

Josephus and the “Law of History”: A Note

JONATHAN J. PRICE

The “law of history”, a phrase possibly coined by Josephus, is not exactly the kind of *law* which Ranon Katzoff has worked on throughout his life. But it is perhaps a fitting topic for a volume with the title “When West Met East”, since I shall propose that in this expression Josephus, as frequently in his writings, imitated a concept he learned from western (Greek) historiography while at the same time giving it a second, Jewish significance. I offer this small paper in Ranon’s honor.

In his first historical work, Josephus twice mentions the “law of history”:

BJ 1.11 (Niese)

εἰ δὴ τις ὄσα πρὸς τοὺς τυράννους ἢ τὸ ληστρικὸν αὐτῶν κατηγορικῶς λέγομεν ἢ τοῖς δυστυχήμασι τῆς πατρίδος ἐπιστένοντες συκοφαντοῖη, διδότην παρὰ τὸν τῆς ἱστορίας νόμον συγγνώμην τῷ πάθει: πόλιν μὲν γὰρ δὴ τῶν ὑπὸ Ῥωμαίοις πασῶν τὴν ἡμετέραν ἐπὶ πλείστον τε εὐδαιμονίας συνέβη προελθεῖν καὶ πρὸς ἔσχατον συμφορῶν αὐθις καταπεσεῖν.

If anyone should cavil at our condemnation of the tyrants and their brigandage, or our bitter laments over the misfortunes which befell our country, let him forgive our emotional outburst, contrary to the law of history: for it is a fact that our city, of all cities under Roman rule, achieved the highest summit of prosperity and fell to the furthest extreme of calamity.¹

¹ Both the vocabulary and central idea of this passage recall Herodotus 1.5.3-4, as E.M. Harris (an

BJ 5.20

ἀλλὰ καθεκτέον γὰρ καὶ τὰ πάθη τῷ νόμῳ τῆς γραφῆς,² ὡς οὐκ ὀλοφυρμῶν οἰκείων ὁ καιρός, ἀλλ' ἀφηγήσεως πραγμάτων. διέμι δὲ τὰ ἐξῆς ἔργα τῆς στάσεως.

But one must restrain one's emotions, according to the law of (history-) writing, which is the occasion not for personal lamentation, but for a narrative of the deeds. I shall now relate the facts of the *stasis* in order.

Josephus seems to mean in both places that a historian is professionally bound to eliminate bias or partisan involvement in his subject, and consequently avoid any emotional outburst in his writing. The first passage appears in the preface to the *BJ*, serving as both a pre-emptive warning and a *captatio benevolentiae*. This preface, the first Josephus wrote in Greek, contains all the usual elements of a standard Greek historiographical introduction – justification of the importance of his topic, affirmation of his credentials as a historian, critique of rival histories about the same subject, avowal of accuracy and impartiality, etc. Yet just as Josephus is castigating other historians for denigrating the Jews or conversely for exaggerating the Jews' qualities in order to amplify Roman power, he veers from the *topos* to acknowledge his own *partis pris* and harsh judgment of certain actors in his history (*BJ* 1.9-10). He knows that not only the open bias, but the acknowledgement itself has no place in a proper Greek history. Thus Josephus reassures his readers that he is aware of the rules, which he terms “the law of history”, a phrase which is supposed to confirm his historian's credentials.³

The second passage contains just the show of emotion for which Josephus begs indulgence in the first passage. His invocation of the “law of history” caps a long introductory passage describing the division of Jerusalem among the warring factions within the besieged walls. Josephus loses control and apostrophizes the suffering city (*BJ* 5.19, in Thackeray's poetic rendering [Loeb ed.]): “What misery equal to that, most wretched city, has thou suffered at the hands of the Romans, who entered to purge with fire thy internal pollutions? For thou wert no longer God's place, nor couldst thou survive, after becoming a sepulcher for the bodies of thine own children and converting the sanctuary into a charnel-house of civil war (πολέμου ἐμφυλίου πολυάνδριον). Yet might there be hopes for an amelioration of thy lot, if ever thou wouldst propitiate that God who devastated thee.” After this he abruptly re-imposes the

anonymous referee of this article who revealed himself in his comments) has pointed out.

² MVRC συγγραφῆς

³ There is, however, an ambiguity in his statement: the syntactical placement of the phrase παρὰ τὸν τῆς ἱστορίας νόμον συγγνώμην can apply to either the historian's emotional outburst or the reader's indulgence.

restraint required by the “law of history” (5.20).⁴ In Josephus’ eyes, the *stasis* among the Jews was the worst disaster in the whole calamitous war, evoking strong, uncontrollable emotions.

In their introductions and in methodological digressions and asides, ancient historians routinely declared their intention to avoid bias in their writing and affirmed their ability to do so.⁵ As in Tacitus’ most-quoted pledge to write *sine ira et studio* (*Ann.* 1.1), the conscientious elimination of personal animosity or favor was meant to ensure the truth and accuracy of the account; thus the historian’s personal integrity was a reliable assurance of historical truth. Such expressions of principle first appear in Hellenistic historians, including Polybius, one of Josephus’ main historiographical models. Polybius states in his general introduction (1.14) that avoiding bias (αἴρεσις, εὐνοία) ensures truth, and applies the principle self-consciously throughout (e.g., 38.4). These presumptions had hardened into a *topos* long before Josephus took up his pen. A full, perhaps overblown picture of the historian’s requirements is painted by Lucian, who in his essay on history-writing complains about the surfeit of potted historiography in his day:

That, then, is the sort of man the historian should be: fearless, incorruptible, free, a friend of free expression and the truth, intent, as the comic poet says, on calling a fig a fig and a trough a trough, giving nothing to hatred or to friendship, sparing no one, showing neither pity nor shame nor obsequiousness, an impartial judge, well disposed to all men up to the point of not giving one side more than its due, in his books a stranger and a man without a country, independent, subject to no sovereign, not reckoning what this or that man will think, but stating the facts.⁶

Lucian did not write history, and it is true that practicing historians sometimes openly acknowledged bias or personal involvement, including Polybius, who

⁴ There is a small ambiguity in this statement, too, but of a different nature from that in the first: the phrase τῷ νόμῳ τῆς γράφης does not necessarily mean *history-writing*, which led the authors of certain good mss. to emend to συγγραφῆς (see n.1), the standard word for historiography since Thucydides (1.1.1). But Josephus’ next statement, that he intends to provide a “narrative of deeds”, removes any doubt as to his purpose and intention.

⁵ LUCE 1989; MARINCOLA 1997, 158-174; PITCHER 2009, 17-21.

⁶ τοιοῦτος οὖν μοι ὁ συγγραφεὺς ἔστω, ἄφοβος, ἀδέκαστος, ἐλεύθερος, παρρησίας καὶ ἀληθείας φίλος, ὡς ὁ κωμικὸς φησι, τὰ σῦκα σῦκα, τὴν σκάφην δὲ σκάφην ὀνομάσων, οὐ μίσει οὐδὲ φιλία τι νέμων οὐδὲ φειδόμενος ἢ ἐλεῶν ἢ αἰσχυρόμενος ἢ δυσωπούμενος, ἴσος δικαστῆς, εὐνοὺς ἅπασιν ἄχρῃ τοῦ μὴ θατέρῳ ἀπονεῖμαι πλεῖον τοῦ δέοντος, ξένος ἐν τοῖς βιβλίοις καὶ ἄπολις, αὐτόνομος, ἀβασίλευτος, οὐ τί τῷδε ἢ τῷδε δόξει λογιζόμενος, ἀλλὰ τί πέπρακται λέγων – Lucian, *Hist. Conscr.* 41, trans. K. Kilburn, Loeb Classical Library; cf. AVENARIUS 1956, 40-54. This passage contains interesting problems of interpretation (e.g., can his recommendation for an historian to be ἄπολις be taken at face value?), but they do not affect the main problem addressed in this paper and we shall save them for a different occasion.

permitted the historian a personal interest in his material so long as he did not allow it to distort the truth.⁷ Diodorus Siculus openly confesses his inability to restrain tears in his account of the calamities Greece suffered in 146 BCE (32.26.1), although of course Diodorus, like Josephus, would have denied that his emotions affected the accuracy or impartiality of his account. Expressions of patriotism could be praiseworthy, and moreover the pronouncement of moral judgment on the actors in one's history could even be considered a virtue, a sign of the historian's own moral character. As Luce put it, "the historian's own character is as important as the character of the personages appearing in his pages, perhaps more so. As the historian is to judge the moral worth of his subjects, so the reader judges the moral worth of the historian".⁸ The purpose of history was not only to record but to instruct.⁹ If the facts were correctly reported, uninfluenced by flattery or hatred, then the historian was allowed, even expected, to pronounce moral judgment.¹⁰

Josephus does not seem to have been aware of these nuances when writing his two statements concerning the "law of history", which reflect his apparent belief that any show of partiality or judgment, especially condemnation of main players in the historical narrative, can impugn both the historian and the perceived accuracy of his account. That is what the *topos* in its simple form dictated, and Josephus was in no way deficient when he referred to it. He merely answers, in his own way, the historian's duty to affirm the truth of his written account by removing all signs of personal bias, whether it be favor-seeking or enmity, or in his case, personal, emotional involvement.¹¹

It is a curious fact, however, that the formulation of the historian's intention to avoid bias as obedience to a "law", is absent from extant Greek literature in Josephus' period and before, and he does not return to it in his extensive writing after the Greek *BJ*.¹² Josephus was certainly not quoting a phrase from

⁷ "I would allow that historians must have a partiality for their own country, but they should not write statements about it which contradict the facts" (ἐγὼ δὲ διότι μὲν δεῖ ὅσπας δίδοναι ταῖς αὐτῶν πατρίσι τοὺς συγγραφέας, συγχωρήσαιμ' ἄν, οὐ μὴν τὰς ἐναντίας τοῖς συμβεβηκόσιν ἀποφάσεις ποιείσθαι περὶ αὐτῶν), Plb. 16.14.6.

⁸ LUCE 1989, 21.

⁹ A conventional statement of this standard can be found e.g. in Diodorus Siculus' long introduction to his *Bibliotheca Historica*, see 1.1.1-1.4.1.

¹⁰ MARINCOLA 1997, 160-162.

¹¹ While the *topos* of avoiding bias as an assurance of truth developed after the Classical period, it is interesting to note that Dionysius of Halicarnassus, *Pomp.* 3, surmised that Thucydides hated Athens because of his exile and that this influenced his narrative. Thucydides, naturally, would have vigorously objected to this charge; see further, LUCE 1989, 19-21.

¹² This conclusion is based on a search of *TLG*. Much later uses of the expression, or forms of it, especially in Christian authors, do not impinge on the conclusions of this paper.

his two most important historiographical mentors, Thucydides and Polybius (or what survives of latter's work), both of whom celebrated accuracy and the absence of pathos in historical writing. Yet Josephus uses the expression rather unselfconsciously, as if he were quoting a standard idea. He gives no indication that he is coining a phrase. By contrast, when introducing the neologism θεοκρατία, he hedges: ὡς δ' ἄν τις εἴποι βιασάμενος τὸν λόγον (*Ap.* 2.165, and see below). No such hesitation here. There is no reason to suspect that he invented a methodological principle in his debut as a Greek historian. Josephus certainly was not translating an expression directly from Hebrew or Aramaic. It is conceivable that he found a "law of history" *vel sim.* in a lost Hellenistic history or in one of the many lost Hellenistic compositions bearing the title *peri historias*,¹³ but more likely Josephus' "law" reflects his own understanding of the historians he read and imitated, as well as his interpretation of the methodologies and presumptions of the historians working in his age.

To be sure, Cicero uses a similar expression twice in his surviving *oeuvre*. In his famous appeal to L. Lucceius to write a historical monograph on his consulship and exile, Cicero urges Lucceius to depart from the "laws of history" in order to embellish his accomplishment (*Fam.* 5.12.3):

itaque te plane etiam atque etiam rogo, ut et ornes ea vehementius etiam quam fortasse sentis, et in eo leges historiae neglegas gratiamque illam, de qua suavissime quodam in proemio scripsisti, a qua te deflecti non magis potuisse demonstras quam Herculem Xenophontium ilium a Voluptate, eam, si me tibi vehementius commendabit, ne aspernere amorique nostro plusculum etiam, quam concedet Veritas, largiare.

Cicero defines those laws in *De Oratore*, 2.62-3:¹⁴

Nam quis nescit primam esse historiae legem, ne quid falsi dicere audeat? Deinde ne quid veri non audeat? Ne quae suspicio gratiae sit in scribendo? Ne quae simultatis? Haec scilicet fundamenta nota sunt omnibus, ipsa autem exaedificatio posita est in rebus et verbis.

These "laws of history" sound just like Josephus' requirement that the historian restrain personal feeling and partiality and stick to the truth. Cicero's phrase has no parallel in Latin literature of or before his time; although he may have found it (like Josephus) in a Hellenistic historian, he does not refer to any other authority, and it is likely that he coined the phrase.¹⁵ As such, it is not

¹³ See note in HOMEYER 1965, 46-47.

¹⁴ And cf. *Leg.* 1.5: Quintus: Intellego te, frater, alias in historia leges observandas putare, alias in poemate. Marcus: Quippe cum in illa ad veritatem, Quinte, <quaeque> referantur, in hoc ad delectationem pleraque; quamquam et apud Herodotum patrem historiae et apud Theopompum sunt innumerabiles fabulae.

¹⁵ On Lucceius' letter, cf. SHACKLETON BAILEY 1977, 320; HALL 1998. On the passage in *De Oratore*,

an unusual coinage; if Cicero was not indeed drawing on a fixed expression or concept in Latin, its meaning would nevertheless have been immediately understood.

Josephus most likely did not pick up the phrase from Cicero. His Latin was weak, to say the least, and it is doubtful that he read Latin literature at all. His direct use of Latin sources is dimly hinted, at best, in certain turns of phrase in his writings reflecting Latin syntax or idiom, and it can be assumed that, if he was not entirely ignorant of Latin (how could he have been?), he was hardly fluent. By his own admission, Josephus steeped himself in *Greek* literature and grammar (*AJ* 20.263) after arriving in Rome. Even the most recent attempt to prove a stronger influence of Latin on Josephus than has heretofore been recognized relies on a list of (possible) Latinisms which are not literary references but idioms and syntactical structures in speech which Josephus (or his assistants) could have absorbed from his surroundings.¹⁶ They show no wide learning, or really any learning, in Latin books. Thus there is no reason to think that Josephus learned about the “law of history” by reading Cicero.

Josephus wrote the *BJ* for multiple audiences. From his first sentence, he addressed, at one and the same time, an educated Greek and Roman audience, to explain the Jewish rebellion against Rome and to present Judaism in a positive light; Hellenized inhabitants of the eastern part of the Roman empire, to justify accommodation with Rome; and Jewish audiences, to help them come to terms with the destruction of Jerusalem and the Temple, and discourage further insurrection.¹⁷ For all of its shortcomings, the *BJ* reveals a certain talent for addressing different audiences on different registers, in polyvalent sentences. The best example of this is a sentence about which I have written about before, namely Josephus’ statement, in his speech to the besieged rebels in Jerusalem, that “*tyche* had passed over to them from every side – God, who brought dominion round to each nation in turn, now was over Italy” (μεταβῆναι γὰρ πρὸς αὐτοὺς πάντοθεν τὴν τύχην, καὶ κατὰ ἔθνος τὸν θεὸν ἐμπεριάγοντα τὴν ἀρχὴν νῦν ἐπὶ τῆς Ἰταλίας εἶναι, *BJ* 5.367), which I have argued would have been understood by a Greek or Roman reader as indicating God’s favoring Italy as the result of *Tyche*, but by a Jewish reader as God bringing *tyche*, good fortune, to rest on Italy: the question is which divine force is dominant.¹⁸ This principle and technique can be found through-

cf. LEEMAN 1985, 266; WOODMAN 1988, 70-116; NORTHWOOD 2008, 228-244.

¹⁶ WARD 2007, with a survey of previous studies; the pioneer was BRÛNE 1913.

¹⁷ For a more detailed discussion of Josephus’ audiences, see PRICE 2005a; 2011.

¹⁸ The same ambiguity is found the sentences in *BJ* 2.360 and 3.354. For full analysis see PRICE 2005b; 2011.

out Josephus' writings, not just the *BJ*.¹⁹

The meaning of both nouns in the phrase ὁ τῆς ἱστορίας [or: τῆς συγγραφῆς] νόμος, that is, “law” and “history(-writing)”, are constructed and conditioned by culture. Josephus does compare Moses to other Greek νομοθέται and attempts at least superficially to explain the Jewish Law in Greek terms, but for him, the Torah (ὁ νόμος) and its laws (οἱ νόμοι) were without parallel in all history.²⁰ As a believing Jew defending and illuminating the Jewish moral universe and way of life, as well explaining and celebrating the Jews' absolute devotion to their laws, Josephus (unsurprisingly) presents the social, legal, ethical and political system laid out in the Torah as divinely written and given, perfect, universal, prior to all others, eternal (even if not eternally obeyed). Moses “set the Law as their boundary and rule (ὄρον ... καὶ κανόνα), so that, living under this as a father and master (ὥσπερ ὑπὸ πατρὶ τούτῳ καὶ δεσπότη ζῶντες),²¹ we might commit no sin either willfully or from ignorance”. And again: “For us, who are convinced that the law was originally laid down in accordance with God's will, it would not be pious to fail to maintain it. What part of it would one change? What finer law could one invent?”²²

This view of the Torah incorporates a theology of reward and punishment promised by the Torah itself (Lev. 26, Deut. 28). In contrast to the purpose and capacity of any Greek constitution, the Torah and its laws are capable of bringing divine blessings, utter happiness and prosperity, through strict obedience, while their violation will bring calamity: “... those who comply with the will of God and do not venture to transgress laws that have been well enacted succeed in all things beyond belief and that happiness lies before them as a reward from God. But to the extent that they dissociate themselves from the scrupulous observance of these laws the practicable things become impracticable, and whatever seemingly good thing they pursue with zeal turns into irremediable misfortunes”.²³ This moral sentiment occurs often in Josephus' writings, most memorably to introduce each of his two expositions of the details of the individual laws, in *AJ* 3.223-86, 4.67-75 and 199-301 (the laws are “superior to human wisdom ... a gift of God”, *AJ* 3.223), and in *Ap.* 2.145-

¹⁹ E.g., *BJ* 1.353, 2.338; *AJ* 1.14. Such polyvalent statements by Josephus would be a good research project for a student alert to nuances in Greek and trained in both Greek and Jewish literary-historical traditions.

²⁰ On Josephus and the Law, see CASTELLI 2001; VERMES 1982. A good study of Josephus' philosophical view of law is lacking.

²¹ Recalling *Hdt.* 7.104.4, cf. note 1 above.

²² *Ap.* 2.174, 184, trans. BARCLAY 2007, and see Barclay's comments ad loc.

²³ *AJ* 1.14, trans. FELDMAN 2000, and see Feldman's comments ad loc.

296 (the laws promote piety, internal harmony, philanthropy benefitting all of humanity, justice, endurance of hardship, contempt of death, *Ap.* 2.146). It is true that the exposition of the laws in each work is quite different, but these differences, an old problem in scholarship, do not affect the argument here.²⁴ What is important is Josephus' notion of the priority, the perfection, the beauty, the universal truth and the uniqueness of the Torah. His last published words (aside from the one-sentence dedication to his patron at the very end of *Contra Apionem*) comprise an extended encomium on the Law (*Ap.* 2.291-5). By contrast, the Greek law-codes were man-made, manufactured, changeable, perishable.²⁵

While Josephus instructs his readers about the divine source of the Torah, he places equal stress on its preservation and meticulous transmission by human agency: the chief priests and prophets have maintained the Jewish scriptures with utmost care and precision (μετὰ πολλῆς ἀκριβείας, *Ap.* 1.29). This claim (whether or not it is true) afforded Josephus another opportunity to boast of Jewish cultural superiority over the Greeks, but significantly Josephus' disquisition on the flawless transmission and accuracy of the Torah and subsequent books of the Bible comes in a comparison of the *historical records* of the two civilizations, at the opening of the *Contra Apionem*, whose first announced purpose is to prove the antiquity of Judaism against the slanderous claims that Judaism had in fact a shallow history based on mendacious records. And it is in this brief treatment of historical sources and methodology that we learn of Josephus' remarkable conception of history.²⁶ The Greek cities, he says, do not have a long tradition of record-keeping; this neglect, combined with Greek historians' passion for stylistic virtuosity and competition at the expense of truth, has led to the many contradictions, inconsistencies and polemics among Greek historical narratives, undermining their trustworthiness as works of research: that is, the agonistic nature of Greek historiography is interpreted as a sign of its disregard for truth and accuracy. The Greeks write the "utter opposite of history", since "the proof of historical veracity is universal agreement in the description, oral or written, of the same events" (*Ap.* 1.15-27).

²⁴ See CASTELLI 2001 for a fundamental discussion. It is a great loss that Josephus was not able to finish his announced treatise, "Customs and Causes", which he mentioned frequently in *AJ*, see 1.25, 29, 192, 214; 3.94, 143, 205, 230, 257, 259, 264; 4.198; 20.268.

²⁵ This is at least how Josephus (and many modern scholars) viewed Greek law, but the reality (as is to be expected) is more complex, as HARRIS 2006 points out. I am grateful to Professor Harris for this observation (which could be developed much further) and reference.

²⁶ On what follows, see COHEN 1988; WYRICK 2004 chapters 2 and 3; and the commentary by BARCLAY 2007, 11-40.

The original Jewish records, by contrast, containing the Jews' laws and earliest history, by which Josephus means the books of the Bible, contain no inconsistency (διαφωνία) whatsoever, and this, argues Josephus, is the clearest proof of their truth and accuracy. "Our twenty-two books,²⁷ which are justly believed and trusted, contain the record of all time" (*Ap.* 1.38). The reason for this is obvious, at least to Josephus: the purveyors of the facts of Jewish history were the *prophets*, who "obtained their knowledge of the most remote and ancient history through the inspiration which they owed to God", and the custodians of the records were the *priests*, men of the highest rank and integrity whose genetic purity has been maintained throughout the generations (*Ap.* 1.30-40). Thus the sources for the Jews' Law and history are the same, and have been impeccably maintained over many generations. The Jews regard them as "decrees of God" (θεοῦ δόγματα) and will endure torture and death before speaking against "the laws and the associated records" (παρὰ τοὺς νόμους καὶ τὰς μετὰ τούτων ἀναγραφάς, *Ap.* 1.42-43) – something which Josephus asserts a Greek would find absurd, even incomprehensible.

Josephus' announced purposes in the small introductory treatise on history and historiography in *Contra Apionem* are to establish the Jews' antiquity and the accuracy of their own recorded history, to impugn malicious Greek detractors and educate ignorant readers, and also – 20 years later! – to justify the accuracy of his *Bellum Judaicum* in answer to the critics of that work. In his own defence as author of the *BJ*, Josephus' strategy is to defend his own personal integrity and the integrity of his sources, in conformity with Greek and Roman historians' assurances of the accuracy of their own accounts based on their own upright character (*Ap.* 1.47-56). In the *CA* Josephus refers briefly to the *topos* of impartiality, the supposed "law of history" in the *BJ*, in somewhat altered form: he neither distorted nor omitted any of the facts "through ignorance or bias" (κατ' ἄγνοιαν ἢ χαριζόμενος, 1.52), he says. More important, he was a participant and eyewitness in the events he narrated: during the war he had kept scrupulous records, the accuracy of which was vouchsafed by none other than Vespasian, Titus and Agrippa II. In describing his own conscientious record-keeping, Josephus uses the same language with which he described the priests' custodianship of the books of the Bible (compare *Ap.* 1.29 with 49, 52). In fact he emphasizes his priestly descent as a prime qualification for writing the *Antiquities* (*Ap.* 1.54), just as he had presented it in the

²⁷ This statement has spawned numerous interpretations; see the sensible discussion by MASON 2002; on p. 125 Mason concludes that "Josephus simply wishes to stress the great age, small number, harmony, and prophetic authorship of the Judean records". See also BARCLAY 2007, comm. ad *Ap.* 1.38.

very opening sentence of *BJ* (*BJ* 1.3) and in his autobiography (*Vit.* 1-6) as his most important credential as a Jewish author.

Yet Josephus was more than a priest, in his self-presentation. A reader acquainted with the contents of the *BJ* and Josephus' subsequent self-documented life story would know that he defined himself as a prophet as well. This important role began in the cave at Jotapata as interpreter of dreams and bearer of God's message (*BJ* 3.351-4), and continued through his Jeremiah-like role before the walls of Jerusalem (esp. *BJ* 5.391-3) to his Joseph-like position in the court of a great king.²⁸ What this amounts to, although Josephus does not say so explicitly – nor would he! – is that he himself possesses the two necessary, eminent qualifications to write history as accurate and true as the Biblical books: he is both priest and prophet.²⁹ The flow of history, as Josephus understands it, is anti-dialectical, teleological; his ultimate authority as a historian was God's sanction, and his ultimate service in writing history was to fulfill his mission from God. Despite his Thucydidean pretensions, Josephus could not have written or limited himself to Thucydides' famous statement of historical methodology (1.22). Nor, conversely, could a Greek historian, for whom historiography was an inherently competitive enterprise,³⁰ have understood Josephus' criterion of historical truth, i.e. a single, perfectly consistent, uncontested account. No Greek historian, if he was a priest in a cult, would have taken that status as a qualification to write history, nor would any have presumed to claim prophetic abilities or cite oracles or dreams as the ultimate authority for the truth of his account.³¹

Josephus' second invocation of the "law of history" in the *BJ* (5.20) comes after he has let loose a jeremiad against the militant rebels controlling Jerusalem, and a lament over the pitiable fate of the city. Despite his gesture toward the sobriety expected of a Greek historian obedient to the "law of history", his prophetic voice is clearly heard, in which there is nothing foreign to Jewish

²⁸ COHEN 1982. Josephus' identification with the Biblical Joseph was perforce only general; so far as is known, he did not interpret the dreams of his Flavian patrons. On the much-studied topic of Josephus as prophet, see above all GRAY 1993, 35-79. On prophecy in general in Josephus' writings, BLENKINSOPP 1974; FELDMAN 2006; GRABBE 2006.

²⁹ For expansion of this argument, see PRICE 2011. And note that in *AJ* 10.35, Josephus describes Isaiah in the same way he presents himself: "he was acknowledged to be a man of God and marvelously possessed of truth, and, as he was confident of never having spoken what was false, he wrote down in books all that he had prophesied and left them to be recognized as true from the event by men of future ages" (trans. R. Marcus, Loeb Classical Library).

³⁰ MARINCOLA 1997, 217-236.

³¹ Cassius Dio 72.23, does claim to have been inspired in a dream to write history, but he does not invoke that dream as proof of the accuracy and integrity of his history. See MILLAR 1964, 16 and 29; MARINCOLA 1997, 48-49.

ears: lamentation, rebuke, confident if harsh pronouncements of God's judgment, sin and retribution. Josephus' lament over Jerusalem's sufferings and his fulminations against the militant rebel groups are laden with linguistic and topical allusions to Jeremiah and Lamentations, long ago noticed.³² That was his intention, for the benefit of those who were equipped to hear and understand.

Thus Josephus' evocation of a "law of history" in both statements in *BJ*, whether or not an original coinage in the annals of Greek historiography, can perhaps be seen as another polyvalent statement, directed at two different audiences with different backgrounds and expectations. It would have been naturally understood by a Greek or Roman reader as the standard assurance by the historian that he is free from bias, his writing motivated by neither hatred nor favor-seeking. But for Jewish readers Josephus created a different set of references. He considered his historical narrative in *BJ* as legitimate and true as the Biblical narrative because of his own capabilities as a prophet and status as a priest, both of which credentials are revealed in the course of the narrative and repeated in his later writings. In his jeremiad against the extreme rebels, Josephus departed from the historical books of the Bible and crossed over into the prophets. It could be argued that the Biblical narrator's impersonal voice in those historical books was different from the prophets' voice in their own, named books of angry admonishment and rebuke. In departing from the "law of history", Josephus was acknowledging to his Jewish reader that he was temporarily switching Biblical genres. A proper historical narrative, even in the Bible, is not "the occasion not for personal lamentation, but for a narrative of the deeds. I shall now relate the facts" (*BJ* 5.20). Prophetic anger would, if anything, confirm the truth of the account.

³² LINDNER 1972, 132, for whom Josephus' outburst in *BJ* 5 was a *Klagelied* or *Leichenlied*. See also COHEN 1988.

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