed to local or community centred), so the leadership roles moves out of the hands of peasants (Landsberger 1974: 38). An example of that which was referred to earlier, is that of John of Gischala, who it seems, may not have been of peasant origins, but was able to organize diverse groups around his leadership in the Galilee and later became one of the established leaders who played a much wider role in the events that later unfolded in Jerusalem.

By the time that the various factions had assembled in Jerusalem soon after the outbreak of the Revolt, there were several large armies with a considerable number of men at arms based in Jerusalem. Of the three large groups, the Idumeans had five thousand troops under their command, Simon had ten thousand, John had six thousand and the zealots had two thousand four hundred loyal adherents (*War* 5. 248-50). Goodman does not think that a common ideology and joint purpose of fighting the Roman enemy that prevailed amongst all the followers of the various factions would have been sufficient to maintain the loyalty of the troops to their

political leaders. It is probable that John commanded fierce loyalty from certain factions within the Galilee, but more so was the promise and expectation of rewards that they would receive for their loyalty to his side. The Idumeans it seems remained fiercely loyal to their local leaders and retained a unique and steadfast identity with their Idumean origins. Likewise it appears that Simon's charismatic leadership abilities was enough to tie his men loyally to his side. The Zealots on the other hand, did not have the support of the peasants from the Judean countryside and had to hire the services of the bandit leaders and their followers to fight on their side (Goodman 1993: 223-225). As already observed, Josephus himself was also willing to accrue armed bandit gangs to support his efforts in the Galilee as a strategic ploy to achieve his aims as governor of Galilee.

As local bandit leaders and their followers became part of the wider movement, they became increasingly tied into the wider political and military scene, and the political elites assumed the role of the leadership in conducting the revolutionary aims of the struggle and the war against the Romans.

Hobsbawm noted that bandits lack the technical, internal and ideological organization to lead revolutionary movements. He cites the example of the Cossacks who had well established and large communities and were extremely effective in their raiding campaigns, with very capable leaders, but were not able to develop beyond this into the model required to become a national movement. As he continues: "banditry is therefore more likely to come into peasant revolutions as one aspect of a multiple mobilization, knowing itself to be a subordinate

aspect, except in one way: it provides fighting men and fighting leaders" (Hobsbawm 1969: 102).

Pectora roborant cultus recti

CHAPTER 6

6.1 CONCLUSION

This work has attempted to explain and understand the dynamics of the role played by Jewish peasant bandits in the years leading up to the Jewish revolt against Roman rule in the first century. The changes brought on by the arrival of Pompey in 64 BCE affected the whole of Syro-Palestine and was probably most keenly felt by the Jewish population in the then Jewish territories of the region. Most dramatic was the loss of the independent Jewish nation state led by the Hasmonaean dynasts and the resultant events that culminated in Jewish Palestine becoming a province of the Roman Empire.

However, what became apparent whilst conducting the required reading and research for this paper is that it is not possible, given the current dearth of sources and the limitations of sociological tools available to the modern historian, to come up with a definitive, all-encompassing explanation and model that will adequately cover all aspects of peasant revolts in Roman antiquity. The use of modern parallels as a means of explaining complex sets of social, political and cultural circumstances from the ancient world poses a whole host of problems, and can only partially explain these events and therefore need to be used circumspectly. Dyson has suggested that in order to understand peasant rebellions at a local level, it is important to study the phenomenon of peasant revolts as a continuous *pattern* of civil unrest in the Roman Empire at large, in order to

understand how individual revolts evolved against *general* changing historical and social circumstances in the different parts and periods of Romanization (Dyson 1971: 171).

Banditry appears to have been a common feature of everyday life in many parts of the ancient world, including the Jewish parts of Palestine and particularly in those areas where state power was at its weakest, much like crime is taken for granted as an acceptable corollary to modern day life. The awesome power of the Roman military machine and pervasiveness of its civil and administrative rule generally encouraged most of the oppressed nations under its control to acquiesce and accept the inevitability of becoming part of the greater Roman Empire (Dyson 1971: 172). However, there seems to have been some nexus at which point the excesses of the imposition of Roman rule simply became intolerable and resulted in mostly futile attempts at rebellion. A similar point can be made for Palestine, where Josephus has told of bandit groups who inhabited the mountainous areas and got on with their nefarious activities as a general way of life. However, a point was reached in the mid fifties of the first century at which the extent and scope of banditry became identifiable with large scale dissent and rebelliousness by the most oppressed and vulnerable of the rural communities, despite the traditional jargon of banditry that was employed to describe the dissidents and their actions. In modern terms, these groups or individuals would have been described as 'terrorists,' 'insurgents,' or 'freedom fighters,' depending on your viewpoint.

As a conclusion to the historical/social debate on banditry and peasant rebellion Dyson has provided a useful summary of the

principal criteria, or 'crisis points' which motivated peasant (and other poor and disaffected elements in ancient societies) to join social protest movements and participate in actions against the elites and the state. These 'crisis points arose exactly because of the process of Romanization itself which produced the tensions within the conquered societies that drove the local populations to repeated acts of rebellion (Dyson 1971: 175). These are:

Taxation: Roman forms of taxation that had to be paid in coin forced subjugated communities to participate in the Roman market economy, thereby causing tensions within the established agricultural economies. Judea followed the pattern of many other conquered territories in which the early experience of Roman rule was the imposition of new tax regimes resulting in widespread tension and revolt.

Debt: The increased tax burden and exposure to economic changes eventually led to growing levels of debt in order to survive.

Landlessness: A result of rising levels of debt and penury was the loss of land and changes in the social and economic status of peasant cultivators.

Frontier Zones: societies living adjacent to frontier zones and remote highland areas made effective control of large swathes of territory difficult to police and administer and provided territory to which dissident groups could flee and continue to oppose Roman rule from the edges of the Empire. As Dyson suggests "without this proximity of the frontier, sustained resistance is more difficult although by no means impossible." (Dyson 1971: 172).

The local aristocracy: Although the Romans maintained the local aristocracy by co-opting them into the local political systems in order to assist in quelling resistance, this strategy did not work successfully in Jewish Palestine.

Religion: Although the Romans appear to have been generally accepting of local religions, as indeed it was in Judea and the other Jewish territories in the first century, where the local populace were left to practice their traditions relatively freely, Jewish adherence to the core principles of the Mosaic code and its common identity as a nation that revelled in its freedom, was a major factor that motivated, sustained and imbued the revolt against Roman occupation (Dyson 1971: 170-173).

As a comparative exercise, it is possible to conclude that the historical criteria proposed by Dyson closely resemble and confirm the elements that Landsberger has put forward in his model for explaining rural resistance movements, albeit from a modern sociological perspective. In Landsberger's explanation, changes in the objective conditions that govern society as a whole take place, and as a result of these changes, a whole concatenation of other changes occur that cause further losses in the status of the peasant and other rural producers, resulting in the growth of widespread unhappiness and a rise in the numbers of individuals and groups who are prepared to oppose the ruling elements (Landsberger 1974: 28-29). In short, the objective conditions can be summarized as the dramatic loss of national independence, the introduction of the Palestinian economy into the wider economic market of the Empire and the disintegration of the priesthood as the defining symbol of

Jewish leadership and spiritual authority and the religious/ideological dimension.

The temptation to create different bandit 'types' as explanatory mechanisms is appealing, but as this paper has endeavoured to prove, that banditry is far more complex than any one model and needs to be seen in the light of historical circumstance and prevailing political and social and cultural realities. The concept of social banditry has been posited as a likely explanation of Jewish dissent leading eventually to all-out war, primarily by Richard Horsley. Hobsbawm's notion of social banditry as a sociological description of a phase of banditry or type of bandit, while displaying some merits as a description of an idealized form of localized rebellion, hardly suffices, as this paper has intended to show, as an adequate historical or sociological tool for explaining anything more than minor outlawry and in most cases, in a mythical sense. That the Robin Hood bandit figure existed in both reality and myth, may well be, but this can hardly be used to describe and explain the formation of movements for widespread and sustained revolutionary tendencies within a society experiencing fundamental changes to its existing and future way of life. As Hobsbawm himself admitted in the introductory words to the opening chapter on social banditry…"We shall be dealing with a form of individual or minority rebellion within peasant societies." (Hobsbawm 1969: 17). Whether these types of legends surrounded any of the *archilestes* from the protagonists described by Josephus and whether these informed peasant public opinion is something we will never know for sure (Grunewald 1999: 93-94). Modern research conducted in the 1970's attempted to match the behaviour of social bandits as described by Hobsbawm to real bandits from

South America. One researcher, Billy Chandler, examined the life and times of Lampiao the Brazilian bandit. Chandler's conclusions were that "...The major problem is that his (Hobsbawm's) definition of a social bandit is, it seems, inverted. It rests not so much on the actual deeds of the bandits as on what people thought them to be, or, more precariously, on how they were reported by balladeers and other popular storytellers even generations later" (Chandler 1978: 241).

In the case of Josephus we have the rather unique situation that he participated in the events he wrote about and was personally involved with some of the leading protagonists. He was a member of the elite literate minority who were often the prime victims of brigandage themselves. Although on that point, it must be stressed, that the evidence from recent studies on brigandage in both ancient times and modern, clearly shows that bandits indiscriminately and brutally killed and robbed from the very rich and the poor regardless of their communal origins or folkloric aspirations (Langer 1987: 124). As has been demonstrated, Josephus's historiographical treatment of bandits matched the conventions and attitudes of the Graeco-Roman traditions of his day. He was nevertheless astute enough to have realized the folly of opposing the military might of the Roman Empire and the consequences that would have followed thereon, whilst at the same time conscious of his Jewish heritage and background. Much has been made about the apparent biases in his narratives and especially that he ended his days living in Rome at the behest and patronage of his Flavian hosts. From an overall perspective however, Overman has pointed out, that the conflict in Judea during the first century should be interpreted

as a part of the larger political struggle in which Vespasian and his son Titus was involved, in order to establish their basis for supreme control over the Empire and hence by extension, that Josephus's writing reflected this propagandistic bias (Overman 2002: 214).

What relevance, if any, is there in any of this to the modern world? From a cultural context the myth of the bandit hero, the outlaw as epitomized by Robin Hood lives on in modern memory and myth. Fictional outlaws that stand up and fight for the poor and the oppressed abound in literature and in film. In some cases it caters for the public's taste for blood and gore or as Slatta has observed, "...The power and allure of these images (of bandit life and deeds) come in part from a seeming need for even highly urbanized societies to retreat to a sometimes heroic past" (Slatta 1987: 23). The folklore that surrounds many of the well-known bandit characters from literature and film imbue them with a reputation that is usually at odds with reality. This point reinforces the weakness in many respects of relying on myth, oral tradition and legend as a means to proving the validity of social banditry as a type of "special" bandit. It is worth quoting in full the following section in order to illustrate the difficulties of dealing with bandit characters and how easily reality can be distorted:

> "As part of a Federal Writers' Project in the 1930's, interviewers questioned New Mexico residents who claimed to have known Billy the Kid. Some respondents avowed personal knowledge of episodes created by fictional writers. One person reported a conversation with Billy's mother during the spring of 1877. His mother died some three years earlier, on

> September 1874. Faulty memory and vivid imagination shaped many recollections....The Kid enjoyed a ground swell of rehabilitating myth-making during the 1930's and 1940's although brief instances of the Kid's "noble" bandit characteristics cropped up in accounts in stories before the 1930's, a veritable eruption of stories occurred in the next twenty years presenting the Kid's affinity with Robin Hood or Claude Duval" (Tatum 1982: 98).

A perfect example from recent times of banditry and the folkloric myth building machinery and fascination for the outlaw and their exploits is that of Phoolan Devi, the infamous Indian criminal who became known as the Bandit Queen to her admirers. She came from a low-caste family and after a violent and unhappy childhood and marriage, fled to the mountainous parts of Uttar Pradesh where she became involved with Dacoit bands, India's modern day bandit gangs. Devi became infamous for her daring and bloody exploits. In 1981 she attacked and allegedly killed some twenty-two Hindu villagers from a high caste landowning community who had reportedly kidnapped and raped her. She became nationally famous and was wanted for fifty murders. She was imprisoned but never convicted. Ironically, she was elected to parliament where she successfully represented the downtrodden, especially women and low-caste Hindus. A movie, the *Bandit Queen* elevated her popularity and further embellished her reputation as some kind of modern Robin Hood like character. She was assassinated at the age of 38 and to date the reason behind her violent death is still unknown. The truth is that before her resurrection as a politician and champion of the poor, she was a violent and

brutal gangster who spread mayhem and destruction throughout her native state (Mallik 2001: 1-3).

Banditry is still endemic in some lesser developed areas in South America, India, Africa and parts of Asia where indigenous inhabitants are fighting against loss of territory and racism and cultural oblivion, political independence and oppression and especially where central state control is weak. A state loses its legitimacy and ability to impose its authority on sizeable portions of a society when a credible alternative arises and is able to deny the state and its organs access and control to certain parts of its constituted territories. A typical example is Somalia in the Horn of Africa where bandit groups have been able to cause the disintegration of the state into three fiefdoms that are based on a confederacy of dominant clans (Mburu 1999: 90-92). Further south in Sudan, a long tradition of brigandage has continued on into modern times as the modus operandi of the various militia factions fighting the government in Khartoum or amongst each other (ibid).

The phenomenon of banditry has been around for millennia as a form of outlawed activity wherever social, political and economic injustice prevails coupled with ineffective state control. Its pervasiveness and destructiveness on daily life, as cited in the examples above, attest to its potency as a form of protest and its ability to challenge traditional and entrenched holders of power. This too, proved to be the case in first century Palestine, where the Jewish rural peasant population refused to accept the injustices that came with being part of the Roman Empire and participated in a simmering campaign of civil unrest which included numerous acts of brigandage and other forms of social protests eventually culminating in a

war for freedom and national independence from foreign occupation. The short war ended in tragedy for the Jewish nation and resulted in a huge loss of life and eventual dispersion and the end of a significant Jewish presence in the land of their forefathers for some two thousand years.

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