"Against Caesar's Wishes"

Josephus as a Source for the Burning of the Temple

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The destruction of the Temple of Jerusalem is probably the episode that more than any other has aroused the criticism of modern scholars about Josephus' historical reliability. Facing two opposing testimonies – that of the *Bellum Iudaicum*, which acquits Titus of any responsibility¹, and that of the *Chronica* by Sulpicius Severus, which instead accuses him expressly² – very few have doubts about thinking that the version of the Christian chronographer should be preferred. This general trend has been greatly influenced by the authoritative judgement set out by Jacob Bernays and Theodor

¹ The dramatic succession of the events that led to the fire of the Sanctuary is vividly narrated in Book VI of the *Jewish War*: Ioseph. *Bell. Iud.* 6.236-243 (in view of the decisive attack a council of war is convoked, in which Titus takes position in favour of the preservation of the building); 6.244-253 (on repelling a double sally of the Jews a Roman squad pursues them up to the Sanctuary, and it is then that a soldier – "urged by some supernatural impulse" [δαιμονίω όρμη τινι χρώμενος: 6.252] – grasps a fire-brand and hurls it through a small golden window on the northern side of the building complex); 6.254-266 (Titus rushes to the spot along with his officers and the legions; both with exhortations and threats he commands the flames to be extinguished, but the assault soon becomes unrestrainable and the battle turns into a slaughter; final conflagration of the Temple). Cf. T. Leoni, *Tito e l'incendio del Tempio di Gerusalemme: repressione o clemenza disubbidita?*, in *Ostraka* 9 (2000), pp. 455-456, where bibliography.

² Sulp. Sev. Chron. 2.30.6-7 (PL. 20.146 = CSEL. 1.85 [Halm]): Fertur Titus adhibito consilio prius deliberasse, an templum tanti operis everteret. Etenim nonnullis videbatur, aedem sacratam ultra omnia mortalia illustrem non oportere deleri, quae servata modestiae Romanae testimonium, diruta perennem crudelitatis notam praeberet. At contra alii et Titus ipse evertendum in primis templum censebant, quo plenius Iudaeorum et Christianorum religio tolleretur: quippe has religiones, licet contrarias sibi, isdem tamen <ab> auctoribus profectas; Christianos ex Iudaeis extitisse: radice sublata stirpem facile perituram. The passage can also be read in T. Reinach, Textes d'auteurs grecs et romains relatifs au Judaïsme, Paris 1895 (anastatic reprint Hildesheim-Zürich-New York 1983), pp. 324-325 n. 181 (text and French translation); M. Stern, Greek and Latin Authors on Jews and Judaism (henceforward: *GLAJJ.*), *2. From Tacitus to Simplicius*, Jerusalem 1980, p. 64 n. 282 (text and English translation); R.K. Sherk, *The Roman Empire: Augustus to Hadrian*, Cambridge 1988 (repr. 1989), p. 126 n. 83B (English translation).

Mommsen in the nineteenth century. The former, in a masterpiece of critical analysis appearing in 1861, detected in the lost part of Tacitus' *Historiae* the source of Sulpicius Severus' passage, which would guarantee its credibility, whereas Flavius Josephus, in an effort to conceal his patron's guilt, drafted a mendacious and misleading report of the fateful council of war³. Mommsen accepted Bernays' conclusions, though with some caution⁴.

The theory of an intentional *suppressio veri* on the part of Josephus was put forward again by I.M.J. Valeton, who in 1899 issued a long article in Latin on the conquest of Jerusalem⁵. Later on both Gedalyahu Alon and Ingomar Weiler, though starting from very different positions, stressed the idea that the Temple was destroyed on the explicit order of Vespasian's elder son⁶. As we have already noticed, this idea is

³ J. Bernays, Ueber die Chronik des Sulpicius Severus, ein Beitrag zur Geschichte der classischen und biblischen Studien, Berlin 1861, reprinted in Id., Gesammelte Abhandlungen, Hg. H. Usener, 2, Berlin 1885 (anast. repr. Hildesheim-New York 1971), pp. 81-200. The relevant part here is on pp. 48-61 = 159-181.

⁴ T. Mommsen, *Storia di Roma antica, 3. Le provincie romane da Cesare a Diocleziano,* Italian edition, Roma 1887-1890 (repr. Firenze 1965), pp. 607, 632 nt. 28.

⁵ I.M.J. Valeton, Hierosolyma capta, in Mnemosyne n.s. 27 (1899), pp. 78-139. See also Id., De bedoelingen van Keizer Vespasianus omtrent Jeruzalem en den tempel tijdens het beleg, in Verslagen en Mededelingen der Koninklijke Akademie van Wetenschappen (Afdeeling Letterkunde) 4 Reeks, Deel 3 (1899), pp. 87-116.

⁶ G. Alon, *The Burning of the Temple* (in Hebrew), in Yavneh 1 (1939), pp. 85-106, reprinted in Id., Studies in Jewish History in the Times of the Second Temple, the Mishnah and the Talmud, 1, Tel-Aviv 1967², pp. 206-218, translated into English in Id., Jews, Judaism and the Classical World. Studies in Jewish History in the Times of the Second Temple and Talmud, Jerusalem 1977, pp. 252-268; I. Weiler, Titus und die Zerstörung des Tempels von Jerusalem – Absicht oder Zufall?, in Klio 50 (1968), pp. 139-158, where bibl. We have not been able to consult J.(H.) Lewy, The Motives of Titus to Destroy the Temple according to Tacitus (in Hebrew), Appendix A in his The Words of Tacitus on the Antiquities of the Jews and Their Qualities, in Zion 8 (1942/43), pp. 81-83, reprinted in Id., Studies in Jewish Hellenism, Jerusalem 1969, pp. 190-194; E.E. Urbach, The Personality of Flavius Josephus in the Light of His Account of the Burning of the Temple (in Hebrew), in Bitzaron 7 (1942/43), pp. 290-299; A. Schalit, Destruction of Jerusalem (in Hebrew), in M. Avi-Yonah (ed.), The Book of Jerusalem: Jerusalem, its Natural Conditions, History and Development from the Origins to the Present Day, 1. The Natural Conditions and the History of the City from its Origins to the Destruction of the Second Temple, Jerusalem-Tel-Aviv 1956, pp. 252-263. However we know the contents of

today the *communis opinio* on the subject: the account of the *Bellum*, written "to 'whitewash' Titus"⁷, as "adulatory"⁸ and "tendentious"⁹ appears "clearly wrong"¹⁰. Josephus published his historical work "under the auspices of the Flavian dynasty" and was forced to sketch "a sympathetic picture of his benefactors"¹¹, thus doing "œuvre de propagande au service de Titus"¹². In describing the council of war and the subsequent events the freedman of the Flavians pursued one aim only: that of glorifying – even against the truth of the facts – the clemency of the future emperor¹³.

¹¹ M. Stern, *GLAJJ.*, cit., 2, p. 66. Cf. p. 67.

these works from the abstracts by L.H. Feldman, *Josephus and Modern Scholarship* (1937-1980), Berlin-New York 1984, pp. 365, 374, 932: they seem to be in line with the contribution of G. Alon cit. *supra*.

⁷ E. Schürer, *The History of the Jewish People in the Age of Jesus Christ* (175 B.C.-A.D. 135), 1, revised and edited by G. Vermes and F. Millar, Edinburgh 1973, p. 507 nt. 115. Cf. though p. 506.

⁸ A. Garzetti, From Tiberius to the Antonines. A History of the Roman Empire, AD 14-192, English edition, London 1974, p. 233. Cf. p. 633.

⁹ A. Momigliano, Rebellion within the Empire, in The Cambridge Ancient History, 10. The Augustan Empire 44 B.C.-A.D. 70, Cambridge 1934, p. 862 nt. 1. Cf. p. 862 and Id., Josephus as a source for the history of Judaea, ibidem, p. 885.

¹⁰ J.J. Price, *Jerusalem under Siege. The Collapse of the Jewish State 66-70 C.E.*, Leiden-New York-Köln 1992, p. 170 nt. 28. Cf. pp. 170-171. In Price's view (*op. cit.*, p. 171 nt. 28), "Josephus' insistence that Titus admired and wanted to save the Temple from the Jews themselves, may derive partly from his knowledge of great commanders who lamented the destruction of their enemies' cities". For example Polybius' Scipio Aemilianus (38.22) weeps at the sight of Carthage destroyed (cf. Ioseph. *Bell. Iud.* 7.112-113, on which see G. Vitucci, *Commento*, in Flavio Giuseppe, *La Guerra Giudaica*, 2, Milano 1974 [repr. 2001], p. 591 nt. 8). "If this was in Josephus' mind as he wrote about Titus, then he ignored or misunderstood the real reason for Scipio's tears". On the parallel Scipio/Titus see also S. Mason, *Josephus, Daniel, and the Flavian House*, in F. Parente and J. Sievers (eds.), *Josephus and the History of the Greco-Roman Period. Essays in Memory of Morton Smith*, Leiden-New York-Köln 1994, p. 173.

¹² S. Franchet D'Espèrey, *Vespasien, Titus et la littérature*, in *ANRW.* 2.32.5 (1986), p. 3067. Cf. p. 3066.

¹³ Cf. A. Von Gutschmid, Vorlesungen über Josephos' Bücher gegen Apion, in Id., Kleine Schriften, 4, Leipzig 1893, p. 345: "Die Milde der Flavier sollte illustrirt werden"; H. Montefiore, Sulpicius Severus and Titus' Council of War, in Historia 11 (1962), p. 162: "it is known that Titus later wished to be thought clement, and Josephus would have furthered his wishes as much as he could". Besides the authors so far cited, the following ascribe to Titus, though with various nuances, the decision of destroying the Sanctuary: A. Von Gutschmid, Bernays über die Chronik des Sulpicius Severus, in Jahrbücher

There is also a large number of scholars who remain doubtful, though among

them the attitudes vary considerably. In fact some content themselves with a non liquet

für classische Philologie 9 (1862), pp. 711-712, reprinted in Id., Kleine Schriften, 5, Leipzig 1894, pp. 282-283; W. Weber, Josephus und Vespasian. Untersuchungen zu dem Jüdischen Krieg des Flavius Josephus, Berlin-Stuttgart-Leipzig 1921 (anast. repr. Hildesheim-New York 1973), pp. 71 ff.; H.St.J. Thackeray, Introduction, in Josephus, The Jewish War, Books I-III, 2, London-New York 1927 (anast. repr. Cambridge Mass.-London 1976), p. XXV ("the known partiality of Josephus leaves him under the suspicion of having misrepresented the attitude of Titus, in order to clear him of the imputation of cruelty"); B.H. Streeter, The Rise of Christianity, in The Cambridge Ancient History, 11. The Imperial Peace A.D. 70-192, Cambridge 1936, p. 255; L. Gry, La ruine du Temple par Titus. Quelques traditions juives plus anciennes et primitives à la base de Pesikta Rabbathi XXVI, in RBi. 55 (1948), pp. 215-226; S.G.F. Brandon, The Fall of Jerusalem and the Christian Church. A Study of the Effects of the *Jewish Overthrow of A.D. 70 on Christianity*, London 1957², pp. 120-121; A. Momigliano, Jacob Bernays, in Mededelingen der Koninklijke Nederlandse Akademie van Wetenschappen (Afdeeling Letterkunde) Nieuwe Reeks, Deel 32, 1969, reprinted in Id., Quinto contributo alla storia degli studi classici e del mondo antico, 1, Roma 1975, p. 146; F. De Martino, Storia della costituzione romana, 5, Napoli 1975², p. 49; A. Schalit, Die Erhebung Vespasians nach Flavius Josephus, Talmud und Midrasch. Zur Geschichte einer messianischen Prophetie, in ANRW. 2.2 (1975), pp. 261-262, especially nt. 108-109; Z. Yavetz, Reflections on Titus and Josephus, in GRBS. 16 (1975), pp. 416-418; T.D. Barnes, The Fragments of Tacitus' Histories, in CPh. 72 (1977), pp. 226-227, reprinted in Id., Early Christianity and the Roman Empire, London 1984, n. XV; P. Fornaro, Flavio Giuseppe, Tacito e l'Impero (Bellum Judaicum VI 284-315; Historiae V 13), Torino 1980, pp. 96, 160-161 nt. 243 (cf. p. 99); P. Vidal-Naquet, Il buon uso del tradimento. Flavio Giuseppe e la guerra giudaica, Italian edition, Roma 1980 (repr. 1992), pp. 104, 171 nt. 1; E. Gabba, La rivolta giudaica del 66 d.C. e Vespasiano, in Atti del congresso internazionale di studi vespasianei (Rieti, settembre 1979), 1, Rieti 1981, p. 171; L.H. Feldman, Flavius Josephus Revisited: the Man, His Writings, and His Significance, in ANRW. 2.21.2 (1984), pp. 850-851; Id., Josephus, cit., pp. 363-366 (p. 366: "All in all, the evidence against Josephus' version is strong"); B.W. Jones, The Emperor Titus, London-Sydney-New York 1984, pp. 52-55, 70-72 nt. 65, 66 and 69; M. Goodman, The Ruling Class of Judaea. The Origins of the Jewish Revolt against Rome A.D. 66-70, Cambridge 1987 (repr. 1989), pp. 237-238 (cf. p. 249); J.M.G. Barclay, Jews in the Mediterranean Diaspora. From Alexander to Trajan (323 BCE-117 CE), Edinburgh 1996 (repr. 1998), p. 353 and nt. 40; M. Goodman, Judaea, in The Cambridge Ancient History, 10. The Augustan Empire, 43 B.C.-A.D. 69, Cambridge 1996², p. 758; B. Levick, Vespasian, London-New York 1999, p. 118; P. Spilsbury, Josephus on the Burning of the Temple, the Flavian Triumph and the Fall of Rome, article available on-line at http://josephus.yorku.ca/pdf/spilsbury2002.pdf, pp. 1-5; P. Schäfer, The History of the Jews in the Greco-Roman World, revised English edition, London-New York 2003, p. 128 ("Josephus repeatedly asserts that Titus intended to prevent the destruction of the Temple, but these claims can only increase our suspicions as they obviously reflect the viewpoint of a favourite of the Flavian imperial family"); J.B. Rives, Flavian Religious Policy and the Destruction of the Jerusalem Temple, in J. Edmondson, S. Mason and J. Rives (eds.), Flavius Josephus in Flavian Rome. Proceedings of a Conference held at York University pure and simple¹⁴. Others emphasize the inevitable partiality both of the version of the *Bellum* and of that of the *Chronica*¹⁵. Others still either insist on the peculiar relevance that such a tragic event must have had to the man and the priest Josephus¹⁶, or more cynically believe that his presentation of Titus' action is largely dominated by self-interest¹⁷.

¹⁶ According to H.R. Moehring, Joseph ben Matthia and Flavius Josephus: the Jewish Prophet and Roman Historian, in ANRW. 2.21.2 (1984), pp. 914-916 and nt. 169 (cf. also Appendix III.2, pp. 927-940), the attempt made by the Flavians' freedman to demonstrate that Titus was not responsible for the burning of the Temple is based upon something entirely different from mere sycophancy. Josephus was not interested in giving a comprehensive picture of the actual events; rather, he used his narrative to illustrate in a dramatic form his basic religio-political thesis: Roman rule did not endanger the life of the Jewish people, the safest way for the Jews to live according to the laws of their fathers was within the framework of the pax Romana, senseless wars unleashed irrational forces that could destroy everything in sight - even the Sanctuary in Jerusalem. In this perspective Josephus' overriding concern was to prevent a recurrence of rebellions destined to a failure as predictable as tragic. Along similar lines cf. H. Lindner, Die Geschichtsauffassung des Flavius Josephus im Bellum Judaicum, gleichzeitig ein Beitrag zur Quellenfrage, Leiden 1972, pp. 122 and nt. 2, 123. Cf. infra nt. 54. For a different and original interpretation see H.H. Chapman, "A Myth for the World": Early Christian Reception of Cannibalism in Josephus, Bellum Judaicum 6.199-219, in Society of Biblical Literature 2000 Seminar Papers (One Hundred Thirty-Sixth Annual Meeting – November 17/21, 2000 - Nashville, Tennessee), Atlanta 2000, especially pp. 364-370, who holds that from Josephus' standpoint the story of Mary's cannibalism at Bell. Iud. 6.199-219 provides the ultimate justification for the destruction of the Temple.

¹⁷ See e.g. B. Chilton, *The Temple of Jesus. His Sacrificial Program Within a Cultural History of Sacrifice*, University Park-Pennsylvania 1992, pp. 76-79 (and *passim*), who suggests that

⁽*May 4-18, 2001*), Oxford (in press; we wish to thank Prof. Rives for giving us in advance a copy of his paper).

¹⁴ S.W. Baron, A Social and Religious History of the Jews, 2. Ancient Times, 2, New York 1952², pp. 93, 369 nt. 5; S. Prete, Note storiche a Sulpicio Severo (Chronica II 31-32, 4), in Paideia 8 (1953), pp. 350-352; M. Cary, A History of Rome down to the Reign of Constantine, London-New York 1954² (repr. 1965), p. 614; M. Grant, The Jews in the Roman World, London 1973, p. 201; M. Hadas-Lebel, L'évolution de l'image de Rome auprès des Juifs en deux siècles de relations judéo-romaines -164 à +70, in ANRW. 2.20.2 (1987), p. 825; Ead., Jérusalem contre Rome, Paris 1990, p. 88 and nt. 17.

¹⁵ Cf. the conclusions reached by O. Michel-O. Bauernfeind, in Flavius Josephus, *De Bello Judaico. Der Jüdische Krieg*, 2.2, Darmstadt 1969, pp. 173-174 nt. 108: "Also ist die Darstellung des Sulpicius Severus, nach welcher der Tempel im Kampf gegen Judentum und Christentum absichtlich angezündet werden soll, die Vereinfachung eines komplizierteren Sachverhaltes. Allerdings ist auch die Darstellung des Josephus eine Herausstellung von Einzelmomenten ohne das dazugehörige Gesamtbild".

Conversely the ranks of those who consider Titus "innocent" have grown thinner and thinner¹⁸. As far as we know, the only one who in recent times has defended the substantial trustworthiness of the account that is found in the *Jewish War* is Tessa Rajak, who devotes to the question some interesting remarks in her monograph on Josephus¹⁹.

Josephus flattered both Vespasian and Titus with the hope that in due course they would allow the rebuilding of the Temple in Jerusalem and the reestablishment of the Jewish political institutions under the general leadership of the priestly aristocracy. In short, "Josephus deliberately frames his narrative so as to convey the conviction that the Flavians desired to preserve the Temple, and that only an orderly priesthood could maintain it"; the Jewish historian may have been "angling for actual appointment to the high priesthood" (p. 77). In Chilton's view "Josephus openly imagines conditions under which sacrifice might be offered again in Jerusalem. It is for that reason that his own priesthood is crucial to him, and that Titus's innocence in the cultic arson must be stressed" (p. 79). On the subject cf. also C. Thoma, *The High Priesthood in the Judgment of Josephus*, in L.H. Feldman and G. Hata (eds.), *Josephus, the Bible, and History*, Detroit 1989, pp. 196-215.

¹⁸ The following scholars tend to exclude Titus' direct responsibility in the destruction of the Temple, preferring Josephus' account to that of Sulpicius Severus: Weynand, s.v. *Imperator T. Flavius Vespasianus Augustus*, n. 207, in Pauly-Wissowa, *RE*. 6.2 (1909), coll. 2703-2704; J. Juster, *Les Juifs dans l'empire romain. Leur condition juridique, économique et sociale*, 1, Paris 1914 (anast. repr. New York s.a.), p. 225 nt. 3; G. Ricciotti, *Flavio Giuseppe, lo storico giudeo-romano (Flavio Giuseppe tradotto e commentato, 1. Introduzione),* Torino 1949², pp. 73-77; M. Fortina, *L'imperatore Tito*, Torino 1955, pp. 60-61, especially pp. 66-69 nt. 46, where more bibliography; G. Vitucci, *Introduzione*, in Flavio Giuseppe, *La Guerra Giudaica*, cit., 1, pp. XXXI-XXXII and *Commento*, cit., 2, p. 573 nt. 14. The narration of the *Bellum* is adopted without critical discussion by G. Ricciotti, *Storia d'Israele, 2. Dall'esilio al* 135 dopo Cristo, Torino 1934 (repr. 1947), pp. 512-514; L. Homo, *Vespasien, l'empereur du bon sens (69-79 ap. J.-C.)*, Paris 1949, pp. 262-263; and by F.-M. Abel, *Histoire de la Palestine depuis la conquête d'Alexandre jusqu'à l'invasion arabe, 2. De la guerre juive à l'invasion arabe,* Paris 1952, pp. 31-35.

¹⁹ T. Rajak, *Josephus. The Historian and His Society*, London 1983, 2002² (repr. 2003), pp. 206-211. Cf. her conclusions: "As long as it cannot be convincingly impugned, Josephus' story, the best we have, is the one that should stand" (*op. cit.*, p. 211). Yet "the theme of Titus' concern for the Temple is perhaps in the end less interesting for the light it sheds on the historical situation, or on Titus, than for what it reveals of Josephus. In his concern with demonstrating that Titus wished to save the Temple, he displays as much preoccupation with the vanished shrine as with Titus' reputation. Wilful destruction would, in Josephus' eyes, have been a great abomination: hence the kind of the desperation with which he pleads Titus' innocence. This reflects an attitude which runs right through his work: he has an attachment to the Temple which is striking and constant, and which survives long after its fall". Those who regard the burning of the Temple as an intentional and not as an accidental act appeal to different types of evidence. It is singular and noteworthy that the current opinion is based on the text itself of the *Bellum Iudaicum*: Josephus betrayed himself in certain passages, placing several hints at the actual responsibility of Vespasian's first-born. It is therefore possible to come across plain contradictions throughout the work of the Jewish historian between the softened image of himself that Titus wished to see officially confirmed and the real course of events.

So, for instance, in *Bell. Iud.* 7.1: the Upper City had already fallen into the hands of the Romans when Titus ordered "the whole town and the Temple to be razed to the ground", leaving standing only those towers that exceeded all the others in height – namely Phasael, Hippicus and Mariamme – and a part of the walls²⁰.

However, at the beginning of Book VII we are in a much later moment than the assault described in *Bell. Iud.* 6.244-266: from the burning of the Temple to the final conquest of the Upper City approximately one month elapsed²¹. The instructions which Titus gave during the meeting with his staff-officers cannot be properly assimilated to those recorded by Josephus in *Bell. Iud.* 7.1. The violence of the conflagration must have devastated the building, reducing it to a heap of rubble, usable at most as a sort of temporary prison²². At that point it would be meaningless both from a logical and a

²⁰ Ioseph. Bell. Iud. 7.1: ... κελεύει Καῖσαρ ἤδη τήν τε πόλιν ἅπασαν καὶ τὸν νεών κατασκάπτειν ... This passage is cited by I. Weiler, *Titus*, cit., p. 146, and by M. Stern, *GLAJJ.*, cit., 2, p. 67.

²¹ Cf. E.M. Smallwood, *The Jews under Roman Rule. From Pompey to Diocletian*, Leiden 1976, pp. 326-327. Josephus places the final phases of the siege on 7 and 8 Gorpieos (Elul, August/September): *Bell. Iud.* 6.392; 6.407; 6.435.

²² Cf. Ioseph. *Bell. Iud.* 6.415; Vita 419.

political point of view to preserve a few scorched ruins. Consequently Titus had them demolished²³.

A further passage cited is *Bell. Iud.* 7.144²⁴. In the course of the stately triumph *de Iudaeis* celebrated in the capital (end of June A.D. 71) several moving stages were paraded, made up of massive painted panels showing with vivid realism ravages and slaughters: these were the terrible misfortunes that the Jews had suffered after deciding to go to war against Rome²⁵. One of the stages represented "temples set on fire"²⁶.

First of all what strikes the eye here is the use of the plural instead of the singular. One might think, therefore, that this is generically an allusion to synagogues. But even supposing it is a rhetorical device employed to lay a greater emphasis on the drama of the scene – as actually a bit further in the text the Jordan is indicated with the plural "rivers"²⁷ – this does not change the evidence: Josephus describes the subject of a picture, without entering into the merits of any responsibility.

Doubts have been raised also on the treatment of the army. Some scholars have observed that nowhere is to be found a hint at the punishment of the soldier who, with

²³ Of little significant is also the reference (see I. Weiler, *Titus*, cit., pp. 144-145) to Ioseph. *Bell. Iud.* 6.228 (cf. 6.232), where Titus – after vain attempts of assault at the massive Herodian wall of the Temple – issues orders to set the gates on fire, so as to make a road to facilitate the ascent of the legions. Once this aim is reached, Titus himself commands to a division of the army to extinguish the flames (Ioseph. *Bell. Iud.* 6.236; 6.243; 6.251). G. Ricciotti (*Flavio Giuseppe*, cit., p. 74) correctly specifies: "queste porte sono ben lontane dal «santuario», essendone separate dall'«atrio interno» ch'è a cielo scoperto; Tito allora, ottenuto ormai il varco, ordina di spegnere i residui dell'incendio locale dell'«atrio interno» e raduna il consiglio di guerra per decidere la sorte da far subire al tempio, cioè all'ancora intatto «santuario», la cui caduta è ormai sicura". The further arguments developed by Weiler on the basis of the Roman military strategy have been rightly judged "inconclusive" (T. Rajak, *Josephus*, cit., p. 211 nt. 70).

²⁴ I. Weiler, *Titus*, cit., p. 147. Cf. pp. 153-154.

²⁵ Ioseph. Bell. Iud. 7.139-147. Cf. G. Vitucci, Commento, cit., 2, p. 593 nt. 25.

²⁶ Ioseph. Bell. Iud. 7.144: ... πῦρ τε ἐνιέμενον ἱεροῖς ...

a rash act, had disobeyed the express commands of the Roman general²⁸. One is strongly tempted to sense a good deal of hypocrisy behind Titus' behaviour²⁹, all the more so if we consider that on other occasions Titus himself had handled with inflexible severity less important infringements³⁰.

Nevertheless these remarks must be read in the context of the moment. A condemnation at that point would then encounter obstacles both practical – the problematic identification of the guilty anonymous militiaman, $\tau \omega v \sigma \tau \rho \alpha \tau \omega \tau \omega v \sigma \tau \rho \alpha \tau \omega \tau \omega v \sigma \tau \rho \alpha \tau \omega \tau \omega v$ τ_{1S}^{31} – and political *lato sensu*: it was inconceivable that just after the conquest of the rebellious capital Titus would have an obscure legionary executed, considering that this sanction would automatically assume an exemplary value and consequently would cast a shadow of discredit on the whole army. Even more unlikely is the idea of a punishment *en masse* – as, it should be noted, the disobedience of the orders during the

²⁷ Ioseph. Bell. Iud. 7.145. Cf. G. Vitucci, Commento, cit., 2, p. 593 nt. 26.

²⁸ I. Weiler, *Titus*, cit., p. 143: "Merkwürdig genug, daß nirgends von einer Bestrafung dieses Soldaten die Rede ist, obwohl dieser eigenmächtig gehandelt und damit bewirkt hat, daß ein «großer Wunsch» seines Feldherrn, nämlich den Tempel unter allen Umständen vor dem Untergang zu bewahren, unerfüllt blieb".

²⁹ Z. Yavetz, *Reflections*, cit., p. 416. *Contra* cf. M. Hadas-Lebel, *L'évolution* de l'image de *Rome*, cit., p. 820; Ead., *Jérusalem contre Rome*, cit., p. 84.

³⁰ Cf. Ioseph. *Bell. Iud.* 6.153-155: one of the troopers who had his horse stolen by the Jews was put to death with the charge of negligence (*culpa in vigilando*); 6.359-362: *missio ignominiosa* against a legionary captured by the rebels who had managed to escape, it being unfit for a Roman soldier to fall alive into the hands of the enemy. According to Josephus (7.18) punitive in nature was also the transfer to Melitene beside the Euphrates (on the confines of Armenia and Cappadocia) of the *legio XII Fulminata*, defeated by the Jews during Cestius Gallus' campaign (see though G. Vitucci, *Commento*, cit., 2, p. 584 nt. 10). Cf. likewise Ioseph. *Bell. Iud.* 6.134; 6.262. On Titus as "tough disciplinarian" see J.B. Campbell, *The Emperor and the Roman Army, 31 BC-AD 235*, Oxford 1984, p. 305.

³¹ Ioseph. *Bell. Iud.* 6.252.

attack on the Sanctuary had been collective³² – unless we expect that a victorious general could or would exterminate his own legions³³.

From the same perspective must be read the speech in praise of the troops delivered after the capture of Jerusalem³⁴. It is true that there is no reference to the Temple, and it is also true that the soldiers' *disciplina* is here expressly emphasized³⁵. Yet it is worth underlining that such speeches were stereotyped and suitable to the occasion: they followed largely ritualized patterns, such as the mention of concepts like the loyal attachment (ε ⁰⁰⁰⁰⁰) of the army or again its $\pi\varepsilon_1\theta\alpha_p\chi'\alpha^{36}$. Besides it is not really correct to maintain that Titus' words lack any kind of disapproval. Just towards the end of the *oratio*, in fact, he recorded that "he felt more inclined to honour the value of his fellow-soldiers rather than to punish their faults"³⁷: that is to say, there had been faults, but the commander – in the happiness and excitement for the victory – willingly decided not to castigate the culprits³⁸.

 $^{^{32}}$ See supra nt. 1.

³³ Cf. M. Hadas-Lebel, *L'évolution de l'image de Rome*, cit., p. 820; Ead., *Jérusalem contre Rome*, cit., p. 84. The parallel with analogous episodes of collective transgression of the orders is instructive: Ioseph. *Bell. Iud.* 5.550-557 (especially 5.553); 5.109-129, where Josephus himself acknowledges Titus' careful calculation (5.128): in the case of an individual punishment should always be carried into execution, whereas when many were involved it was advisable not to go beyond threats.

³⁴ Ioseph. *Bell. Iud.* 7.5-12. In I. Weiler's judgement (*Titus*, cit., pp. 146-147), this speech of commendation demonstrates how content was Titus with the way things had gone. The lack of criticism seems highly meaningful.

³⁵ I. Weiler, *Titus*, cit., p. 147: "Kein Wort vom Tempel! Kein Wort des Tadels! Die π ειθαρχία der Soldaten wird ausdrücklich hervorgehoben".

³⁶ Ioseph. *Bell. Iud.* 7.6-7.

³⁷ Ioseph. *Bell. Iud.* 7.12.

³⁸ Not even the "gloomy directions" (σκυθρωπὰ παραγγέλματα: Ioseph. *Bell. Iud.* 6.344) given with reluctance by Vespasian to his son at the beginning of the siege can refer to the ruin of the Temple, as I. Weiler (*Titus*, cit., p. 147) and M. Stern (*GLAJJ.*, cit., 2, p. 67) seem to assume. Cf. already J. Bernays, *Ueber die Chronik*, cit., p. 180 nt. 80. Nothing suggests that. Josephus' statement – which in fact is generic – becomes clear in connection with other passages, among which Ioseph. *Bell. Iud.* 4.657-658; Tac. *Hist.* 4.51.2: *Vespasianus ... igitur validissimam exercitus partem Tito tradit ad reliqua Iudaici belli*

We conclude this survey with a general reflection.

In spite of the criticism of some modern interpreters, Josephus' narrative appears unequivocally clear: the conciliatory attitude of Vespasian's son is a *Leitmotiv* that occurs from the very beginning of the work and then recurs the more frequently the more Titus' figure becomes central on the scene, reaching a climax in Book VI³⁹. Many times he exhorts the besieged to lay down their arms or at least he offers the chiefs of the rebels the opportunity to keep the war operations out of the holy places⁴⁰. Right from the starting paragraphs of Book I it is explicitly stated that the Sanctuary

perpetranda; 5.1.1: Eiusdem anni principio Caesar Titus, perdomandae Iudaeae delectus a patre ...; Suet. Tit. 5.2: ... ad perdomandam Iudaeam relictus ... No allusion whatsoever to the Sanctuary. On the other hand if there had been a definite directive issued by Vespasian the council of war would have been superfluous: so E. Schürer, *The History of the Jewish People*, cit., 1, p. 507 nt. 115, against the opinion of I.M.J. Valeton.

³⁹ On the ways in which Titus' clementia/φιλανθρωπία is reflected in the Bellum Iudaicum: Z. Yavetz, Reflections, cit., pp. 414-432; A. Pelletier, La philanthropie de tous les jours chez les écrivains juifs hellénisés, in Paganisme, Judaïsme, Christianisme. Influences et affrontements dans le monde antique. Mélanges offerts à M. Simon, Paris 1978, pp. 35-44; B. Thérond, Les Flaviens dans "La Guerre des Juifs" de Flavius Josèphe, in DHA. 7 (1981), pp. 235-245; T. Rajak, Josephus, cit., pp. 137, 186, 206-213; M. Hadas-Lebel, L'évolution de l'image de Rome, cit., pp. 815-822 (clemency of the Flavians), 822-826 (Religio Romana); Ead., Jérusalem contre Rome, cit., pp. 78-85, 86-89. On some linguistic devices used by Josephus to enhance Titus' reputation see G.M. Paul, The Presentation of Titus in the Jewish War of Josephus: Two Aspects, in Phoenix 47 (1993), pp. 56-66.

⁴⁰ Cf. Ioseph. *Bell. Iud.* 1.10; 1.27; 5.52; 5.114; 5.320; 5.333-335; 5.348; 5.356; 5.360-361; 5.373; 5.450; 5.455-456; 5.522; 6.93-95; 6.118-120; 6.124-128; 6.130; 6.215-216; 6.241; 6.254; 6.256-258; 6.261-262; 6.265-266; 6.324; 6.328; 6.344-346; 6.350; 6.379. Sometimes the invitation to surrender comes from Josephus himself, acting either *sua sponte* or on behalf of Titus: 5.114; 5.261; 5.361-374; 5.375-420; 5.541; 5.546-547; 6.93-97; 6.99-111; 6.124-129; 6.365. E.M. Smallwood (*The Jews under Roman Rule*, cit., p. 318 nt. 110) rightly judges "entirely credible" the attempts to offer terms, made since the beginning of the siege. After all surrender would be "less costly for Rome than assault". Highly questionable is the opposite news to be found in Sulp. Sev. *Chron.* 2.30.3 (*PL.* 20.146 = *CSEL.* 1.84 [Halm]): *Interea Iudaei obsidione clausi, quia nulla neque pacis neque deditionis copia dabatur, ad extremum fame interibant, passimque viae oppleri cadaveribus coepere, victo iam officio humandi … According to Bernays also Chron.* 2.30.3 (T. Reinach, *Textes*, cit., p. 324 n. 181; M. Stern, *GLAJJ.*, cit., 2, p. 64 n. 282) contains a fragment of the lost part of Tacitus' *Historiae.* In favour of this conjecture see T.D. Barnes, *The Fragments*, cit., p. 227. *Contra* H. Montefiore, *Sulpicius Severus*, cit., p. 170.

was burnt down against Caesar's express wishes⁴¹. As everybody knows, Josephus' text was provided with the order for publication personally given by Titus: the *Jewish War* could rightly become the semi-official, if not properly official, record of the exploit that had brought the *gens Flavia* to power⁴². If the matter stands thus, the hypothesis seems frankly absurd – because this is the case after all – that Josephus, his assistants and his patron's⁴³ have deliberately made every endeavour to depict Titus as anxious to spare the Temple, and in spite of this they have allowed several "slips" here and there – cryptic hints at the actual guilt of the Roman general. Inadvertences, in a word!

It is evident that such an idea is not very likely. Therefore the theories that see contradictions in the text itself of Josephus' work suffer, in our opinion, from a genetic

⁴¹ Ioseph. *Bell. Iud.* 1.10; 1.27-28.

⁴² Ioseph. Vita 363: ο μέν γαρ αὐτοκράτωρ Τίτος οὕτως ἐκ μόνων αὐτῶν ἐβουλήθη τὴν γνῶσιν τοῖς ἀνθρώποις παραδοῦναι τῶν πράξεων, ὥστε χαράξας τῆ έαυτοῦ χειρὶ τὰ βιβλία δημοσιώσαι προσέταξεν. Cf. Bell. Iud. 1.10; Vita 361-362; C. Apion. 1.50-52. See Josephus, Life, Translation and Commentary by S. Mason, Leiden 2001, p. 149 nt. 1492. Eus. Hist. Eccl. 3.10.9-11 quotes Vita 361-363; Rufinus' translation later followed with minor variations by Sicard of Cremona (PL. 213.458B) – is reductive, since it presents the order for publication of the Bellum as a mere letter of recommendation: ... et imperator quidem Titus in tantum probavit ex istis debere libris ad omnes homines rerum gestarum notitiam pervenire, ut manu sua scriberet publice ab omnibus eos legi debere. Further benefits received by the Jewish historian: Ioseph. Vita 414-429. According to Eus. Hist. Eccl. 3.9.2 Josephus was honoured by the erection of a statue in Rome and the works he composed were deemed worthy of the (public) library. Cf. in addition Hieron. De vir. ill. 13.1 (Iosephus Matthiae filius, ex Hierosolymis sacerdos a Vespasiano captus, cum Tito filio eius relictus est. Hic Romam veniens, septem Libros Iudaicae captivitatis imperatoribus patri filioque obtulit qui et bibliothecae publicae traditi sunt et ob ingenii gloriam statuam guoque Romae meruit); Suda s.v. Ιώσηπος (2.655 [Adler]); Niceph. Call. 2.18 (PG. 145.800B-C) and 3.11 (PG. 145.917D-920A). S.J.D. Cohen (Josephus in Galilee and Rome. His Vita and Development as a Historian, Leiden 1979 [anast. repr. Boston-Leiden] 2002], p. 131, where bibliography) puts forward the intriguing suggestion that the piece of news provided by Eusebius is nothing but a plausible interpretation of Ioseph. Vita 363. In fact the deposit of the work in the public library of Rome constituted a form of publication: purchasers could verify the accuracy of their copies by comparison with the official exemplar.

⁴³ We can easily suppose that at the moment when the *Bellum* obtained permission for publication it had already been submitted to the scrutiny of the emperor's "official readers" (if there was any need for it).

defect: until we have proof to the contrary, the order for publication should at least guarantee the internal coherence of the report⁴⁴.

Finally it remains to be seen whether it was concretely possible to publish in Rome a writing containing a fabrication of fundamental importance – that concerning the Sanctuary – while all or almost all the participants in the fatal council of war were still alive. Was Josephus in a position to lie blatantly to readers who were well-informed about the facts at issue⁴⁵? It seems right to doubt that.

This is not the place to investigate Sulpicius Severus' accusatory testimony, which however appears as an inextricable tangle of inconsistencies and distortions⁴⁶. Here the Jews are cited only as a pretext to mention the Christians, who seem to be the real problem of the moment, even more than the former⁴⁷: this, in all evidence, cannot have any historical plausibility. It is unthinkable that in the final stage of the siege, on the eve of the decisive assault on the Sanctuary, the dominant worry of Titus and of a

⁴⁴ With this we consciously intend to take the opposite position of those (see e.g. S. Franchet D'Espèrey, *Vespasien, Titus et la littérature*, cit., p. 3067) who uphold the "accusatory" theories just because they are based, at least in part, on the text itself of Josephus.

⁴⁵ This legitimate question is posed by B. Lifshitz, *Jérusalem sous la domination romaine. Histoire de la ville depuis la conquête de Pompée jusqu'à Constantin (63 a.C.-325 p.C.)*, in *ANRW.* 2.8 (1977), p. 467, who concludes: "A cette époque il y avait sans aucun doute à Rome des personnes qui avaient eu l'occasion de recevoir un compte rendu assez détaillé de cette réunion fatale et on ne peut pas mentir en sachant que les lecteurs sont très bien renseignés".

⁴⁶ See T. Leoni, *Tito e l'incendio del Tempio di Gerusalemme*, cit., pp. 463-468, where critical discussion and bibliography. *Adde S. Isetta, La distruzione del tempio di Gerusalemme in Sulpicio Severo (Chron. II 30): studio delle fonti*, in *RomBarb.* 14 (1996/97), pp. 33-78; G. De Senneville-Grave, in Sulpice Sévère, *Chroniques*, Introduction, Texte critique, Traduction et Commentaire, Paris 1999, praecipue p. 429; E. Laupot, *Tacitus' Fragment 2: The Anti-Roman Movement of the Christiani and the Nazoreans*, in VChr. 54 (2000), pp. 233-247; J.B. Rives, *Flavian Religious Policy and the Destruction of the Jerusalem Temple*, cit. supra nt. 13.

⁴⁷ Cf. H. Montefiore, *Sulpicius Severus*, cit., pp. 167-168. In Titus' words Judaism is almost a pretext to introduce the reference to the *Christianorum religio*. The attention in fact is focused on Christianity, as it emerges from the last two sentences of the speech

large part of his staff was that of "uprooting" the "plant" of Christianity, as referred by the Aquitanian chronographer⁴⁸. Equally anachronistic is the subtle disquisition on the reciprocal relations between Christianity and Judaism, religions that – *licet contrariae sibi* – had nevertheless started *isdem <ab> auctoribus*. Such considerations belong to later times⁴⁹. These and other elements strengthen the suspicion that Sulpicius Severus intentionally twisted the news about Titus' *consilium* in order to throw lustre – in rather summary fashion – on his first coreligionists, crediting them with having suffered one further "martyrdom"⁵⁰.

⁽reported in the form of oratio obliqua): ... Christianos ex Iudaeis extitisse: radice sublata stirpem facile perituram.

⁴⁸ R. Eisler, cit. in H.St.J. Thackeray, Introduction, cit., p. XXV nt. a, trying to "save" Sulpicius Severus' text, conjectures that in the passage in question *Christiani* may be "a general designation for Jewish «Messianist» rebels". Thackeray himself expresses doubts on this interpretation, but he does so in a cursory way. Eisler's hypothesis is hardly plausible: on the one hand there is no way whatsoever to prove that in Tacitus (on whom Sulpicius was probably dependent: cf. T. Leoni, Tito e l'incendio del Tempio di *Gerusalemme*, cit., pp. 465-466) *Christiani* could have the meaning suggested, on the other "in a period as late as the time of Sulpicius in the fourth century the term *Christiani* can hardly have any meaning other than «Christians»" (L.H. Feldman, Josephus, cit., p. 364). ⁴⁹ In this sense see M. Simon, Verus Israel. Étude sur les relations entre Chrétiens et Juifs dans l'empire romain (135-425), Paris 1948 (anast. repr. 1983), p. 87, who thinks that it can be legitimately doubted that in A.D. 70 the Roman authorities could already have such a clear perception of the originality and importance of the rising Church: "Cette originalité que Titus aurait d'emblée reconnue, c'est après la catastrophe surtout que l'Eglise elle-même en prend une pleine conscience"; G. Ricciotti, Flavio Giuseppe, cit., p. 76; G. Vitucci, Commento, cit., 2, p. 573 nt. 14; P. Fornaro, Flavio Giuseppe, cit., p. 162 nt. 257. Contra M. Sordi, Il cristianesimo e Roma, Bologna 1965, p. 99: "la distinzione dell'atteggiamento cristiano da quello giudaico fu chiara per i Romani, pur nella consapevolezza della origine giudaica del cristianesimo, fin dal tempo di Tiberio". Afterwards the same scholar has again stressed her hypothesis that the Flavians got direct knowledge of Christianity in Palestine in the course of the Jewish war (M. Sordi, J Cristiani e l'impero romano, Milano 1984, pp. 45-50): the new religion "doveva ancora presentarsi ai loro occhi come una setta interna al giudaismo" (p. 50). Yet cf. the critical remarks made by G. Jossa, I Cristiani e l'impero romano da Tiberio a Marco Aurelio, Napoli 1991, p. 67, who argues that the contacts in Judaea of the gens Flavia with the Christian community had "un carattere del tutto marginale".

⁵⁰ G. Ricciotti, *Flavio Giuseppe*, cit., p. 76: "Questo tratto dunque (*scil.* Sulp. Sev. *Chron.* 2.30.7) – se non è una creazione di Sulpicio Severo stesso – dev'esser desunto da qualche rimanipolazione pseudo-storica in cui un autore cristiano, per cingere il cristianesimo

Now we are able to gather the threads of our survey.

The *communis opinio* insists a lot on Josephus' pro-Roman partiality, which would lead him to distort unfailingly and systematically any episode of the Jewish war where Titus is the protagonist. So the overwhelming apologetic purpose would compromise the credibility of the work. Some have gone so far as to describe Josephus "as little more than a Flavian puppet, a mere mouthpiece for the kind of official propaganda that the new imperial house required to establish its prestige and legitimacy in the eyes of a wary public": the *War* is an "overly pro-Roman" document and its "apparently sycophantic" bias produces in the modern reader a sensation of "distaste"⁵¹.

We think that the reliability of the *Bellum* should rather be examined case by case, without preconceived ideas. In this particular question the research carried out along the lines of the "accusatory" theories has allowed us to establish that they are based on a series of arguments which are anything but incontrovertible. It is maybe necessary to admit that historical hypercriticism – often exerted on the *Bellum* in an even aprioristic way – produces no less misleading results than an attitude of passive acquiescence towards the text.

primitivo d'una nuova aureola di persecuzione superata, lo ha coinvolto nella catastrofe di Gerusalemme"; B. Lifshitz, *Jérusalem sous la domination romaine*, cit., p. 467: "Tout s'éclaire si nous admettons que Sulpice Sévère a pieusement voulu rendre gloire aux chrétiens". Cf. H. Montefiore, *Sulpicius Severus*, cit., pp. 164-165, 169.

⁵¹ So P. Spilsbury, *Josephus on the Burning of the Temple, the Flavian Triumph and the Fall of Rome*, cit., pp. 1, 5, 18. On this paper see the keen remarks of S. Matthews, *Response to Paul Spilsbury*, article available on-line at http://josephus.yorku.ca/pdf/matthews2002.pdf, pp. 1-6. Cf. J.M.G. Barclay, *Jews in the Mediterranean Diaspora*, cit., p. 353: "one can only suspect that Josephus is acting as an imperial toady".

No one believes that the freedman of the Flavians described what had happened in a scrupulously objective and impartial manner⁵². In all probability it is exaggerated to rely on Josephus' account "con tranquilla coscienza storica"⁵³: the eulogistic obsequiousness to his imperial benefactor will surely have contributed to lay emphasis on the tones of the narration. The flattering overstatements in connection with Vespasian's first-born exist and must be peeled away. But this is not tantamount to saying that the actual course of events has been wilfully altered. As far as we have been able to check, beyond the rhetorical devices – and leaving aside the "theological" dimension of the incident⁵⁴ – Josephus' relation on the burning of the Sanctuary proves to be substantially trustworthy.

⁵² It is worth quoting the different opinion of G. Ricciotti, *Flavio Giuseppe*, cit., p. 75, just because of its "exceptionality": in the *Bellum Iudaicum* "non traspare alcuna preoccupazione di difendere il conquistatore della città e di scagionarlo dalla responsabilità del tempio incendiato [...]. In realtà una difesa di Tito, che fosse artificiosa e inventata, si sarebbe mostrata più abile e energica, specialmente dietro l'ispirazione dell'interessato comandante romano e col suo *imprimatur*".

⁵³ G. Ricciotti, *Flavio Giuseppe*, cit., p. 77.

⁵⁴ No doubt that in the eyes of Josephus – descendant on his father's side from a family of the high priestly aristocracy (cf. Bell. Iud. 1.3; 3.352; Vita 1-6; C. Apion. 1.54) - the unfortunate war of 66/70 and the fall of the Temple had a deep theological meaning. The Temple in Jerusalem had ceased to be a true sanctuary long before it was devoured by the flames: during the conflict the holy places had been repeatedly polluted by the Jewish rebels themselves, so that the final destruction of the edifice constituted a form of divine punishment for the crimes committed within it. The tragic event was in any case outside the control of any human being; men could at the most be driven δαιμονίω όρμη τινι. This aspect of Josephus' thinking is underlined by: H. Lindner, Die Geschichtsauffassung des Flavius Josephus im Bellum Judaicum, cit., pp. 122-123 ("§ 250: Gott hat den Tempel längst zum Feuer verurteilt. [...] Gott benutzt die Römer als sein Werkzeug. [...] Josephus trägt seine theologische Deutung der Vorgänge hier so kräftig auf, daß kein Leser sie übersehen kann. Andeutungen genügen ihm nicht. Hier, wo der Krieg auf seinen Höhepunkt gekommen ist, hat er den ihm vorliegenden Bericht in besonderer Weise theologisch akzentuiert"); H.R. Moehring, Joseph ben Matthia and Flavius Josephus, cit., pp. 936-940. See now G. Firpo, La distruzione di Gerusalemme e del Secondo Tempio nel 70 d.C., in RSI. 114 (2002), pp. 774-802. Cf. supra nt. 16.

The Jewish historian does not deserve to be dismissed so superficially⁵⁵.

⁵⁵ Nowadays no one could seriously subscribe to the judgement expressed at the end of the nineteenth century by A. Lavertujon, *La Chronique de Sulpice Sévère*, Texte critique, Traduction et Commentaire, 2, Paris 1899, p. 396, who – preferring the version of the *Chronica* to that of the *Bellum Iudaicum* – declared that there are good reasons "de croire [...] Sulpice, qui était honnête homme et désintéressé", whereas Josephus was "un courtisan et un menteur".