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Author(s): M. D. Goodman and A. J. Holladay
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RELIGIOUS SCRUPLES IN ANCIENT WARFARE

M. I. Finley in his *Politics in the Ancient World* (Cambridge, 1983), 92–6 has recently cast doubt on the extent to which religious phenomena were taken seriously in ancient times. We believe that in stressing the reasons for scepticism he has overlooked much positive evidence for the impact of religious scruples on political behaviour and that in generalising he has undervalued the differences in this respect between ancient societies. The significance of some of this positive evidence is admittedly uncertain since in civilian life scruples might be easy to observe without great suffering.[1] The acid test is in time of war, so that is the concern of our present enquiry. That attitudes varied can be shown only by comparing societies. We have here limited our discussion to three for which the evidence is well preserved: the world of the Greek city before Alexander the Great, Rome before Constantine, and the Jews in the Hellenistic and Roman period.[2] Elucidation of the reasons for their distinct attitudes would reveal much about each of these societies and its religious practices and conceptions, but there will be space here only to show that considerable variety did indeed exist.

Most ancient peoples assumed that their gods approved of war; the pacifism of some pre-Constantinian Christians was exceptional. Nor did such rules in combat as were observed necessarily have a religious foundation. Ancient like modern scruples were often based on moral and humanitarian grounds, as in the treatment of corpses and civilians; the gods, as the guardians of general morality, might be involved in such matters, but only at a remove. Even more apparently blatant religious phenomena such as omens and auspices were probably seen not as reflexions of divine wishes but as part of the natural world, of which note should be taken, as with signs of the

[1] In civilian life, the seriousness with which feasts were observed varied. Some Romans and (though this is not explicitly attested) possibly some Greeks were appalled at the laziness of Jews for having a weekly rest (cf. Seneca, *De Superstitione*, ap. August. *De Civ. Dei* 6.11; Tac. *Hist.* 5.4), but Macrobius (*Sat.* 1.16.9) none the less states that Roman religious feasts too were meant to be observed by rest. A fine had to be paid if any Roman was seen by a priest doing work on a rest day. Xenophon claims that no Athenian would dream of doing anything important on the *Πλυντήρια* (*Hell.* 1.4.12). Perhaps the degree of respect paid to such occasions was sometimes a rather personal matter, as with Christian days like Good Friday in Western Europe today. Xenophon was a notably pious man and had an axe to grind in stressing the importance of the *Πλυντήρια*. Alcibiades and his friends obviously thought that it would not do him any harm to return on that day and, as it turned out, they were right. The passions of the Hermokopid affair were not reawakened on this occasion, any more than in 412/11, although the Eumolpidae and Kerykes raised objections at first (Thuc. 7.53.2).

H. W. Parke, *Festivals of the Athenians* (London, 1977), 190, estimates the normal Athenian attitude at a rather low level. Macrobius hints at a Roman means of avoiding private inconvenience when he notes that according to Scaevola work was permitted whenever it was necessary to avoid loss (*Sat.* 1.16.11): public *dies nefasti* were by contrast carefully observed by the cessation of official public business. Although Jewish attitudes towards labour performed on the Sabbath were altogether stricter, they too varied considerably, as is easily seen from a comparison of the rabbinic laws preserved in the *Mishnah* (*Shabbat* 7.2, and passim) with the sectarian customs of the Essenes (cf. Jos. *B.J.* 2.147).

[2] Comparable scruples undoubtedly manifested themselves in other religions and societies. For example, the Hittite King Mursilus II returned to his capital in the middle of a war to celebrate the *purulliyas* festival (O. R. Gurney, *The Hittites* (Harmondsworth, 1953) 152). But the Greeks, Romans and Jews provide by far the richest material.

The section on Greece is primarily the work of A.J.H., that on Rome and the Jews of M.D.G.

weather: but prayers to the gods to send better omens showed a belief that gods could alter nature within the limits of Fate, although in the meantime it was foolish rather than impious to ignore the signs. In contrast, portents are often ascribed to intervention by a particular deity and were probably obeyed for more specifically religious reasons.

The desire to have the gods on your side in warfare was doubtless always in some sense a military tactic. Victory was more likely if the favour of a particular deity could be ensured either as a result of past connexions, cult and history or through sacrifices and prayers, the avoidance of hubristic activities and the observance of taboos. Some exceptionally pious people may have performed their religious duties in war as in peace from pure motives of love and respect for the deities involved, but the average human being probably did so for fear of the consequences if he did not. It is however significant that ancient writers themselves thought they could distinguish between religious and secular reasons for doing things, since otherwise the use of δικαιοσύνη and εὐσέβεια as separate terms would have been meaningless. Plato's Euthyphro shows that the concept of piety was not entirely clear, but Euthyphro's last definition, that holiness is the part of the right which has to do with pleasing the divinity (12e: τὸ περὶ τὴν τῶν θεῶν θεραπείαν), was reckoned by Plato not inaccurate (if insufficient), and we shall adopt it here.

Of course in many cases it is impossible to tell whether the religious reasons given in the sources for particular actions were invented to explain decisions already taken on other grounds. We have tried to isolate those occasions when the action or inaction which actually occurred is said to have been dictated by the will of the gods, as revealed by omens, portents or oracles, even though the participants must have been well aware at the time that military disaster was a probable result of such piety. We have checked in each case that no other, non-religious reason can be plausibly surmised for the behaviour attested. We have paid most attention to the stories of divine interference which were least likely to have been fabricated after the event, making use of the fact that all three societies here examined believed that the gods desired a cessation of military activity on fixed holy and prescribed days. Observance of such taboo days even when this was tactically detrimental would seem to be a sure sign that religious scruples were taken seriously.

I. SPARTA AND THE GREEKS

The holy days and festivals of the Greeks might be celebrated by individual cities, by ethnic groups (e.g. Dorians or Ionians), or by all Greeks. Some truces were merely designed to avert war in order that the Games or festivals could be celebrated, whereas other feasts prohibited all kinds of activity as an essential part of the feast itself (as with the Jewish Sabbath). The situation of the Greeks however differed greatly from that of the Jews, whose holy days recurred weekly and could not usually be breached without very severe social and religious consequences. For the Greeks the festival only occurred annually, biennially or quadrennially, and for a breach of the peace there was often a prescribed monetary penalty, payment of which, combined with suitable professions of penitence, could settle the matter (cf. Thuc. 5.49). There was also no need to observe the festivals wherever you were. The aim was to be there on the spot and if this was impossible they were ignored.[3] The celebration was a public not a private affair.

[3] W. K. Pritchett, *The Greek State at War* (California, 1979), iii. 185, notes that he can only find two instances of any attempt to organise celebration in the field – and of these one is unclear

On the other hand there were many Greek festivals and the period entailed by some of them (ἱερομηνίαι) was quite lengthy. For example, although the contests in the Olympic Games only lasted five days, a considerably longer period of time was needed to enable competitors and spectators to travel safely to and from Olympia.[4]

The heavy ecclesiastical calendar in the summer months might seem to provide a serious obstacle to military activity for any pious state, but in fact it was not a very serious problem in early times, when the nature of Greek warfare was restricted and almost gentlemanly. Greek states made a practice of attacking each other when the corn had grown sufficiently to be destructible, but settling the quarrel with a quick battle and returning home in time to harvest their own crop.[5] This would mean that wars should be over in time for the celebration of the feasts.

However, the Greek states began to find it impossible to maintain this routine when they came into conflict with Persia or Macedon; even within Greece itself during the protracted struggles of the Peloponnesian War, the Corinthian War and that between Sparta and Thebes in the years 379–362 B.C., battles might occur at inconvenient times whether by accident or malice.

Although no doubt all Greek states would have preferred to respect the festivals if possible, not all of them were renowned for willingness to sacrifice, or even jeopardise, their interests in order to do so. We hear of cities which claim a feast as a reason for inaction, or restricted action, but their motives are often suspect.[6]

Some states were on occasion positively unscrupulous in the matter of religious observance – notably Argos. On one occasion she moved the date of a traditional festival in the hope of deterring a Spartan invasion,[7] and on another she 'stopped the clock' in order to attack an enemy during a festival period.[8] Accusations of attacks in time of local feasts are also levelled against Thebes (at Plataea in 431 B.C.) and Athens (at Mytilene in 427 B.C.). Phoebidas' attack on the Cadmeia of Thebes during the Thesmophoria in 382 B.C. was not authorised by Sparta, and later he was punished.[9] The Eleian charge against the Spartans for breach of the Olympic truce in 420 B.C. may be unjustified. It is possible that the Spartans were taking advantage of a technicality in the timing of the truce, but their logic seems valid and, as has been pointed out, they also had a political case that might have eliminated the offence altogether.[10] The eminent Spartan Lichas, who entered as a competitor in defiance of the Eleian ban,

and the other is the work of Alexander the Great, who was something of a law unto himself: on another occasion he altered the calendar to postpone an unlucky month when launching a campaign (Plut. *Alex.* 16).

[4] For the dates and duration of the various festivals, so far as they are known, see H. Popp, *Die Einwirkung von Vorzeichen, Opfern und Festen auf die Kriegführung der Griechen im 5. und 4. Jahrhundert v. Chr.* (Erlangen Dissertations, 1957), 75–144.

[5] Thuc. 3.15.2; also Mardonius in Hdt. 7.9 (2) and 9.48.

[6] E.g. Elis and other states in 480 B.C. (Hdt. 7.206). Their lack of enthusiasm for fighting north of the Isthmus in 479 B.C. weakens Popp's case for believing their sincerity (op. cit. 127). Cf. also Thuc. 5.54.4 and 8.9–10 for other cases.

[7] Xen. *Hell.* 4.7.2.

[8] Thuc. 5.54.

[9] Thuc. 3.3 and 3.56; Xen. *Hell.* 5.2.29. How far purely local festivals were meant to be respected by outsiders is not clear.

[10] Thuc. 5.49. After the Olympic truce was proclaimed in Elis there would be a lapse of time before heralds could proclaim it in other cities of Greece. This was the case in 420 B.C., when the Spartans were accused of violation and defended themselves by pointing out that the heralds from Elis had not yet made their proclamation in Sparta and asking why, if a proclamation in Elis was the relevant, and sufficient, one, the heralds came to proclaim it also in Sparta. They also could claim that their action was not warlike. See A. Andrewes in A. W. Gomme. *H.C.T. ad loc.*

was, however, clearly flouting the holy law and was punished by scourging on the spot. But his entry, like all others, was that of a private individual, not a state.[11]

Interference with the control of shrines and festivals occurs from time to time.

Possibly the Phocians were guilty of some forms of sacrilege during the period when they controlled Delphi after the mid-450s B.C. Sparta evicted them briefly but the Athenians restored their control, thus sharing any guilt involved. But we lack details of this episode.[12]

On the eve of the Peloponnesian War Corinth suggested that the resources needed to create and finance a large fleet against Athens might be obtained from Delphi and Olympia. They spoke euphemistically of loans, but the authorities there were only custodians of the treasures (which were, in any case, mainly in non-negotiable form) and were not in the lending business. Pericles uses less euphemistic language.[13] This plan foreshadows the actual events of the next, and more impious, century.

In 390 B.C. the Argives seized control of the Isthmian Games from Corinth. The Spartan king Agesilaus took it from them and gave it to some Corinthian exiles, but when he withdrew the Argives resumed control.[14] Next came the fighting at Olympia in 364 B.C.[15] when some Arcadians drove out the Eleian controllers of the Games and presided in their place; but in addition they had seized the temple treasures. The Eleians attempted to regain control when the contests were already in progress, but failed after showing courage and persistence beyond their norm. Xenophon was moved to comment that the God must have inspired them; but they were nevertheless overborne by the ungodly.[16] So a holy war was not guaranteed success.

Some ten years later the Phocians plundered the temple treasures at Delphi in the Third Sacred War. This ultimately provided the justification for the intervention in Central Greece of Philip of Macedon, who claimed to champion Apollo. The villains had already been condemned by the Council of the Amphictyons on other, more dubious, grounds,[17] and because of the strength of Philip they were eventually brought to book and severely punished.[18] Amongst the few states which supported them were Athens and Sparta, the latter driven into this unaccustomed situation through her hatred of Thebes.[19] Since her great defeat at Leuctra in 371 B.C. Sparta's policy had been overwhelmingly dictated by this hatred, and her strength was no longer great enough to enable her to assert and maintain her own principles.

In spite of this lapse Sparta was the one Greek state which held the reputation of being willing on occasion to sacrifice her own and, often, her allies' interests in fulfilling her duty to the gods.

The Spartans of course enjoyed a high reputation for piety in many fields.[20] (Argos'

[11] Thuc. 5.50.

[12] Thuc. 1.112. It was proclaimed as a Sacred War (the Second). When Delphi regained independence it gave strong support to Sparta (Thuc. 1.118.3).

[13] Thuc. 1.121 and 143.

[14] Xen. *Hell.* 4.5.1.

[15] In 398 B.C. King Agis of Sparta went to Olympia to offer sacrifice; he had previously been banned from this, but this time no-one prevented him. In the settlement with Elis which followed, Sparta did not deprive her of the presidency of the Games, although Pisa was claiming it (Xen. *Hell.* 3.2.26 and 31). So Sparta's piety stood up well to strain.

[16] Xen. *Hell.* 7.4.28–32.

[17] Diod. 16.23.

[18] Dem. 19.25.

[19] Paus. 3.10.3.

[20] This reputation is endorsed, among contemporary historians, explicitly by Herodotus and Xenophon, the believers, and implicitly by Thucydides, the sceptic (cf. 5.54). As a conscientious historian he could not omit oracles and omens when men acted under their influence. See also Plato, *Alc.* 2.148d–149c and Cicero, *De Div.* 1.95.

attempt to defend herself by festivals is proof.) They sought to protect Delphi on many occasions (as during the Second Sacred War and in the first clause of the Peace of Nicias (Thuc. 5.18.2)) and had always paid great respect to her oracles even when they ordered her to do unpalatable things.

The expeditions to depose the tyrant Hippias of Athens in 511 and 510 B.C. are such a case in Herodotus' view, and the arguments for believing that Sparta already desired so to act are unconvincing. Even when Sparta did wish to go to war she always consulted the oracle, usually through the special officials known as 'Pythoi': examples are the war against Tegea *c.* 580 B.C., that against Argos *c.* 494 B.C. and the Persian invasion of 480 B.C. Others are referred to elsewhere in our text. Similar respect is shown in civilian matters, as with the Rhetra of Lycurgus (issued with the authority of Delphi) and other notable events.[21]

Sparta's observance of omens and portents is also well attested. In 38 years there are ten known cases of expeditions aborted through earthquakes and bad omens. This worked to the detriment of her own, and her allies', interests. Even the hard-headed Thucydides accepted this scrupulousness for a fact and did not attempt to rationalise it by producing more material explanations, so it is otiose for modern historians to try to do so. This case has been well argued by H. Popp,[22] and it is only proposed to give a brief summary here.

Other Greek states also took omens and portents into account, of course, but rarely do we hear of them sacrificing their interests as Sparta did. The most notable exception is the eclipse of the moon which prevented an Athenian retreat from Syracuse,[23] while there might still have been some slight hope of escape. It is important to notice that the reaction to this phenomenon came first from the ranks and not, as one is tempted to think, from the ultra-religious Nicias. Perhaps the soldiers were thoroughly cowed by the recent defeats and therefore more prey to superstitious fears. But even at home in Athens before her great defeat the reaction to the Hermokopid affair had shown strong superstitious feeling. Certainly we hear little of serious obstruction by omens and portents to the operations of Greek states other than Sparta.

So far as omens were concerned the most impressive evidence comes from Xenophon's *Anabasis*. The author was, by his own profession, a devout believer in divine signs, and there is no cause for surprise that he should follow them religiously, in both his public and his private life. (He was also, of course, a great admirer of Spartan ways and of King Agesilaus.) But he was not the leader of the Ten Thousand, having declined the position on the direction of the gods.[24] Yet he records that the army was regularly directed by omens and on one occasion suffered appalling hardship from hunger in a siege when the omens, repeatedly taken for four days, would not approve a sortie.[25] It is puzzling to know if this was truly typical of Greek armies and, if so, why there is so little trace in our sources. Naturally, it would only be recorded if the omens seriously interfered with operations – but in the vast sweep of history covered by Herodotus, Thucydides and Xenophon one would have expected this to have happened many times to other states than Sparta – and two of these writers were eager to report such things, whilst the third accepted his obligation to do so. Perhaps

[21] King Demaratus was deposed at the order of the Pythia even though he was popular (Hdt. 6.65–7; Paus. 3.4.4). Kings Agesilaus and Pleistoanax were affected by its pronouncements (Xen. *Hell.* 8.3.1; Thuc. 5.16). A revealing story about the different attitudes of Sparta and Athens concerns the murder of the Persian envoys before 490 B.C. The Spartans regretted it and sent two noblemen as scapegoats to appease the wrath of Talthybius. The Athenians betray no such scruples.

[22] Op. cit. in n. 4.

[23] Thuc. 7.42.

[24] Xen. *Anab.* 6.1.24.

[25] Xen. *Anab.* 6.4.19–25.

some generals kept tighter control over their soothsayers or were more adroit at concealing, or interpreting, the omens.[26]

The influence of portents on the Spartans is exemplified in the Persian Wars by the eclipse of the sun which, according to Herodotus, prevented King Cleombrotus from attacking the Persian army after Salamis.[27] But by far the most commonly reported phenomenon that obstructed their operations was the earthquake. Pausanias noted this Spartan characteristic[28] and there are many known examples: we hear of it in 426, 414 and 399 B.C. (Thuc. 3.89.1; 6.95.1; Xen. *Hell.* 3.2.24). A particularly interesting case occurred in 388 B.C., when King Agesipolis invaded the Argolid (after consulting Zeus and Apollo) and an earthquake occurred. His men were disturbed, but he claimed that as it had occurred *after* the invasion, and not before, it need not deter them. However, as a thunderbolt killed some of his men soon after, they may have doubted his interpretation and the adequacy of his sacrifice to Poseidon (ibid. 4.7.2–7).

The Spartans were equally meticulous about omens on all occasions – before starting campaigns, before crossing frontiers, before, and even within, battles. This appears sensationally at the battle of Plataea in 479 B.C. The Greek army had awaited battle for ten days because omens were unfavourable for attack,[29] and even when the Persians attacked, Pausanias, the Spartan commander, insisted on taking final omens to authorise engagement and kept his troops exposed to enemy fire whilst sacrifices were repeated until he got a favourable response (Hdt. 9.62). King Agesilaus exposed his men to similar danger in Akarnania in 389 B.C. (Xen. *Hell.* 4.6.9).

Less spectacular, but often very damaging to the Spartans' interests, were the occasions when they abandoned campaigns at the outset or in mid-course, as in 419 B.C. (twice: Thuc. 5.54.2 and 55.2), in 416 B.C. (ibid. 5.116), and in 396 B.C. (Xen. *Hell.* 3.4.15).

On all these occasions Sparta's enemies benefited greatly from her scrupulousness. It is not made clear by our sources whether sacrifies were always repeated in the hope of more favourable results, but it seems likely, as with Xenophon (cf. n. 24) and the Spartan commander Derkyllidas in 399 B.C. (Xen. *Hell.* 2. 1.17). But, if so, they failed, whereas the latter two were successful. Our sources do not tell us whether later Spartan leaders ever used again King Cleomenes' method of avoiding bad omens by taking a different route (Hdt. 6.76). On a rare occasion a Spartan commander, Anaxibios, is said to have ignored bad omens (cf. n. 26), but the evidence shows clearly the great, and often dangerous, respect shown by Spartans for portents and omens.

Similarly Sparta is credited with a more scrupulous respect for festivals than other Greek cities,[30] and on occasion she is said to have taken great risks, sometimes at her

[26] Greek generals were empowered to take decisions, if need be, contrary to the omens (Pritchett, op. cit. in n. 3, 48–9). We hear of a Spartan commander, Anaxibios, who did so and suffered defeat (Xen. *Hell.* 4.8.36). If a Spartan could do this we can be sure that other Greeks did. Of course, we are unlikely to be told of this in cases where generals ignored omens and got away with it. Generals might also 'edit' omens as the Athenian general Thrasyllus did before the battle of Arginusae (Diod. 13.97.5–7). The Spartan King Agesipolis 'interpreted' a portent in 388 B.C.

It is possible that the Ten Thousand, in their isolation and peril, and with the pious Xenophon among them, were very susceptible like the Athenians at Syracuse.

[27] Hdt. 9.10.

[28] Paus. 3.5.8.

[29] Rationalisations of this delay are common and denounced by Popp (op. cit. n. 4, 49) and Pritchett (op. cit. in n. 3, 78–9). A. R. Burn, *Persia and the Greeks* (London, 1962), professes the same view in general (pp. 262, 508) but deserts his principle in this case.

[30] But it should be noted that the Syracusans delayed their pursuit of the retreating Athenians in order to celebrate a feast (Thuc. 7.73.2) and the Corinthians also delayed their fleet for the Games (Thuc. 8.9.1). But in neither case was action urgent.

allies' expense (and ultimately hers) and in other cases purely at her own. In 388 B.C. (as already mentioned) Argos tried to avert a Spartan invasion under King Agesipolis by shifting the normal date of a festival. Agesipolis reacted by going to Olympia to ask Zeus if he had to respect this phoney truce and was assured that he need not. But to make absolutely certain he then went to Delphi to ask Apollo if he agreed with his father.[31] What he could have done if this time the answer had been affirmative is unclear, but fortunately for him it was not.

The first instance of scrupulosity concerning local festivals in the historic era[32] is at the time of Marathon, in the first Persian invasion of 490 B.C. When the Persians landed at Marathon the Athenians despatched Pheidippides to Sparta to summon help. He arrived on the second day after his departure from Athens, but found the Spartans celebrating a festival. Herodotus says that they did not like to break the established law but they promised to come as soon as the full moon had arrived, and in fact did so, sending two thousand men who marched at remarkable speed, covering about one hundred and forty miles in three days.[33] There is no reason to doubt the Spartans' sincerity nor to explain their delay by postulating trouble with the helots or the Arcadians.[34] Even though Sparta was unable to take with her any units from her Peloponnesian allies she was prepared to send a substantial army at great speed. She probably thought that the Athenians could hold out for long enough, but Marathon was fought a short time before the Spartan arrival.

When Xerxes invaded Greece in 480 B.C., after a false start at Tempe the Greeks voted in a council at the Isthmus to fight at Thermopylae, with the fleet at Artemisium. The Spartans were celebrating the Carneia, and as the Olympic Games were unusually late this year, these too were in progress.[35] There is no reason for suspecting that the Persians in this year, or in 490 and 479 B.C., timed their attacks to coincide with Greek festivals: they are unlikely to have known, and certainly did not care. (Herodotus even represents Xerxes as finding this out after the event.)[36] But the result was that Sparta only sent three hundred Spartiates (with helots) and a King, and the Peloponnesians pleaded the Olympic truce as a reason for sending correspondingly small forces. If Sparta had thought that a larger force was essential, there might have been problems, since many of the allies failed to produce troops next year at Plataea, and it is likely that these were unwilling to fight for Central Greece, as Herodotus suggests elsewhere.[37] But Sparta was bound by her acceptance of the leadership of the Greeks to defend the position chosen by the majority at the council, and there is no ground for doubting her sincerity about the Carneia. Only her optimism should be faulted as in 490 B.C. As Busolt pointed out, Sparta's willingness to send a Spartiate force

[31] Xen. *Hell.* 4.7.2.

[32] The withdrawal of Spartan troops from Messenia under truce during wartime in order to celebrate the Hyacinthia (Paus. 4.19.4) cannot be confidently treated as historical, though it may reflect a real event and certainly reflects Greek views of the Spartan pattern of behaviour. Cf. the real event of 390 B.C. (Xen. *Hell.* 4.5.11), when, however, no truce was made.

[33] Hdt. 6.106 and 120.

[34] It would, of course, be quite circular, and therefore illegitimate, to use the Spartan delay as an argument for the existence of such wars. It is necessary to provide good independent evidence for them and this has not been done. The Helot War of *c.* 490 B.C., in which some believed, has been dealt with by H. T. Wade-Gery in *Studies in Ancient Greek Society and Institutions* (Oxford, 1966), 289–302: cf. also *GHI*, p. 47, no. 22. The coin evidence used by J. F. Wallace in *JHS* 74 (1954), 32–5 cannot be dated with sufficient accuracy to prove his case. It is true that Sparta received no support from her Arcadian allies in her (belated) Marathon expedition but nor did she from Corinth, Elis and her other allies, by whom no revolt is alleged.

[35] Hdt. 7.206.

[36] Hdt. 8.26.

[37] Hdt. 7.207, 8.40 and 74.

at all shows a readiness to break the rules at least in a case of extreme need (since Delphi needed protection and Sparta's oath had to be honoured). She would have sent more troops (perioeci easily, and even Spartiates) if she had thought it necessary.[38] Popp, in dealing with Busolt's point, failed to acknowledge that Sparta demonstrated by her action that her piety, though remarkable, was not total and suicidal. Pritchett's belief[39] that the obstacle to full-scale Spartan action was a law prohibiting expeditions leaving before the full moon, but that this was extended by Leonidas' force departing before the month began, still shows that Sparta could have sent more troops if they had thought it necessary. A similar problem arises over the events of 479 B.C.

In 479 B.C. when Mardonius re-entered Attica, the Athenians had no doubt hoped that this would be prevented by Sparta and the allies, but there was no clear obligation on Sparta to do so if the majority of the free Greeks did not consent. The Athenians therefore evacuated Attica once more, but sent protests to Sparta, supported by the Megarians, demanding action. When the envoys arrived, the Spartans were celebrating the Hyacinthia and told them that they could not act immediately. Herodotus reports that they thought nothing so important as the service of the God.[40] We are told that the ephors delayed action for ten days but then acted suddenly and sent off in great haste the largest force that Sparta ever mustered so far as we know.[41] The size of this force shows that Spartan delay was not due to fear of Argos, as has been suggested. The presence of contingents from Mycenae and Tiryns points the same way.[42] The failure of Sparta to act *before* the Hyacinthia however does need explanation and, as suggested above, this may have been due to a lack of clear obligation. But Athenian pressure at last prevailed (even though Herodotus puts their final threat after the first troops had left).

A remarkable feature of the 480–79 B.C. campaign, which seems to have been overlooked, is that the Greeks apparently made no objection to providing ships for continuous service in the fleet even while they were withholding or restricting land forces on account of the festivals. In the case of Sparta this is largely explicable by the fact that few Spartiates served with their ships, which were, in any case, few in number. But this was not true of the other allies, whose ships were manned by citizens; in the case of Athens in 480 B.C., by the whole citizen body. This curious phenomenon persists throughout later wars, the sole apparent exception being the delay of the Corinthian fleet in 412 B.C. (as already noted) at a time when no urgency seems to have been felt. Perhaps the explanation lies in the greater difficulty of preparing and assembling a fleet as compared with a hoplite army, rather than lack of ancient tradition and religious belief among these sailors.

In the years after the Persian Wars Sparta faced revolts among her allies, but we

[38] If Sparta had decided that more troops were needed at Thermopylae, and increased her contingent, she would no doubt have pressed her allies to do the same, arguing that the need of Greece, and their oaths, should over-rule the normal truce, which was in any case between Greeks and had no relevance to a foreign threat. If the Persians had already been threatening the Isthmus nothing would have been said about the Olympic truce. The Eleians in 364 B.C. were clearly thought to be right in breaking the truce against violators, since Xenophon credits them with divine inspiration (cf. n. 16) and even the Arcadians restored their presidency of the Games (*Hell.* 7.4.34–5).

[39] Op. cit. in n. 3 above, vol. 1, p. 120.

[40] Hdt. 9.7.

[41] Hdt. 9.8–10.

[42] Hdt. 9.28. The departure by night can hardly have been meant to surprise the Argives (Popp, op. cit. 112–13) since the dates of the Festival would be known. It must have been a dramatic gesture.

do not have details and so cannot know if her holy days were threatened. But the siege of Ithome after the Helot Revolt of 464 B.C. and of Pylos in 425 B.C.[43] when she withdrew her troops from Attica must have kept many soldiers away from festivals. The garrisoning of Deceleia in 413 B.C. need not have involved many Spartiates[44] any more than service with the fleet in the Iranian War.

But more serious problems arose in the period of instability following the Peace of Nicias (421 B.C.) when some of Sparta's allies joined Argos and Athens in a hostile alliance. On several occasions the Spartans withdrew from, or failed to begin, operations that were urgently required in order to save their allies and protégés. The cause was usually the Carneia and at least once the occurrence of bad omens just before the Carneia, which delayed action until the feast was due. This occurred in 419 B.C. when the expedition to save Epidaurus from Argive attack was recalled (and similarly a later one, because of bad omens) so that one third of Epidaurian territory was ravaged (Thuc. 5.54).

In 418 B.C. after their great victory at Mantineia, the Spartans immediately celebrated the Carneia, thus failing to prevent their enemies from carrying out the circumvallation of her ally Epidaurus (Thuc. 5.75–6). In 417 B.C., when her oligarchic protégés in Argos were being threatened by the democrats, the Spartans were celebrating the Gymnopaediae. The democrats had chosen this time deliberately (one of the few cases of malice known) and were able to kill some oligarchs and banish others. Continuous pressure from their long-suffering friends eventually persuaded the Spartans to postpone the festival in order to act. But when they heard that the oligarchs had been defeated they returned home and celebrated the festival after all (Thuc. 5.82). It seems that the date for this festival was less sacrosanct than for the Carneia and Hyacinthia.

In the Corinthian War the pressure became greater,[45] because Sparta was now confronted by a serious challenge on land and the threat to her festivals increased. While she was besieging Corinth in 390 B.C. her commander allowed the Amyclaeans in the army to return to celebrate the Hyacinthia. Xenophon says 'The Amyclaeans invariably go back home to the festival of the Hyacinthia for the paean to Apollo, whether they chance to be on campaign or away from home for any other reason'. They were escorted a certain distance but on its return the escort fell into an Athenian ambush and was defeated with the loss of 250 Spartiates – a very large number indeed.[46] Again, this was not a suicidal act, but it involved greater risk than other Greeks would have incurred purely for the sake of attending a festival.

Between the King's Peace of 387/6 B.C. and the liberation of the Cadmeia in 379 B.C. Sparta was dominant in the Greek world and could usually time her expeditions for her own convenience. But when the news of her defeat at Leuctra reached Sparta, we are told by Xenophon, it was the last day of the festival of the Gymnopaediae, when the chorus of men was in the theatre.[47] Sparta had not used the option of

[43] When news of the occupation of Pylos in 425 B.C. reached Sparta we are told that owing to a festival they delayed action – but their main army was already away in Attica, so it is not likely to have been a major feast (Thuc. 4.5).

[44] The garrison was rotated between Sparta's allies (Thuc. 7.27) but the King was probably there all the time as Thucydides implies in this passage, and he would need a small force of Spartiates, possibly the King's Three Hundred (for which see Hdt. 7.205), to provide stiffening and control.

[45] Xen. *Hell.* 5.29.

[46] Xen. *Hell.* 4.5.11–17. Different details are given in other accounts but none record a smaller disaster.

[47] Xen. *Hell.* 6.4.16.

postponing the festival but had sent her forces out when it was necessary: she was devout but not to the point of extinction.

II. ROME BEFORE CONSTANTINE

It is often asserted that Rome was more thoroughly militarised than any other ancient society, and Romans certainly went further than others in ensuring that divine approval for their wars could almost always be assured: unfavourable portents were easily expiated and so long as the sacred chickens kept their natural appetites the gods were reckoned to view aggression with favour. As a result there is no certain evidence that the observance of religious scruples ever acted to Rome's detriment.[48] The whole Roman religious calendar was geared to war.[49]

None the less, Macrobius, *Saturnalia* 1.16, records days in each year when, according to Roman pagan custom, it was *nefas proelium sumere*. His list was culled from various sources and makes no distinction between different periods of Roman history, but it includes the days when the *Feriae Latinae* and the *Saturnalia* were celebrated and the three days when the open *mundus* allowed access to the upper world by the spirits of the dead, i.e. 24 August, 5 October, and 8 November.[50] He also states that it was bad to instigate warfare on the black days (*dies atri*) which followed the Kalends, Nones and Ides of every month (*postriduani*).[51] These dates are not marked in the official *fasti* for the avoidance of business, although the opening of the *mundus* and the unlucky nature of the *postriduani* in January are noted in some of the extant calendars,[52] but this should not be taken as a reason to dispute Macrobius' evidence. Plutarch, referring to restrictions on fighting on 18 July, the anniversary of the Roman defeat at the battle of Allia, further suggests that the strength of pagan Roman abhorrence at fighting on such days varied with regard to the taboo day in question, Allia day being one of those μάλιστα ἀποφράδων.[53]

However, observance of such restrictions seems never to have been to Rome's disadvantage. The truce during the *Feriae Latinae* presumably originated in the Latin league, since the festival celebrated the links which bound the Latin cities together and had much the same rationale as the truces observed among themselves by Greek states,[54] but it is unknown whether this truce was ever a problem for Rome in her struggle for supremacy over the Latins. It may be significant that the Roman consuls

[48] On the whole question of Roman attitudes to warfare, see W. V. Harris, *War and Imperialism in Republican Rome* (Oxford, 1979).

[49] See, e.g., H. Le Bonniec, 'Aspects religieux de la guerre à Rome', in J.-P. Brisson, ed., *Problèmes de la guerre à Rome* (Paris, 1969), 101–3.

[50] Macrob. *Sat.* 1.16.16.

[51] Macrob. *Sat.* 1.16.21, 24. Cf. in general on all these days A. K. Michels, *The Calendar of the Roman Republic* (Princeton, 1967), 62–6; A. D. Nock, 'The Roman army and the Roman religious year', *Harvard Theological Review* 45 (1952), 190–2. Nock suggests that the Volcanalia, in early Autumn, should be added to the list.

[52] *CIL* I² (1893), 296. Most of these days are *dies comitiales*. It is possible that the *Fasti Antiates* mark 6 October as *nefastus* because this was a black day (see below, n. 58). If so, this was a mistake, since the other *fasti* do not agree. Cf. Michels, op. cit. 66, 133.

[53] Plut. *Camillus* 19.7–8. Michels, op. cit. 25 notes that this day is marked in the *Fasti Antiates Maiores*. The ban on all military activity in March implied in Suet. *Otho* 8 and Tac. *Hist.* 1.89 probably refers only to a taboo specific to the Salii; cf. J. P. V. D. Balsdon, 'The Salii and campaigning in March and October', *CR* 16 (1966), 146–7. See below, p. 164.

[54] Dion. Hal. 4.49. See the brief account in W. W. Fowler, *The Roman Festivals of the Period of the Republic* (Oxford, 1899), 95–7; Y. Garlan, transl. Janet Lloyd, *War in the Ancient World* (London, 1975), 50–1.

seem quite early to have gained the right to fix the date of the festival in any particular year to their own convenience.[55] After 338 B.C. the truce presumably became irrelevant. The festival itself in the later Republic provided some hindrance to warfare through the normal requirement that both consuls be present at the sacrifices in person,[56] but in times of crisis a dictator *Feriarum Latinarum causa* could be appointed.[57]

In contrast, restrictions on warfare during *dies atri* will have applied in all the wars of the late Republic and early Empire. Strikingly, however, the taboo on a particular day is never mentioned as a reason for not having fought or as an explanation of defeat. On the contrary, when Lucullus in 69 B.C. was warned by his officers for deliberately offering battle to Tigranes on 6 October, described by Plutarch as one of the days τῶν ἀποφράδων ἃς μελαίνας καλοῦσιν because it was the anniversary of the defeat at Arausio in 105 B.C., he is portrayed as proudly replying that he preferred to ignore the taboo and instead to render the day auspicious by his own victory.[58] Furthermore, Plutarch suggests that Lucullus moved rapidly in marching to face Tigranes so that he was able to attack early in the morning of 6 October, in which case he will have undertaken the crucial march from Tigranocerta on 5 October, the dread day when the *mundus* lay open. If so, it is significant that Plutarch sees no reason to comment on this infringement of another taboo.[59]

Roman sources rarely give precise calendar dates for military manoeuvres but, when on one occasion a defeat occurred on a forbidden day, it is striking that, despite ample hostility in the sources against the general involved, infringement of the taboo is not one of the accusations brought against him. According to Claudius Quadrigarius in the early first century B.C. the battle of Cannae took place on 2 August 216 B.C.,[60] a *dies postriduanus* on which warfare was forbidden.[61] The day was presumably already taboo at least by the time of Quadrigarius, since otherwise he would not have mentioned it, and it is very likely that it was one of the *dies atri* formally recognised by the Roman religious authorities already at the time of Cannae.[62] There is indeed no reason to deny the assertion of later sources that the *dies postriduani* were first included among the black days of the state as early as the fourth century B.C.[63] At Cannae the Roman commander Terentius Varro was entirely responsible for choosing the day for the battle,[64] and Polybius and Livy provide detailed accounts of the signs and prodigies which he culpably ignored.[65] Appian further describes how Aemilius prevented an attack by Terentius Varro two days earlier precisely by declaring the

[55] Cf. A. Alföldi, *Early Rome and the Latins* (Ann Arbor, 1963), 29–34. Alföldi's denial of early Roman control of the rituals need not be accepted.

[56] Note the complaints against Flaminius for his failure to carry out the Feriae Latinae before taking over his command in 217 B.C. (Livy 21.63.5); cf. also Livy 25.12.1–2 about 212 B.C.

[57] Alföldi, op. cit. 32; *CIL* 1² (1893), 58.

[58] Plut. *Lucullus* 27.7.

[59] Appian, *Mithrid.* 12.85 gives a different account, but K. Eckhardt, 'Die armenischen Feldzüge des Lukullus', *Klio* 10 (1910), 96–111, prefers Plutarch's version, which he believes to be derived from Sallust.

[60] Quoted by Macrob. *Sat.* 1.16.26; Aul. Gell. *Noct. Att.* 5.17.3–5.

[61] Macrob. *Sat.* 1.16.16. When discussing Cannae at *Sat.* 1.16.26, Macrobius does not suggest that the date was unpropitious because it was a *dies postriduanus* but because it fell four days before the Nones.

[62] Livy 22.10.6 records the explicit mention of such days in the words of the people's vow taken in 217 B.C.

[63] Macrob. *Sat.* 1.16.22–7; cf. Varro, *De L.L.* 6.29, and Livy's own comments in Livy 22.10.6.

[64] B. Caven, *The Punic Wars* (London, 1980), 136.

[65] Livy 22.45ff.; Polybius 3.112.

day ill omened.[66] It is therefore significant that none of these writers is concerned to point out the taboo which should have precluded battle on 2 August, although Livy at least should have known the date from Quadrigarius. It seems that the more ambiguous portents and omens which preceded the battle were seen as of far greater religious importance than the unpropitious day.[67]

According to Frontinus, P. Scipio successfully overcame the reluctance of his brother to fight on a *dies religiosus* in 190 B.C. by pointing to the favourable weather conditions. The great Roman victory of Magnesia ensued. Frontinus approves of this contravention of religious custom by the Scipios; the fuller accounts of the battle ignore it.[68]

In no other case can an infringement of a taboo day be shown so clearly. Perhaps commanders avoided unpropitious days whenever possible but did not let religious scruples alter the course of a campaign in any important way, offering suitable vows to avert the ill omen of an unlucky date in warfare as in religious rites.[69] When delay could be detrimental a Roman general could always excuse his breaking of the taboo by claiming that it was only forbidden to attack, not to defend oneself, on such days.[70]

Restrictions of this sort became more significant when they applied to individual commanders rather than the state as a whole. According to Macrobius, some aristocratic families, including the Claudii, Aemilii, Julii and Cornelii, observed special festivals as days of rest.[71] Presumably the work prohibited did not include warfare since none of these families were hindered in successful military careers. More of a problem were the taboos attached to some of the priesthoods, which were often shared out in the Republic among the same nobles as filled the great state magistracies.[72] Some of these taboos made political duties difficult and might prejudice the efficient management of a campaign.

The most obvious restrictions surrounded the *Flamen Dialis*,[73] who was not permitted to see armies in battle array or take an oath. Few who held the priesthood made any attempt at a political or military career. C. Valerius Flaccus reached the praetorship in 183 B.C.,[74] but the senate ensured that this appointment did not endanger the state by ordering that his *provincia* be confined within the city of Rome.[75] The election of L. Cornelius Merula as suffect consul in 87 B.C. at the instigation of Gnaeus Octavius was desired by Octavius precisely because, as *Flamen Dialis*, Merula could play no active part in war, leaving Octavius as, in effect, sole consul in the struggle against the deposed Cinna. Merula's only remarkable act was his pious refusal

[66] Appian, *Hannib.* 18.

[67] Florus 1.12.15–22 may refer to the unpropitious day when he states that *dux, terra, caelum, dies, tota verum natura* led to the destruction of the Roman army, but *dies* here probably refers to the bad weather.

[68] Frontinus, *Strat.* 4.7.30; cf. Livy 37.37ff. The day concerned was probably the *dies postriduanus* 2 May. The battle of Magnesia took place towards the end of December (Julian date); cf. F. W. Walbank, *Philip V of Macedon* (Cambridge, 1940), 332. This would correspond to the end of April or beginning of May according to the current Roman calendar.

[69] Cf. Livy 22.20.6 for a deliberate vow that performance of religious rites will not be invalidated if they occur on a black day.

[70] Macrob. *Sat.* 1.16.20.

[71] Macrob. *Sat.* 1.16.7.

[72] For recent discussions, see G. J. Szemler, *The Priests of the Roman Republic: A Study of Interactions between Priesthoods and Magistracies* (Brussels, 1972); A. Wardman, *Religion and Statecraft among the Romans* (London, 1982), esp. 17–20.

[73] See the list of restrictions in J. Marquardt, *Römische Staatsverwaltung*² iii.328ff.

[74] Szemler, op. cit. 166–7; T. R. S. Broughton, *MRR* i.289.

[75] Livy 39.45.4.

to sully the tokens of his priesthood when he killed himself on Cinna's return to the city.[76]

Restrictions on his political power thus prevented any *Flamen Dialis* from being in a position to endanger public security through his personal taboos. However, the taboos affecting the other *flamines*, which may in origin have been no less complex than those of the *Flamen Dialis*,[77] did not, by the middle Republic, prevent them from gaining command of armies. Their sacred duties interfered with their political careers only when they or a political enemy claimed that they should not be posted outside Rome because their continual presence for the performance of sacrifices was essential for the city's welfare. Such claims were always taken seriously and effectively blighted the careers of Regillus in 215 B.C., Q. Fabius Pictor in 189 B.C. and L. Valerius Flaccus, consul in 131 B.C.,[78] but the restrictions only applied when the state was in no danger. The fact that both Pictor and Flaccus were able to fight bitterly, if unsuccessfully, for the right to a foreign command shows that such commands were not totally impossible.

The whole notion of such taboos lying dormant until specially invoked by a rival senator is rather strange. Even odder is the attitude revealed by the career of P. Licinius Crassus, praetor in 176 B.C. Crassus tried in that year to avoid a command in Nearer Spain for reasons that are unclear.[79] He claimed that he was detained in Rome by the need to carry out regular sacrifices (*sacrificiis sollemnibus*).[80] Livy does not record to which priesthood he belonged, but Crassus' excuse was accepted by the senate and people after he swore an oath about his religious obligations in front of the assembly.[81] The decisive factor was apparently the priest's own conscience, for when Crassus became consul in 171 B.C. his colleague failed in an attempt to exclude him from the glamorous command in Macedonia on the grounds of his behaviour five years earlier. Crassus' colleague argued that the fixed sacrifices which had required his presence in Rome when praetor must still need his presence when consul, but the senate chose to ignore this argument and to allow Crassus to lead the Roman forces against Perseus.[82] It is again probably significant that, although Crassus' campaigns were not successful, no extant source blames his failure on his dereliction of his sacred tasks.[83]

Crassus' career shows how Romans could accept appeals by individual politicians to religious scruples while at other times being unconcerned by disregard of the same scruples. Approval of the more conscientious attitude is clearest on one occasion when scrupulous behaviour may have acted to Rome's disadvantage. According to Polybius the whole Roman army was delayed for a month at the start of the campaign against Antiochus III in 190 B.C. because Scipio Africanus, who was acting as legate to the commander, his brother L. Scipio, was required by the taboos which affected him as a Salian priest outside Rome to remain stationary for the month of March.[84] A purely

[76] Appian, *B.C.* 1.65. Cf. Szemler, op. cit. 171; Broughton, *MRR* ii.52.

[77] *OCD*² s.v. Flamines. Cf. *PWRE* vi.2486–90 on the gradual relaxation of restrictions.

[78] Livy 24.8.10; 37.51.1–7; Cic. *Phil.* 11.8, 18. In the two latter cases the opposition was led by the current *pontifex maximus* but the political motives behind his action are obscure.

[79] Harris, op. cit. 37, suggests that Crassus objected to a command in a province too nearly pacified to leave him an opportunity for glory.

[80] Livy 41.15.9.

[81] Livy 41.15.10; note that Livy records in the same passage an identical oath taken by another praetor, M. Cornelius.

[82] Livy 42.32.1–3.

[83] The speaker in Tac. *Ann.* 3.58 assumes, probably wrongly, that a failure to carry out statutory sacrifices, rather than any specific taboo, is the only reason for stopping priests from leaving Rome.

[84] Polybius 21.13.10–14; cf. H. H. Scullard, *Scipio Africanus: Soldier and Politician* (London, 1970), 205. The account in Livy 37.33.6–7 is a confused version of Polybius; cf. Briscoe, *ad loc.*, who also comments on the date.

political explanation for this delay, though possible, is implausible and never suggested in ancient sources. A rapid push south at this time could have prevented Antiochus' build-up of forces and brought a speedier victory. The sympathetic attitude of the ancient writers to Africanus' scrupulosity is therefore due not just to their political bias but also to a general Roman belief that it was justified to put religious duties above military expediency in such a case.

This attitude appears all the more remarkable when it is recalled that Africanus' scrupulous behaviour over his own taboo was followed within two months by the deliberate infringement of a *dies religiosus* by the whole army at his insistence (see above, n. 68 on the battle of Magnesia). Africanus was apparently censured neither for putting religion above military necessity in the one case nor expediency above religion in the other. It is a little surprising that such duties of patrician nobles with Salian priesthoods did not interfere more often in the conduct of war, for, although resignation seems to have been permitted for Salians unlike other priests when they took up magistracies,[85] it was evidently not universal since at least one Salian, Appius Claudius Pulcher, consul in 143 B.C., achieved military glory while in his priestly office.[86] Scipio Africanus, at any rate, was a *privatus*, and either could not or would not resign from his Saliate.[87] Then, for the only recorded time in pagan Roman history, religious scruples may have acted, however slightly, to the detriment of the state.

When the Empire became Christian, religion did not hinder military activity any more than it had done before. Some Christians before Constantine were pacifists but others certainly were not[88] and there is no trace of any upheaval in Christian thinking in the years immediately after A.D. 312.[89] As in so much else the Church simply gave a new veneer to earlier Roman attitudes to war. It may, for example, have been normal for all Christians including Arian barbarians to avoid warfare on Easter Day, since this is implied by Orosius in his description of the battle of Pollentia of A.D. 402,[90] but, if so, the restriction is not known to have acted to Rome's disadvantage in any campaign, including this one.[91]

[85] Val. Max. 1.1.9 gives an anecdote to this effect about an otherwise unknown L. Furius Bibaculus, who was praetor and a Salian priest probably in the second century B.C. For imperial examples, see *PWRE* s.v. 'Salii'.

[86] Broughton, *MRR* i.436. He celebrated a triumph against the will of the Senate by invoking the protection of his daughter, who was a vestal. It seems unlikely that such a man will have broken the taboos of a *salius*, especially since he took great pride in his expertise at the Salian dances (Macrob. *Sat.* 3.14.14.).

[87] For a demonstration that Africanus was not a magistrate, see H. H. Scullard, *Roman Politics 220–150 B.C.* (Oxford, 1951), 284–5 (Appendix XVI).

[88] J. Helgeland, 'Christians and the Roman army from Marcus Aurelius to Constantine', *ANRW* II 23.1 (1979), 724–834 denies the influence of pacifist arguments on pre-Constantinian Christians; L. J. Swift, 'War and the Christian conscience', ibid. pp. 835–68 asserts it. Both articles have large bibliographies.

[89] Helgeland, op. cit. 816.

[90] Orosius 7.37.2. Orosius may exaggerate the degree of the sacrilege in his desire to find a religious justification for the later sack of Rome: admitting that at Pollentia *pugnantes vicimus*, he asserts that because Easter had been violated *victores victi sumus*.

[91] It may be significant that Claudian and Prudentius, who wrote full accounts immediately after the battle, do not mention or try to excuse the date. Cf. Claudian, *De Bello Getico* 616ff.; Prudentius, *Contra Orationem Symmachi* 2.696ff.; Prudentius even asserts (2.745) that *hic Christus nobis Deus adfuit et mera virtus*. But perhaps they wanted to avoid embarrassing their patrons, Honorius and Stilicho.

III. JEWS IN THE HELLENISTIC AND ROMAN PERIODS

Gentile authors ascribed Jewish failures in war to an overscrupulous regard for religious taboos, even though on the surface the religious aspects of warfare were less prominent for Jews in the Hellenistic and Roman periods than for their Roman contemporaries and the Greeks before Alexander.[92] Early Israelites had waged holy wars in which God fought on behalf of his people and the defeated enemy was consecrated to the divinity,[93] but by the Hellenistic period such warfare was only legendary.[94] War was secularised from the tenth century B.C.: by the end of the seventh century B.C. Jeremiah could even write of God fighting against Israel for their chastisement.[95] Even if the original concept of the holy war was revived in the Maccabean struggle of the second century B.C. and in the great revolt against Rome in the first century A.D.,[96] no source claims that those struggles were also due to direct divine inspiration and intervention. On the contrary, Jews now saw themselves as fighting for God, to protect his worship, rather than God fighting for them as in ancient times.[97]

Jewish belief that God's aid in warfare was no longer direct did not preclude hope for divine guidance through omens and portents. Various methods of foretelling the future are described without censure in the biblical record of wars under the early kings. Omens[98] and oracles[99] are both recorded, but it was more common in the early monarchy to enquire about the future directly from prophets,[100] whose answers were forthcoming only through direct divine inspiration rather than the technical interpretation of omens. In the midst of battle commanders therefore depended heavily on the sanctity and goodwill of such men.[101]

By Hellenistic times, however, Jewish prophets were no longer regularly to be found.[102] Since no recognised technique had been developed among Jews for inquiring about omens, Jewish commanders were, when compared to their pagan counterparts, bereft of divine guidance. Resulting Jewish scepticism about divination before battle is delightfully illustrated by a story recorded by Hecataeus of Abdera.[103] Popular

[92] Agatharchides, ap. Jos. *c.Ap.* 1.209–11; Strabo, *Geog.* 16.2.40; Seneca, ap. Augustine, *De Civ. Dei* 6.11; Frontinus, *Strat.* 2.1.17; Plut. *De Superstit.* 8, pp. 169. Cf. R. De Vaux, *Ancient Israel: its Life and Institutions* (London, 1961), 258–67.

[93] I Samuel 23.9f.; 30.7f. Cf. M. Hengel, *Die Zeloten*² (Leiden and Cologne, 1976), 277–95.

[94] The last holy wars occurred in the reign of David according to De Vaux, op. cit. 265; in the time of Saul according to *Encyclopedia Judaica* viii.347.

[95] Jeremiah 21.5.

[96] Hengel, op. cit. 289–93; cf., e.g., the destruction of the altars in Philistine territory described in I Maccabees 5.68. Against Hengel's arguments for the revolt against Rome, see below, note 155.

[97] De Vaux, op. cit. 262.

[98] I Samuel 14.9–12.

[99] I Samuel 23.10–12. God speaks from the *ephod* through the *Urim* and *Thummim*; cf. Numbers 27.21; Deuteronomy 33.8. The way this oracle functioned is obscure, but it was in regular use during the early monarchy; cf. I Samuel 28.6.

[100] Ahab in the ninth century B.C. asked the advice of 400 prophets before going to war (I Kings 22.5–6). Their prophecy was a deliberate ploy by God to entice him to destruction (I Kings 22.20–23).

[101] Contrast the prophet who volunteered correct information to Ahab (I Kings 20.13–14, 22, 28) with Elisha's statement to Jehoram that he could refuse to prophesy if he so wished (II Kings 3.13–14).

[102] Jos. *c.Ap.* 1.41. However, the Hasmonaean John Hyrcanus was so closely in touch with τὸ δαιμόνιον that he was never ignorant about the future (Jos. *B.J.* 1.69).

[103] Hecataeus, ap. Jos. *c.Ap.* 1.201–4. As the seer took the auspices, a Jewish archer shot the bird he was observing, arguing that if the bird had been gifted with divination it would not have let itself be killed.

beliefs about the efficacy of omens were considered by many Jews to be indicative of a susceptibility to idolatry rather than a readiness to recognise divine advice.[104] Instead of receiving specific guidance like that provided by Roman auspices, the Maccabees could only study intently the books of the Law (II Maccabees 8.23). Direct divine communication through the *Urim* and *Thummim* was a phenomenon of the distant past.[105]

More general, unsought, portents were more readily recognised as divinely inspired but, again, the Jewish state lacked professional interpreters. The sacred books provided few helpful precedents: the sun and moon had stood still for Joshua, but this was not reckoned as a portent for good or evil but as a divine tactic for ensuring victory in one day.[106] In later biblical times portents of disaster were always and only understood through the direct inspiration of prophets.[107] The lack of prophets therefore made portents, like omens, unintelligible in post-biblical Judaism.[108]

Jewish religious doctrine was not, then, particularly likely in itself to promote warfare by the Hellenistic period. By contrast, the problems involved in fighting at times devoted to divinely ordained rest were more acute for Jews than for Greeks or Romans.

The most potentially damaging restriction on warfare was the taboo against fighting during the Sabbatical Year. Once every seven years the land of Israel was allowed to rest from all forms of agricultural production.[109] In the description of eschatological war given in the War Rule found at Qumran, a document which probably dates from the late first century B.C. or early first century A.D., it is taken for granted that war too will not take place during such years.[110] This restriction on fighting had a dramatic practical effect on at least one occasion: a siege had to be abandoned by John Hyrcanus in 135 B.C. because of the onset of the Sabbatical Year.[111] Josephus' chronology of later Sabbatical Years is confused, so it is impossible to be certain that this taboo was broken on later occasions,[112] but it is not likely to have been kept scrupulously since attitudes towards even the agricultural restrictions on the Sabbath Year relaxed during the first century A.D.[113] and, in the Pentateuch unlike Josephus, fighting is not one of the forms of work explicitly forbidden during the year.

[104] M. D. Goodman, *State and Society in Roman Galilee, A.D. 132–212* (Totowa, 1983), 208.

[105] Josephus, *A.J.* 3.218, claims that the oracle ceased only two hundred years before his time, but the *Mishnah*, *Sotah* 9.12, dates its end to the last of the first prophets and no consultation of the oracle is recorded after the Exile (586 B.C.).

[106] Joshua 10.10–14.

[107] Since such inspiration permitted insight into the divine will without the benefit of portents, these latter are naturally rarely recorded, but cf. Amos 4.6ff.

[108] Cf. the portents recorded by Jos. *B.J.* 6.284–315, with a parallel account, presumably from the same source, in Tac. *Hist.* 5.13. See the detailed discussion of both passages in P. Fornaro, *Flavio Giuseppe, Tacito e L'Impero* (Turin, 1980). On 'false' prophets, see Jos. *B.J.* 6.285–6.

[109] Leviticus 25.4–5; Nehemiah 10.32; Jos. *A.J.* 14.202.

[110] 1 QM 2.8–9; G. Vermes, *The Dead Sea Scrolls in English* (Harmondsworth, 1962), 126. Cf. Y. Yadin, *The Scroll of the War of the Sons of Light against the Sons of Darkness* (Oxford, 1962), 20.

[111] Jos. *A.J.* 13.230–5; *B.J.* 1.59–60.

[112] R. North, 'Maccabean Sabbath Years', *Biblica* 34 (1953), 501–15. B. Z. Wacholder (*Hebrew Union College Annual* 44 (1973), 153ff.) is the most recent author to attempt to reconstruct the cycle of Sabbatical Years in later antiquity. He concludes (pp. 166ff.) that Josephus is impossibly confused about the Sabbatical Year which fell around 37 B.C. when Herod captured Jerusalem (*A.J.* 14.475; cf. also R. Marcus, Loeb edition, *ad loc.*). None the less, if his reconstruction is correct the popular rebellion against the Roman census in the autumn of A.D. 6 took place at the beginning of a Sabbatical Year (Jos. *A.J.* 18.1–6, 26). Against his dates, however, see B. Bar-Kochva, *The Battles of the Hasmonaeans: The Times of Judas Maccabaeus* (Jerusalem, 1980), 258 (in Hebrew).

[113] Goodman, op. cit. (n. 104), 102–3.

In contrast, there is no reason to suppose any general diminution in the observance of major festivals during this period. It was incumbent on all adult male Jews to celebrate each year the three pilgrim festivals of Passover, Pentecost and Tabernacles by worshipping at the Jerusalem Temple.[114] Many who lived far away from Jerusalem went only rarely, but in Judaea the pilgrimage was sufficiently observed even in wartime for most of the population of Lydda in A.D. 66 to go up to the Temple for the feast of Tabernales.[115] More crucially, however, rest from work was obligatory for all Jews, wherever they might be, on some of these festival days, and also at the New Year and on the Day of Atonement.[116] Josephus provides explicit evidence that marching to battle could be considered one of the forms of work forbidden on such days.[117] It was presumably not by chance that Sossius is said to have captured the Temple in 37 B.C. on the Day of Atonement, when the Jewish defenders might be reluctant to fight.[118] Josephus expected Jews who did fight on festival days to have a bad conscience.[119] It is however significant that the one occasion when festival restrictions are said actually to have prevented Jews from marching to war occurred in 129 B.C. during the campaign of Antiochus VII Sidetes against the Parthians, when John Hyrcanus, to whom invocation of the taboo was accredited by Nicolaus of Damascus, was probably an unwilling ally and certainly not deeply concerned to achieve victory.[120] In fact the pilgrim festivals, when great crowds gathered in Jerusalem, became in the first century A.D. occasions particularly prone to erupt into violence despite the religious prohibition on aggression on such days.[121]

The restrictions on Jewish soldiers most noticed by gentile writers were not caused by the Sabbatical Year or the festivals but by the more stringent and frequent taboos incurred on the Sabbath, which fell so much more often than non-Jewish holy days.[122] Jewish refusal to fight on Saturdays was believed by both Jews and gentiles to have led at times to disaster.

It is perhaps surprising that it did not *always* lead to defeat. According to Josephus, following I Maccabees, Jews had declined to take any part in warfare on the Sabbath until a massacre of Maccabean partisans in the mid-160s B.C. led to a change in the law so that 'to this day we fight εἴ ποτε δεήσειε'.[123] Josephus defines this last phrase elsewhere as an occasion when the other side has begun the battle.[124] Modern scholars have almost all accepted this account, pointing, as evidence for the relaxation of the taboo in the second century B.C., to Pompey's siege of Jerusalem, when he was opposed whenever he attacked the city directly on the Sabbath but was left undisturbed to build

[114] Deuteronomy 16.1–16.

[115] Jos. *B.J.* 2.515–16. Those left behind were massacred by Cestius Gallus. On the extent to which the pilgrimage was observed, see J. Jeremias, *Jerusalem in the Time of Jesus* (London, 1969), 58–84.

[116] Leviticus 23.7–8, 21, 28–32, 35–6. Observation of such rest days outside Jerusalem is attested at Elephantine as early as the fifth century B.C.; cf. J. B. Segal, *The Hebrew Passover from the Earliest Times to A.D. 70* (London, 1963), 224.

[117] Jos. *A.J.* 13.252.

[118] Jos. *A.J.* 14.487. Philo, *De Spec. Leg.* 1.186 testifies to the zeal with which the Day of Atonement was universally observed.

[119] Jos. *B.J.* 2.515, 517.

[120] Jos. *A.J.* 13.252. See T. Rajak, 'Roman intervention in a Seleucid siege of Jerusalem?', *GRBS* 22 (1981), 72; M. Pucci, 'Jewish–Parthian relations in Josephus', *The Jerusalem Cathedra* 2 (1983), 13–16.

[121] E. M. Smallwood, *The Jews under Roman Rule* (Leiden, 1976), 146, 163, 166, 264.

[122] See the authors quoted above, n. 92.

[123] Jos. *A.J.* 12.277.

[124] Jos. *A.J.* 14.63–4.

up siege works on the sacred day.[125] To explain Jewish aggression on Saturdays during the first revolt against Rome it is usually assumed that, under pressure of the war, Jews widened the definition of defensive warfare to permit combat in any campaign already under way.[126]

Reliance on Josephus' picture is, however, not satisfactory. Josephus seems to be mistaken both in asserting that there was a total ban on Sabbath warfare before the Maccabees and in claiming a generally recognised change in the law under their regime.

The arguments against the existence of a total ban before the Maccabees have recently been forcefully presented by B. Bar-Kochva.[127] Jews served as mercenaries in Persian and Hellenistic armies and must have fought on Saturdays, but there is no evidence that they were censured for this behaviour. According to the Book of Nehemiah, the pious exiles who returned to Jerusalem from Babylon worked for fifty-two days to rebuild the city's fortifications, while guards watched over them day and night.[128] Admittedly Agatharchides, quoted by Josephus, claims that Jewish superstition was revealed by the lack of resistance to Ptolemy in 302 B.C. when he seized Jerusalem on a Saturday, but he may be mocking not their refusal to fight but their foolishness in remaining unarmed because they did not believe that Ptolemy, who had entered the city to offer sacrifice at the Temple, had any hostile intentions.[129] Nor need I Maccabees 2.29–41, which describes how Jewish troops attacked by soldiers of Antiochus Epiphanes submitted to massacre on the Sabbath, assume a Sabbath ban: the *hasidim* may have argued for the piety of martyrdom on any day of the week, showing concern for the Sabbath only because the enemy had explicitly challenged them to die for their religious beliefs, of which one prime example was Sabbath rest.[130] For the author or epitomator of II Maccabees the piety of the Jews is a major element of the tragic history, so his emphasis on the Sabbath as a factor in warfare should be treated with caution when other reasons for the course of events can either be posited from the general situation or gleaned from I Maccabees.[131] The ruses used by Ptolemy or by Apollonius, who came to Jerusalem 'pretending peace' (II Maccabees 5.25), would have been unnecessary if anyway no opposition could be expected on the Sabbath day.[132]

Josephus is equally mistaken in asserting a general acceptance of the piety of defensive warfare on Sabbaths after the Maccabean uprising. The Book of Jubilees, probably composed during or immediately after the Maccabean wars,[133] still forbade *all* warlike activities on the Sabbath,[134] and the Qumran sect, which took Jubilees to be authoritative, was similarly strict.[135] Nor was this attitude confined to obscure sects. Josephus puts into the mouth of Agrippa II in A.D. 66 the statement that the Jewish

[125] Jos. *A.J.* 14.63; *B.J.* 1.146.

[126] For the clearest expression of this view, see M. D. Herr, 'The problem of war on the Sabbath in the Second Temple and the Talmudic periods', *Tarbiz* 36 (1961), 248ff. (in Hebrew).

[127] Op. cit. (n. 112), 331–42. The arguments in the rest of this paragraph are his.

[128] On mercenaries, see especially A. Kasher, *The Jews in Hellenistic and Roman Egypt* (Tel Aviv, 1978), 46–53 (in Hebrew); on the building of the walls, cf. Nehemiah 4.3, 12, 15–17; 6.15; Bar-Kochva, op. cit. 333, 429.

[129] Jos. *c.Ap.* 1.209–11; for the narrative of events, see *A.J.* 12.5–6.

[130] I Maccabees 2.29–37; II Maccabees 6.11.

[131] II Maccabees 5.25–6; 8.25–8; 15.1–5; cf. the detailed discussion by Bar-Kochva, op. cit. 336–41.

[132] Bar-Kochva, op. cit. 336–7.

[133] G. W. E. Nickelsburg, *Jewish Literature between the Bible and the Mishnah* (London 1981), 78–9.

[134] Jubilees 50.12–13.

[135] Nickelsburg, op. cit. 79; De Vaux, op. cit. (n. 92), 483.

rebels were bound to fail in the fight against Rome since they had a choice of either being defeated because of their refusal to take any action on the Sabbath or alienating God by deliberately failing to serve him as required.[136] It will not do to dismiss this speech as 'mere demagogy';[137] if either the original audience of the oration or the readership of the *Bellum* knew that this religious rule did not apply, the passage would not serve Josephus' literary purpose. According to Josephus, when a scout during the Jewish revolt against the Parthians in Nehardea in the mid-first century A.D. reported to the Jewish commander Asinaeus that they were cut off by Parthian troops, the scout assumed that they were bound to surrender *διὰ τὸ κατείργεσθαι προαγορεύσει τῶν πατρίων εἰς τὸ ἀργεῖν*, and Asinaeus' decision to fight was a purely personal one and not the upholding of a new legal principle in preference to an old one.[138] John of Gischala is made by Josephus to claim to Titus in A.D. 67 that on the Sabbath it is *ὅπλα κινεῖν... ἀθέμιτον*.[139] Frontinus, writing under Domitian, claimed that Vespasian won a victory over the Jews by cleverly attacking on the Sabbath day 'on which it is *nefas* for them to do any business'.[140] Josephus himself justifies the dismissal of his own troops in Tarichaeae in A.D. 67 by the fact that it was impossible for them to bear arms against Tiberias on a Saturday *κἂν μεγάλη τις ἐπείγειν ἀνάγκη δοκῇ*.[141]

Attempts have been made to explain away these contradictions either by trying to discredit the testimony in Josephus and Frontinus about the continuation of scruples into the first century A.D.[142] or by adducing from the rabbinic laws in the *Tosefta* a prohibition against carrying arms on the Sabbath even when in danger and by distinguishing between that prohibition and a generally held belief that self-defence was permissible.[143] This latter explanation is possible, but it is implausible not least because the Tosefta was redacted to its present form only in the third century A.D.[144]

It seems preferable to accept that there existed a genuine uncertainty about the correct way to keep the Sabbath in wartime. Such uncertainty is not surprising. Josephus attributes the alleged change in attitude to fighting on Saturdays to Mattathias, the rebel leader: he taught (*ἐδίδασκε*) that self-defence was justified.[145] But Mattathias was only a humble priest, and the penalty for infringement of the Sabbath by an individual was to be cut off from the community.[146] No individual or institution in Judaism before A.D. 70, and probably for some time afterwards, had undisputed authority to change law in this way. Indeed, study of the Dead Sea Scrolls has emphasised that attitudes towards and interpretations of the Pentateuchal Law within the Jewish community from the Persian to the early Roman periods were

[136] Jos. *B.J.* 2.391–4.

[137] M. Stern, *Greek and Latin Authors on Jews and Judaism* (Jerusalem, 1974), i.511.

[138] Jos. *A.J.* 18.322–3. It could perhaps be argued that Asinaeus was ignorant of Jewish custom in Palestine.

[139] Jos. *B.J.* 4.99; Titus was Josephus' patron and will have known if the story was true.

[140] Frontinus, *Strat.* 2.1.17.

[141] Jos. *Vita* 161; *B.J.* 2.634.

[142] Frontinus' evidence is rarely taken seriously (see, e.g. Stern, op. cit. (n. 137), i.510–11) on the grounds that (1) Titus, not Vespasian, conquered Jerusalem and (2) other sources make no allusion to Sabbath observance as an obstacle to Jewish success in the revolt of A.D. 66–73. But Frontinus does not mention the siege of Jerusalem and the incident to which he refers may have been earlier in the war; the silence of the other sources is explicable if the Jews *did* fight, but fought badly (see below), especially since Frontinus does not himself say that they did not fight, only that they lost; and Frontinus, writing when and where he did, ought to have known.

[143] Herr, op. cit. (n. 126), 248, 254, with reference to *Tosefta, Erubin* 4 (3). 6 (Lieberman text).

[144] See Goodman, op. cit. (n. 104), 9, for the proper use of the *Tosefta* for social history.

[145] Jos. *A.J.* 12.276; cf. I Maccabees 2.40.

[146] Exodus 31.14; 35.2; Numbers 15.32.6.

remarkable for their diversity.[147] The picture of a steadily evolving system of interpretation, fostered by later rabbis to gain acceptance of their own views as the last in a long line of tradition, was first drawn up only in the second century A.D. and is misleading for the first century.[148]

As a result, Jews in the first century A.D. could be certain only of the undisputed piety of allowing yourself to be killed for refusing to fight on the Sabbath.[149] They knew that *some* Jews believed that the law was not broken by fighting in self-defence on the day of rest, but how to decide in practice when a battle was ὑπὲρ τοῦ σώματος[150] is impossible without further guidelines. Later rabbinic texts claim that the early-first-century A.D. Pharisee Shammai gave some such guidance, interpreting defensive warfare widely to permit offensive operations so long as they had begun at least three days before the Sabbath,[151] but this definition was not accepted even by Josephus, although he describes himself as a Pharisee, and there is no reason to believe that it was widely influential.[152] For most Jews it seemed best to escape the problem by avoiding warfare altogether, and by the first century A.D. Jews were no longer often found as mercenaries or in Roman military service.[153]

However, when the great revolt against Rome broke out in A.D. 66 and Jews were forced to fight, many of them deliberately attacked the enemy on Sabbaths.[154] There is no evidence that they justified this behaviour by asserting that the holy aims of the war now justified abrogation of the taboo.[155] They presumably just hoped that their lenient interpretation of defensive warfare would be acceptable to God. They could not, of course, be certain, and it can be assumed that nagging doubts about possible guilt made them less effective as soldiers. In the end they had no answer to Josephus' assertion that their eventual defeat was due not least to ταῖς πρὸς θέον ἀσεβείαις.[156]

It is unknown how long this ambivalence towards fighting on the Sabbath had been prevalent among Jews. No ancient text takes Joshua to task for marching for seven days around Jericho. But it may be relevant that examination of the Babylonian chronological dates reveals that the capture of Jerusalem by Nebuchadnezzar, the

[147] See, e.g. M. E. Stone, *Scriptures, Sects and Visions* (Oxford, 1982).

[148] J. Neusner, *Rabbinic Traditions about the Pharisees before 70*, 3 parts (Leiden, 1970).

[149] Jos. *c.Ap.* 1.212, where the issue is presented starkly.

[150] Jos. *B.J.* 1.146.

[151] *Sifre to Deuteronomy* 203–4 (ed. Finkelstein); *Tosefta, Erubin* 4 (3), 7 (Lieberman text).

[152] Jos. *Vita* 12; note that Josephus' own definition at *A.J.* 14.63–4 contradicts Shammai's. The suggestion by H. Graetz, *Geschichte der Juden* III 2^5 (1905), 799, that Jewish fighters in the revolt against Rome relied on Shammai's dictum to clear their consciences is pure surmise.

[153] J. Juster, *Les Juifs dans l'Empire romain* (Paris, 1914), ii.265–79 argues that Jewish soldiers were not rare in the Roman period, but see the more cautious approach of J. N. Sevenster, *The Roots of Pagan Anti-Semitism in the Ancient World* (Leiden, 1975), 154–6. Observance of the Sabbath was the reason given by Dolabella for permitting exemptions for Jews from Roman military service (Jos. *A.J.* 14.226), but S. Applebaum, 'Jews in the Roman army', in *Roman Frontier Studies, 1967: The Proceedings of the Seventh International Congress held at Tel Aviv* (Tel Aviv, 1971), 181, stresses Jewish objections to the ruler cult and other pagan religious acts required of Roman soldiers.

[154] Jos. *B.J.* 2.450, 456, 517; both priests (*B.J.* 2.409–10, 453) and the wider Jerusalem mob (*B.J.* 2.517) broke the Sabbath in this way.

[155] The view proposed by Hengel, op. cit. (n. 93), 293–6, that the breaking of the Sabbath taboo shows the Jewish Revolt to have been a holy war, founders on the considerable general evidence that the revolt was not inspired by religion. For some secular reasons for the rebellion, see M. D. Goodman, 'The First Jewish Revolt: social conflict and the problem of debt', *Journal of Jewish Studies* 33 (1982), 417–27.

[156] Jos. *B.J.* 7.260.

beginning of the second siege by the same king, and the final capitulation of the city in 587 B.C. all took place on Saturdays.[157] Religious scruples taken seriously could have serious consequences.

University of Birmingham M. D. GOODMAN
Trinity College, Oxford A. J. HOLLADAY

[157] A. F. Johns, 'The military strategy of Sabbath attacks on the Jews', *Vetus Testamentum* 13 (1963), 482–6.