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“CONQUERORS, PATRIARCHS AND THE LAW OF THE LORD”

Interpretation of a late antique Jewish epitaph

TIBOR GRÜLL

This epitaph, written on a rectangular (29 x 47 x 1.7 cm) limestone plate in Hebrew and Latin, has been found in 1929 in St. Theresa Church, Catania (Sicily). The text, dated from 21st October, 383 C.E., is a memorial of a Jewish man and his wife (CII I 650 = JIWE I 145).¹

šalôm ‘al ’israel ’amen ’amen šalôm Šmuel

*Ego Aurelius Samohil comparabi / memoriam mi et oxsoris mae
Lasie Eri/ne, qu(a)e fatum complebit XII kal(endas) Novembr/es, die
Veneris, luna octaba, Mero/baudes iterum et Satornino con/sulibus,
quae vixit annos XXIII cum / pace. Adiuro vos per victorias qui
in/perant, item adiuro vos per honor/es patriarcharum, item adiuro vos
/ per licem quem Dominus dedit Iu/deis ni quis aperiat memoriam et
mi/ttat corpus alienum supra ossa nostra. / Si quis autem aperiverit,
dit fisco argenti pondo / dece(m).*

(Hebrew:) ‘Shalom to Israel, amen, amen, shalom, Shmuel’ (*menorah* and *lulav*) – (Latin:) ‘I, Aurelius Samohil, have bought (this) memorial for myself and my wife Lasie Erine, who died on the 12th day before the Kalendae of November [21st October], on the day of Venus [on Friday], on the eighth Lunar (month), in the consulship of Merobaudes for the second time and of Saturninus. She lived 23 years in peace. I adjure you by the victories [of those] who command, *item* by the honours of the Patriarchs, and *item* by the law which the Lord gave to the Jews, that no one should open the memorial and put in another body over our bones. But if anyone were to open it, let him give 10 pounds of silver to the *fiscus*.’

1. Commentary

¹ G. Libertini, AAT 64 (1929) 185–195 (with photo); G. Libertini, *Scritti su Catania antica*, Catania 1981, 69–78 (with photo); AE 1984, 439; Solin 1998, 313 (with photo).

(l. 1.) *Hebrew text* – The introductory Hebrew text is a common phrase on Jewish epitaphs, many times literally the same as here, e.g. CII 293, 397, 670. As regards the meaning of šalom G.H.R. Horsley remarks: ‘[Shalom] evidently had associations which could not be translated’ (Horsley 1989, 12). According to H. Solin: ‘Šalôm ist eher als übersprachlicher religiöser Ausdruck wie ἀμήν empfunden worden ohne irgendwelche Bedeutung für einen Nachweis von aktiven Sprachkenntnissen’ (Solin 1983, 701).²

(l. 2.) *Aurelius Samohil* – Although analysis of the survived Jewish inscriptions clearly shows that in the 3rd century C.E. Greek was the most common language in the Western Diaspora (60–70% of the ca. 200 survived inscriptions is written in Greek), the names of the Jews are mainly Latin (274 Latin, 230 Greek, 79 Jewish/Aramaic)³. The custom of giving names by Jews was the same as by Gentiles: ‘Die Mehrheit der Juden in der Diaspora hat dieselben Namen wie die Heiden’ (Gitt. 1b; Solin 1983, 711). *Samohil* is the Latinized version of *Samuel* (cf. Σεμωήλ CII 401; Solin 1998, 311. n. 3). It is remarkable that we do not find any (explicit) reference to the nationality, position or profession of the defunct. *Aurelius* as *nomen gentile* was often used among Jews especially after 212, henceforth it does not reveal anything about its bearer’s origin (Solin 1998, 312).

(l. 3.) *memoria* – This is the usual name of tombs, on the Jewish epitaphs we also find τάφος, μνήμα, μνημείον, θήκη, ἡρῶν, σῆμα; *sepulchrum* (Kant 1987, 678. n. 31).

(ll. 3–4) *Lasie Erine* – viz. *Lassiae Irene*. Reading of this name is indubitable (instead of *Lasiferina* = AE 1984, 439). ‘Era un vecchio gentilizio, attestato in primo luogo nell’area campana; non saprei spiegare il

² The meaning of *shalom* as a verb: ‘to be whole, sound, safe; to be completed, finished; to have peace, friendship with sy; to be restored; to be recompensed; to receive the reward (of deeds); to live friendly’. As an adjective: ‘whole, entire, healthy, sound, in full number, secure, tranquil’. As a noun: ‘wholeness, safety, concord, friendship, retribution, remuneration, reward, thanksgiving’ (after Gesenius). Cf. E. Dinkler, “SHALOM–EIRENE–PAX: Jüdische Sepulkralinschriften und ihr Verhältnis zum frühen Christentum”, RAC 50 (1974) 121–144; J.N. Sevenster, Do You Know Greek? How much Greek could the first Jewish Christians have known? Leiden 1968. p. 88. (Suppl. to Novum Testamentum 19). In Beth Shearim and Jaffa the *shalom*-formula used to be written with Greek letters.

³ According to Solin 1983, 711; cf. Nadel 1963, 264–265.

suo riapparire nella comunità ebraica catanese del IV. secolo’ (Solin 1998, 312).

(ll. 4–7) *Dating* – The author of the inscription uses a combination of a secular dating-system and calendar and a Jewish one. ‘Friday’ is expressed as *dies Veneris*, the day of Venus, the term which would evolve into ‘venerdi/vendredi’. But the month referred to (*luna octaba*) must be Marhesvan (Millar 1992, 98). – Merobaudes was a Frankish officer of Iulianus, who gained the consulate first time in 377 and 383 *iterum*⁴. In this age it was a special honour and privilege to a man who did not belong to the emperor’s family. Merobaudes’ eastern colleague was at first the emperor Theodosius himself, who later abdicated from this post in favour of his general Flavius Saturninus, and rewarded him with this honour (cf. Themist. Or. 16,202d. 203a. 205c).⁵

(l. 8) *adiuro vos per* – It is a typical oath formula which means ‘I swear’ or ‘I make sy swear’. In the 4th century it occurs also without *per* + acc. (e.g. *Adiuravit me dominus deus*, Gen 24:37 Vulg.), but most often used with the preposition *per*: *iures per idola* ‘you swear by the idols’ (Tert. *De idol.* 21); *adiurati daemones per deum* ‘demons swore by God’ (Min. Fel. 27,7); it is frequently used on *defixionum tabulae* (TLL I 712–713) and in curse-formulas of the epitaphs as well (e.g. *adiuro te per Xpm (Christum) ne aperias locum istum* = AE 1975, 407).

(ll. 8–9) *victorias qui inperant* – Literally ‘the victories who command’. According to the commentary of AE 1984, 439 the *victoriae* means *potestates*, i.e. spiritual powers mentioned in the Bible and the apocrypha, but it is, indeed, an unsatisfactory explanation. According to my

⁴ The most detailed survey on his military and civil career: B. S. Rodgers, “Merobaudes and Maximus in Gaul”, *Historia* 30 (1981) 82–105; cf. C.P.T. Naudé, “Flavius Merobaudes and the Death of the Elder Theodosius”, in: *Varia studia in honorem W. J. Richards*, eds. L. Cilliers and A.H. Snyman, Bloemfontein 1987, 388–401. – For dating of the two consulates see: R.S. Bagnall, A. Cameron, S.R. Schwartz, K.A. Worp, *Consuls of the Later Roman Empire*, Atlanta 1987, 288–289, 300–301, 650–652.

⁵ Theodosius celebrated the fifth anniversary (*quinquennialia*) of his reign in 383, hence he took up the consulship for the first time (Themist. Or. 16.205c–d), but later he passed it to his general Saturninus. The panegyrist Pacatus, emphasizes Theodosius’ magnanimity, because instead of one of his sons he chose his friend to the consulate: *renuntiantur amici ante filios tuos consules, quia non poterant plus esse quam consules* (Pan. Lat. 2.16.4). Flavius Saturninus was *magister equitum* 377–378 and *magister militum* 382–383, concluding an important settlement with the Goths in 382. He was rewarded for this victory with consulship (cf. ILS 4149 f.)

interpretation *victoriae* may refer to the emperors' victories. In case if it stands instead of *victores*, we can define it as a grammatical barbarism very often occurring in contemporary Jewish (as well as pagan and Christian) inscriptions (Nadel 1963, 270), e.g. *vir = virus* (CII 659); *omnium = omniorum* (CII 210). The other more likely possibility is an elliptical construction: *per victorias (eorum) qui inperant*.⁶ This explanation is supported by the parallel structure of the oath-formula: all three cases are genitive constuctions consisting a common noun at the first place and a proper noun at the second one: (1) *victorias (eorum) qui inperant (=imperatorum)*; (2) *honores patriarcharum*; (3) *licem (=legem) quem dedit Dominus Iudaeis (=Domini)*.

(ll. 9–10) *honores patriarcharum* – Interpreting patrirachs we can consider three different meanings: (1) the Biblical Patriarchs of the Jewish people (Abraham, Isaac, Jacob and eponyms of the twelve tribes); (2) the Palestinian Patriarchs (*ha-Nasi*); (3) smaller functionaries in the diaspora synagogues with the same name. (See 2.2.2.)

(ll. 11–12) *licem quem Dominus dedit Iudaeis* – The word *licem* can be interpreted as (1) *lucem*, i.e. the Torah as Light often occurs metaphorically in the Bible, e. g. Ps 19:9; 119:105,130; Prov 6:23; Jes 51:4 etc. (2) *legem*, this indentification is supported by two strong arguments: on the one hand this part of Samohil's epitaph is a legal text (oath formula), on the other hand the *dit* in the last line (subj. praes. impf. instead of *det*) is based on the e > i phonetic change.⁷ The letter change (G *pro* C) we often find even in classical Roman inscriptions, e. g. C(aius) *pro* Gaius. 'The Law given to the Jews by the Lord' is not a direct Biblical quotation, but it is indeed a self-confident summary of the significance of the Torah for the Jewish people. (See 3.)

⁶ I am very grateful to Prof. Géza Alföldy for this suggestion which he has imparted me in his personal letter.

⁷ It is not exactly a tendecious phonetic change but rather a confusion of vowels: e.g. *vexit pro vixit* (CII 468); *Esidorus pro Isidorus* (CII 229), *fecet pro fecit* (CII passim); *fuet pro fuit* (CII 612, 614), see Nadel 1963, 268-269. After collecting and examining the irregular forms used in the inscriptions we can state firmly that no specifically Jewish vulgar Latin ('Judenlateinisch') existed. On the Jewish epigraphic materials we can find distorted forms of the *sermo plebeius* (Nadel 1963, 272). Polomé came to the same conclusion regarding the Jewish inscriptions of the city of Rome: 'The Jews formed no linguistic island in ancient Rome' (Polomé 1983, 304).

(l. 14.) *fisco* – The text refers to the *fiscus Iudaicus*, which has been established by Vespasian after the destruction of the Temple in 70 C.E. in order to levy the Jewish tax (Ἰουδαϊκῶν τελέσματα), i.e. the annual two drachmas (cf. Jos. Bell. 7,218; Cass. Dio 66,7,2). This was a substitutional tax for the half-shekel levied for the benefit of the Temple of Jerusalem. This new kind of tax the Jews had to pay for the benefit of the Temple of Iuppiter Capitolinus in Rome. In the time of Domitian the tax was collected with extreme severity (Suet. Dom. 12,2). The *fisci Iudaici calumnia sublata* inscription on Nerva’s coins has not been interpreted in a satisfactory way so far. According to the Edfu ostraca the tax must be paid by women, children, slaves and men of Jewish origin, even by Roman citizens.⁸ These amounts were collected by the local synagogues which sent them up to Rome, where it was received by the *procurator ad capitularia Iudaeorum* (ILS 1519). Thus this phrase indirectly affirms that Aurelius Samohil could have been a member of the local synagogue. Our latest documentary evidence on the *fiscus* has been a papyrus from Karanis (146/168 C.E.; Fayum, Upper Egypt = Tscherikover, Corpus 3 (1964), 17–18, no. 460, line 7). The latest literary allusion to the same institution came from the mid 4th century (Orig. Epist. ad Afr. 20.14 ed. de Lange = Sources chrétiennes 302 (1983), 566). Consequently, this Sicilian epitaph is the latest reference to the *fiscus Iudaicus* up to the present. (Cf. CII 640.)

2. Interpretation

2.1. Latin in the diaspora

Aurelius Samohil’s sepulchral inscription is the longest surviving Latin inscription, written by a Jew in diaspora. Notwithstanding many diasporas of the basically Latinized Western Roman Empire (Africa, Hispania, Gallia) consisted mainly of Greek-speaking Jewish immigrants, nevertheless by the 4th century Latin was probably spoken by the majority in their communities. In the Christian description on the forced baptism of the Jewish community in

⁸ V.A. Tscherikover, A. Fuks, *Corpus Papyrorum Iudaicarum*, 1960, II, 119–136. nos. 160–229; M. Goodman, “Nerva, the *fiscus Iudaicus* and Jewish Identity”, *JRS* 79 (1989) 40–44; L.A. Thompson, “Domitian and the Jewish Tax”, *Historia* 31 (1982) 329–342.

Minorca (417 C.E.)⁹ we find that Jews and Christians talked to each other in the official language of the Roman Empire without any difficulty. However one must not overestimate the knowledge of Latin in the Western diaspora. According to the evidence of sepulchral inscriptions the language of the Jews of the city of Rome was Greek even in the 3rd century.¹⁰ In the first province of the Empire, Sicily, Greek was widely used among Christians even in the 4th century.¹¹ The Jewish diaspora society was a diglossic one ‘using one language for one form of expression, and another language for another form’ (Horsley 1989, 8). We may add that ‘they [sc. the Jews] spoke Greek at home but used Latin outside, where the politico-economic and socio-cultural context, or the official regulations required it’ (Polomé 1983, 515).

As for the Christians, Bible translations in Latin were available by the 2nd century (*Vetus Latina/Itala*), but it is highly dubious if the Jews possessed such a translation, or if Latin was used as the language of synagogue liturgy.¹² On the Jewish inscriptions written in Greek the Bible is

⁹ Epistola Severi ad omnem ecclesiam, de virtutibus ad Judaeorum conversionem in Minoricensi insula factis in praesentia reliquiarum sancti Stephani, PL (Paris 1845) XLI, 821–832; E.D. Hunt, “An Episode in Jewish–Christian Relations in the Early 5th Century A.D.”, *JThS* 33 (1982) 106–123; F. Lotter, “Die Zwangsbekehrung der Juden von Menorca um 418 im Rahmen der Entwicklung des Judenrechts der Spätantike”, *HistZeitschr* 242 (1986) 291–326; the first English translation has recently been published: Severus of Minorca, Letter on the Conversion of the Jews, ed. and transl. by Scott Bradbury, Oxford 1996 (Oxford Early Christian Texts).

¹⁰ Considering all Jewish inscriptions the ratio of Greek to Latin is 467:127 (Solin 1983, 701–711). – 74 percent of 3rd–4th century Jewish epitaphs discovered in Rome are Greek; 17 percent are Latin, and only 2–3 percent contains any Hebrew or Aramaic text, mostly well-known clichés. Cf. D. Noy, “Writing in Tongues: The Use of Greek, Latin and Hebrew in Jewish Inscriptions from Roman Italy”, *JJS* 48 (1997) 300–311.

¹¹ In the inscriptions of S. Giovanni catacomb in Syracuse (cca. 350–450 C.E.) the ratio of Greek to Latin is 9:1; in Catania 5:1; in the islands of Lipari 8:1. According to M.I. Finley ‘the linguistic dividing-line has to be drawn between social classes, not geographically’ (Ancient Sicily, London 1968, 166). H. Solin is of the same opinion: ‘The Jewish élite used Latin and the rest used Greek’.

¹² V. Colorni, “L’uso del greco nella liturgia del giudaismo hellenistico e la Novella 146 di Giustiniano”, *Annali di Storia del Diritto* 8 (1964) 73. ff.; According to A. Diessmann a Jewish Latin translation may have existed as well, in: Müller–Bees, *Die Inschriften der jüdischen Katakomben am Monteverde zu Rom*, 1919, 136. ad nr. 145. (= CII 476). D.S. Blondheim has an even bolder theory, i.e. the Jews had a Latin translation based on the Septuagint, which is identical with *Vetus Latina* according to him (*Les parlers judéo-romans et la Vetus Latina. Études sur les rapports entre les traductions bibliques en langue romane les Juifs au moyen âge et les anciennes versions*, Paris 1925, XLII.); U. Cassuto postulates

quoted from the Septuagint (e.g. CII 201) or from the translation of Aquila (e.g. CII 370). The few Latin quotations are free translations or follow the *Itala* (Solin 1983, 702. n. 268). ‘The social, intellectual and religious history of the Jews in the Latin-speaking environment of the western half of the Later Roman Empire remains a largely unexplored field. Fortunately we have some evidence, however scattered, which allows rather more direct access to the Judaism of the diaspora in the Greek-speaking part of the Empire’ (Millar 1992, 99). We may add that the literature of the late antique Jewish diaspora, if it has ever existed, has been completely lost. ‘The most recent survey of ancient Jewish literature in all genres and in whatever language, produces not a single case of a Jewish work which is known to have been written in the diaspora between A.D. 312 and 440’ – writes Fergus Millar, which statement is based on Schürer’s collection of evidences (Millar 1992, 110). There is only one striking exception, the *Collatio legum Mosaicarum et Romanarum*, which has presumably been compiled by a Jewish scholar living in the city of Rome, approximately at the same time to which our inscription has been dated.¹³ Certainly it is not coincidental that in the 4th century C.E. the Jews in the western diaspora interpret their Divine Law not from a theological perspective, but from that of Roman jurisdiction. They are determined to do this by such a politico-social environment which, in consequence of the increasing influence of the Catholic church, is more and more hostile to them.

2.2. The oath formula

Pagan, Jewish and Christian law equally sanctioned violation of tombs. Graves were regarded as *res religiosae*, hence their violation was a sacrilege.¹⁴ Jewish epitaphs contain special oath and/or curse formulas and penalties which threaten tomb-robbers (Rabello 1980, 724). A 3rd century

a Latin version translated directly from the Hebrew (“Vetus Latina e traduzioni medioevali della Bibbia”, SMSR 2 (1926) 151–158). According to my view no such Jewish Latin translation ever existed, for we are not aware of any Jewish–Christian or Jewish–pagan theological dispute in Latin. By the events which occurred in Minorca we do find a dispute between the Jewish and Christian clergy, nevertheless it happened occasionally in front of the synagogue and the church.

¹³ L.C. Ruggini, “Tolleranza e intolleranza nella società tardoantica: il caso degli ebrei”, *Ricerche di storia sociale e religiosa* 23 (1983) 33.

¹⁴ F. de Visscher, *Le droit des tombeaux romains*, Milano 1963.

Jewish inscription found in Argos (CII 719) contains a multiple oath formula very similar to Samohil's one:¹⁵

Αὐρήλιος Ἰωσής ἐνεύ/χομαι τὰς θείας καὶ μεγάλ[ας] / δυνάμεις
τὰς τοῦ Θεοῦ καὶ τὰς / δυνάμ(ε)ις τοῦ Νόμου καὶ τὴν / τιμὴν τῶν
πατριαρχῶν καὶ / τὴν τιμὴν τῶν ἔθν(ι)αρχῶν καὶ / τὴν τιμὴν τῶν
σοφῶν καὶ τὴν / τιμὴν τῆς λατρίας τῆς γιγνομένης / ἐφ' ἐκάστης
ἡμέρας τῷ Θεῷ πρὸς τῷ / μηδένα ἀνασκευάσ(αι) τὸ ἐμὸν μνῆμα / τὸ
μετὰ πολλῶν μόχθων ἐποίησ[α].

'I, Aurelios Ioses, pray for God's divine and great powers, and the power of the Law, and the honour of the patriarchs, and the honour of the ethnarchs, and the honour of the wisers, and the honour of the service which is fulfilled to God day by day, that nobody should destroy my monument which I have made with hard work.'

The structure of this oath formula is as follows: (1) God's divine and great powers (cf. Ps 24:8, 71:16; 89:9, 106:2); (2) power of the (Mosaic) Law (Ps 29:4, Jer 23:29); (3) honour of the patriarchs; (4) honour of the ethnarchs; (5) honour of the wisers (cf. 2.2.3. below); (6) honour of the daily service to God. We can notice two striking similarities between Aurelius Ioses' and Aurelius Samohil's epitaphs: both mention patriarchs and the Divine Law. Nevertheless it seems that Aurelius Ioses addressed his oath formulas mainly to Jewish believers. Not so with Samohil's inscription, which contains a triple oath formula can be figured as follows:

LATIN VERSION	REFERENCE TO PERSONS	REFERENCE TO LAW	ADDRESSEES
<i>victoriae qui imperant</i>	Emperors	statute law	all subjects of the Roman Empire
<i>honores patriarcharum</i>	Patriarchs	statute law + oral law	Jews (and pagans who recognized the Patriarch)
<i>legem quem dominus dedit Iudaeis</i>	The Lord	written (Mosaic) law	Jews (and probably Christians as well)

2.2.1. 'The ones who command'

According to our interpretation the first part of the triple oath-formula in Aurelius Samohil's epitaph refers to the victories of Roman emperors. This expression suits the epigraphical style and the emperors' *tituli* of that age.¹⁶

¹⁵ G. Libertini called the attention to this similarity in ASA 64 (1929) 189.

¹⁶ On the role of *Victoria* in the Roman religion and politics, see: J.R. Fears, "The

At the time from which our text originates, i. e. 383 C.E., Gratian (367–383) reigned in the West and Theodosius (379–395) in the East as co-emperors (*Augusti*). Gratian lost his life on the 25th of August 383 when marching against Maximus the pretender he was killed by Andragathius in Lyon. Theodosius was able to overcome Maximus in 388 in Italy. Not much later the infant Valentinian II (Gratian’s son and successor) fell victim to a conspiracy. Because of the ceaseless struggles the emperors honoured themselves with titles referring to their victories.¹⁷ Symmachus praises emperor Valentinian in 370 with these words: *aliorum tempora fastis numerata sunt, vestra victoriis (Laudatio in Valentinianum, ed. Seeck p. 324,7)*. Significance of the cult of imperial victories was demonstrated through the events concerning *ara Victoriae* in the following year. According to Symmachus, Victory was the emperors’ *amicum patrocinium et potentia votiva* which nobody denies to be honoured (*nemo colendam neget, Symm. Rel. III, ed. Seeck 281,11–13*).

2.2.2. ‘Honours of the patriarchs’

The Patriarch residing in Palestine played an important role in the life of the diaspora Jewry: he ‘enjoyed far-reaching prerogatives vis-à-vis Jewish communities throughout the Empire. He was responsible for the synagoges, courts, communal organizations, educational systems, collection of taxes’ (Levine 1979, 651). The Romans themselves recognized the Patriarch as the leader of the Jews as early as the Maccabean times, when they negotiated with him on behalf of the entire Jewish people. The power of Patriarchs.

Theology of Victory at Rome”, ANRW II.17.2. (1981) 736–826. On her role in the emperors’ cult in Late Antiquity, see: M. McCormick, *Eternal Victory. Triumphal Rulership in Late Antiquity, Byzantium and the Early Mediaeval West*, Cambridge 1986 [the author states that *Victoria*’s cult began with Constantine’s victory over Maxentius in the IVth century (p. 751)]; V. Neri, “L’elogio della cultura e l’elogio della virtù politiche nell’epigrafia Latina del IV. secolo d.C.”, *Epigraphica* 43 (1981) 175–201.

¹⁷ E.g. *victores Augusti* (Theodosius, Arcadius = AE 1936, 29; ILTun 821); *invictissimi principes* (Arcadius, Honorius, Theodosius = AE 1908, 68; ILAlg I, 2108; Gratianus, Valentinianus, Theodosius = AE 1917/18, 83; ILAlg I, 2103); *toto orbe victores* (Theodosius, Arcadius, Eugenius = AE 1948, 127; AE 1941, 66); *princeps victor ac triumphator* (Gratianus = AE 1929, 6; IRT 474; cf. AE 1902, 152); *ubique vincentes* (Honorius, Theodosius = AE 1908, 76; Valens, Gratianus, Valentinianus = AE 1950, 188; IRT 475; AE 1951, p. 70 s. n. 240); *semper et ubique victor* (Gratianus = AE 1965, 15b) etc. cf. J.A. Straub, *Vom Herrscherideal in der Spätantike*, Stuttgart 1964.

reached its climax in the 4th century, but with the death of Gamaliel VI (425) suddenly came to its end. Soon afterwards an imperial edict discontinued their activity (429). The relationship among the Patriarchs and imperial offices is not a clarified question (Levine 1979, 677). However, some of the *Nasis* were active even in the political sphere. It has been recorded that R. Abahu often visited the Roman governor's palace in Caesarea (Sanh. 14a; Ket. 17a), all the more he was rewarded with many exemptions 'for his respect towards the imperial house' (Yeb. 65a; Yom. 73a; Sot. 40a; Levine 1975). The political decline of the Patriarchate started under Diocletian and it manifested itself soon the decrease of its religious influence (Levine 1979, 682–683). Rabello is certainly right when he states: '[The Romans] hoped that the Patriarch would feel himself subordinate to the Romans and, instead of instigating revolt against Rome, would prefer to restrain the extreme elements and collaborate with the ruling power' (Rabello 1980, 714). And this is how it happened. Notwithstanding the *Nasis* had their enemies not only among the imperial magistrates but among the Christian and Jewish religious leaders as well (Levine 1979, 678). The Theodosian Codex gives to them honorific titles due to the state officials of highest rank: *spectabilis* (16,6,15); *clarissimus* (16,8,8); *illustris* (16,8,8; 16,8,13). On the other hand privileges of this function were not transferred to the Codex Iustinianus (cf. 1,9,17; 1,9,3). The Patriarch's power and privileges stirred up the jealousy of the clergy. According to Origen, the Patriarch was almost indistinguishable from a king: 'Illustrating the power of Etnarch,¹⁸ which was donated to him by Caesar, take the example of the half-shekel, which is paid to him, though the Romans are ruling. We, who experienced, are aware that the Etnarch in no way differs from a king of the nation. They also hold secret trials, and condemn some

¹⁸ The official name of the *Nasis* was either ἔθναρχης or πατριάρχης. The first is the earlier one, a Hellenistic title in origin, which was held by Simeon the Maccabee, Hyrcanus II. and Herod Archelaos, as well as the chief of the Alexandrian Jewish community (Jos. Ant. 14,7 (117); Phil. In Flacc. 10 (74) γενάρχη). From the 4th century onwards the Patriarch became the exclusive title of the *Nasis*. Origen refers to this office three times, twice as Ethnarch (Epist. ad Afr. 14; Princ. 4,1,3 = GCS 5,297), once as Patriarch (Sel. in Ps. = PG 12,1056b; Rietz fr. III, 1, p. 13: Ἰούλλω τῷ πατριάρχῃ (cf. Hieron. adv. Ruf. 1.13. = PL 23,408 *Patriarchen Huillum*), though Rufinus in the Latin translation of the *Principia* uses the name Patriarch alone. From these evidences perhaps we may conclude without exaggeration that the earlier title of Ethnarch gradually has been changed to Patriarch, and this transition took place in the time of Origen (cf. De Lange 1976, 34; Rabello 1980, 715).

persons to death.¹⁹ They act neither with the full cognizance of the authorities, nor entirely without their knowledge, as we recognized and convicted it when we spent much time in the home of that nation’ (Epist. ad Afr. 16). The power of the Patriarch culminated in the 4th century and it was so great that the Church Fathers could hardly prove that the Biblical blessing: ‘the sceptre shall not depart from Judah’, does not refer to the Jewish people after rejecting Jesus and having their Holy Temple abolished.²⁰ Therefore when the House of Hillel became extinct, the Christian Emperors, under the strong influence of the clergy, were concerned not to let the office of the Patriarch pass to any other family. The Roman rulers established a new office called ἀρχιφερεκίστης²¹ which had no special authority or prerogatives. In these circumstances it is not surprising that World Jewry began to turn to the Exilarch in Babylon. Here was a leader who received greater honour from the Persians than the Patriarch had enjoyed under Roman rule. This being the case, the Exilarch became the supreme authority in the diaspora Jewry (Rabello 1980, 716).

In the published epigraphic material of the Jewish diaspora, including our text, Patriarchs are mentioned four times.²² We cannot decide with unambiguous certainty what kind of Patriarchs are referred to in these cases, for beside the Palestinian *Nasi* there were also regional (small) Patriarchs in the provinces, appointed by the chief Patriarch. They appear in the Codex Iustinianus, though modern scholars are not unanimous on the question of whether these regional Patriarchs actually existed.²³ It is remarkable indeed,

¹⁹ It is a long debated question whether the *Nasi* had right to condemn anybody to death, hence Origen writes ‘The Jews are not allowed to condemn a murderer (to death) or to stone an adulterer’ (In Rom. 6:7 = PG 14,1073) According to De Lange Origen probably is right in both places: the Jewish authority had no right to execute capital punishment, but in practice the Romans turned a blind eye (1976, 33–34).

²⁰ Allusion to Num 24:17, cf. Cyr. Alex. In Isa., 3:6–7. = PG 70,104.

²¹ Justin. Nov. 146. Περὶ Ἑβραίων; the office is mentioned as *rosh periqah* in *Seder Olam*.

²² CII 694 = Lif 10, Stobi, Macedonia, 250–300. C.E.; CII 719, Argos, Argolis, 3rd century; Lif 76, Tiberias, Palestina, 4th century – According to Frey the Stobi inscription refers to a regional (small) Patriarch, this has been dated to the 4th century by E. Sukenik (Ancient Synagogues in Palestine and Greece, London 1934, 79).

²³ CTh 16.8.1; 16.8.23; 16.9.3; 16.8.29 = CJ 1.9.12; 16.8.13 – Krauss identifies the small Patriarch with Archisynagogos; according to Baron and Juster they were ‘single, regional leaders’; I. F. Baer calls into question even their existence (Rabello 1980, 718. n. 230).

that *Patriarcha* appears not only in our text in plural, but in two additional inscriptions from Stobi and Argos, from which Kant concludes that they refer rather to local leaders than to the *Nasi*.²⁴ In my opinion the *honor/honos* connected with the *Patriarchae* decides this vexed question, at least in the case of our inscription. This expression means viz. ‘honour, respect’ as well as ‘reputation, dignity, office, position’, which could hardly apply to synagogue functionaries of a small settlement. Furthermore, ‘the honours of the Patriarchs’ are mentioned next to the honorific words referring to the emperors.²⁵

2.2.3. ‘The Law which the Lord gave to the Jews’

Josephus Flavius testifies that the Jews got a profound knowledge of Mosaic Law from early childhood and they listened to it every Sabbath in the synagogue assembly (Ap. 2,17 [175]). Inscriptions found in the city of Rome mention μαθητῆς σοφῶν (this is an equivalent of the Hebrew ~ymkx dymlt, see CII 508), διδάσκαλος νομομαθῆς (CII 333), νομομαθῆς (CII 113, 193), φιλονόμος (CII 111) and νομοδιδ[άσκαλος] (CII 201). The curse formulas of Jewish epitaphs often refer to Deuteronomy (CII 760; MAMA VI, 335); another inscription hints at ‘written curses’ (CII 770). Regarding burial places some ask for the protection of Divine Law (Bet Shearim 134, s. III–IV. C.E.), some for the statute law (κατὰ πρόσταγμα, Bet Shearim 123, 132, n. 11. Klein 1987, 705, n. 228). Behind the statement ‘the law which the Lord gave to the Jews’, as I referred to it in the commentary, there is a sense of pride, which is nevertheless justifiable,²⁶ but not without any danger during that time. Theodosius and his western co-emperors, Gratian and later Valentinian II alike were zealous Catholics. From 380 C.E. the law prescribed the belief in the Holy Trinity for every subject of the empire; two years later the *ara Victoriae* was removed from the curia. Both Gratian and Theodosius were

²⁴ Kant 1987, 696. n. 150. – V. Colorni is on the same opinion, v. Rabello 1980, 718. n. 230.

²⁵ On the rule of the *honor / dignitas / τιμή*, in the late Roman society see: J. E. Lendon: *Empire of Honour. The Art of Government in the Roman World*. Oxford, 1997.

²⁶ The Scriptures of the Jews were sacred and their theft was penalised as sacrilege (Jos. Ant. 16.6.2. (163) and 16.6.4. (167)) and their desecration was severely punished. Much later, in 533, Justinian (Nov. 146) also allowed the Jews to read the Scriptures in Latin, Greek, Hebrew or any other language (Rabello 1980, 710).

under the influence of Ambrose, bishop of Milan. In accordance with Theodosius’ decree which was published on 28th of February 380, ‘the one who confuses the sanctity of *leges divinae* by ignorance or harms it by negligence, commits sacrilege’ (*Qui divinae legis sanctitatem aut nesciundo confundunt, aut neglegendo violant et offendunt, sacrilegium committant* = CTh 16,2,25). The Church is furnished with the following epithets in Theodosius’ jurisdiction: *catholica sanctitas; rectae observantiae cultus; vera religio; venerabilis cultus; fides sincera; sacrosancta religio* – while the Jewish religion (officially for the first time in the history of Rome) is downgraded from *religiones licitae* to *superstitiones* (CTh 16,8,8).²⁷

3. Conclusion

Sicily was famous for her tolerance and of relatively harmonious coexistence between Jews and Christians as late as the Middle Ages. According to the Acta Sanctorum the memorial of the Catanian St. Agatha was ‘revered by Jews and Gentiles as well’.²⁸ Nevertheless the restrictional decrees of the ‘victorious ones’ reached this area as well. In such a case a threatened minority makes every effort to express its loyalty towards the law of the ruling power. The threefold oath formula of Samohil’s epitaph is addressed to the surrounding society. Its first element was meant for the pagan Roman environment emphasising that every subject (including the Jews) must respect the statute laws under all circumstances. The second element referring to the honoured Patriarchs was addressed both to pagans and Jews. Samohil stresses in an implicit way that diaspora Jewry is bound by invisible but unbreakable ties to Eretz Israel, and the prevailing Palestinian *Nasi* keeps his hands on these ties. Jews living anywhere in the Roman

²⁷ On Theodosius’ policies concerning religions in general see P. Barceló and G. Gottlieb, *Das Glaubensedikt des Kaisers Theodosius vom 27. Februar 380: Adressanten und Zielsetzung*. In: *Klassisches Altertum, Spätantike und frühes Christentum*, Adolf Lippold zum 65. Geburtstag gewidmet, hrsg. von K. Dietz, D. Henning, H. Kaletsch, Würzburg 1993, 409–423; R. Klein, “Theodosius der Grosse und die christliche Kirche”, *Eos* 82 (1994) 85–121; R. Lizzi Testa, “La politica religiosa di Teodosio I: miti storiografici e realtà storica”, *RAL* 7 (1996) 323–361.

²⁸ Acta Sanctorum, 1st February, quoted by: J. E. Seaver, *Persecution of the Jews in Roman Empire (300–438)*, Lawrence 1952 (University of Kansas Publications Humanistic Studies No. 30).

Empire must obey the Patriarch who is a leader recognized just as much by the Romans.

The reference to Patriarchs signifies implicitly the significance of the oral Law too, especially in contrast with the third part of the oath formula. The great rabbis of the Holy Land have formulated the final text of the oral Law. Fergus Millar interprets this expression in a similar way: ‘a relatively integrated and homogeneous Jewish world, in which all or most of the communities in the provinces of the Roman Empire observed a Judaism of Palestine, which was just giving birth to the ‘Palestinian’ or ‘Jerusalem’ Talmud’ (Millar 1992, 98).

The third part of the oath formula applies to the ‘written Torah’, i.e. the Mosaic Law. Through this phrase Samohil addresses mainly the Jews, however, in the formulating of the text one may catch a ‘flank cut’ towards Christians as well. We do not know which Hebrew God-name was in the thought of Samohil when writing *dominus* in his epitaph’s text. But we do know from the trilingual Tortosian inscription from the 6th–7th century²⁹ that *dominus*/κυρίος was a name which generally referred to the *One* God of Jews and Christians. Samohil’s expression ‘The law which the Lord gave to the Jews’ can be interpreted as allusion to a well-known Psalm: ‘He has revealed his word to Jacob, his laws and decrees to Israel. He has done this for no other nation; they do not know his laws’ (147:19–20). These verses are reflected in the New Testament as well, viz. in connection with the Jews and the Old Covenant according to Christian belief: ‘What advantage, then, is there in being a Jew, or what value is there in circumcision? Much in every way! First of all, they have been entrusted with the very words of God’ (Rom 3:1–2 NIV).³⁰

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²⁹ J. Casanovas, “La inscripció trilingüe de Tortosa”, *Faventia* 2 (1980) 65–72. (CIL II2/14, 806)

³⁰ *Quid ergo amplius est Iudaeo aut quae utilitas circumcisionis, multum per omnem modum primum quidem quia credita sunt illis eloquia Dei* (Rom 3:1–2 Vulg.)

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