Photo: Eliyahu Yanai

Herod's Temple and the Roman Revolution

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Excavations around the Temple Mount have confirmed the claims of ancient authors such as the philosopher Philo about the magnificence of the Jerusalem Temple as rebuilt by Herod.[1] The detailed descriptions of the building in the works of Josephus, a priest who will have known the building well, differ from one another in some respects, probably because of alterations to the internal layout in the decades before its destruction in 70 CE,[2] but the main characteristics of the rebuilding are clear. The precinct was doubled in size, with arches to support the platform, and porticoes with marble columns were erected around the edges of the precinct, with a particularly impressive royal stoa on the south.[3] As architectural historians have long noted, the rebuilding observed the constraints required for the Temple service to continue to function unchanged but made use not just of Hellenistic architectural practices but of specifically Roman engineering techniques and decorative features.[4]

Josephus wrote in his *Jewish War* that Herod began the rebuilding in the fifteenth year of his rule, but in his *Antiquities* he stated that work started in Herod's eighteenth year,[5] a discrepancy probably best explained if the first three years of the project was spent on survey and preparation.[6] Construction started in 20 BCE and renovation of the inner sanctuary was completed within a year and a half, but it took a further six and a half years to complete the porticoes and outer courts, and the building was so large and complex that work was still being undertaken seventy years later, shortly before the war which was to lead to the Temple's destruction.[7]

Later Jewish tradition in the Babylonian Talmud presented an enthusiastic response to Herod's building project: 'He who has not seen the Temple in its constructed state has never seen a glorious building. Which Temple? Said Abaye, or, some say, Rav Hisda, "The reference is to the building of Herod"'.[8] But the rabbinic tradition in general took a very jaundiced view of Herod himself and described him as having built the Temple

1 Philo, *Leg*. 294-300.

2 Jos. *BJ* 5. 184-237; *AJ* 15. 380-423; on the discrepancies, see Levine 1994.

3 Jacobson 2007.

4 Roller 1998: 178, with review by Magness 2001; Netzer 2006.

5 Jos. *BJ* 1. 401; *AJ* 15. 380.

6 Roller 1998: 176.

7 Jos. *AJ* 15. 420-1; 20. 219-21.

8 b. Sukk. 51b.

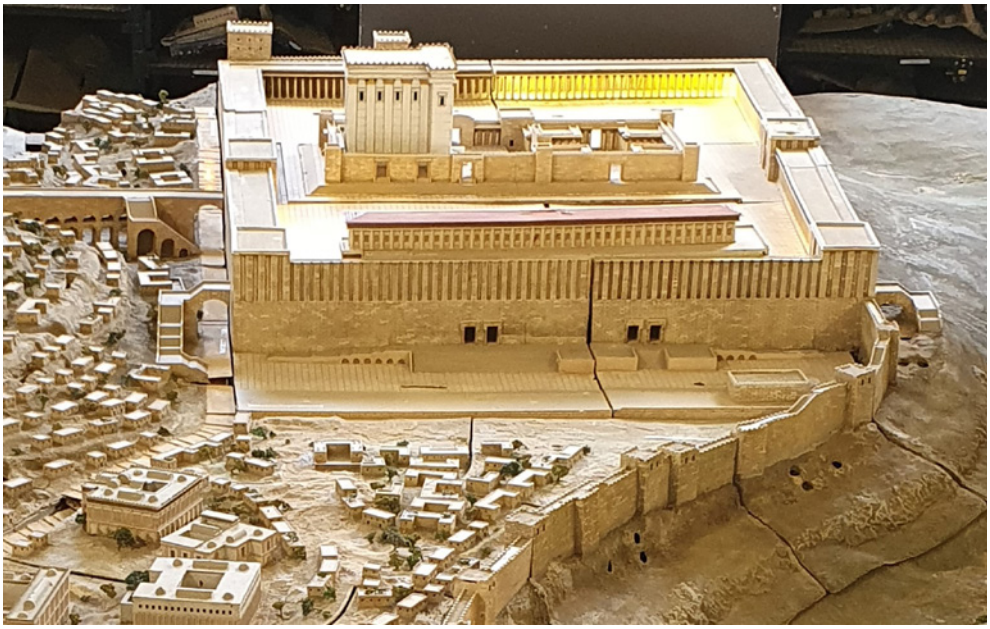

Fig. 1. A reconstruction of the Herodian Temple Mount in the robotic model at the City of David
design: Eyal Meiron. photo: Eyal Meiron

only under pressure from the rabbis and despite his fear of the government in Rome,[9] and on the basis of such traditions it has been argued that rebuilding the Temple could have angered Rome, either because Herod demonstrated too much independence by undertaking the project or because the Temple might create a focus for dissent among Jews in the diaspora.[10] I shall suggest here that, to the contrary, in fact Herod's project not only had the full and enthusiastic support of Rome but that the rebuilding of the Jerusalem Temple should be understood as part of the reinvention of the Roman world by the emperor Augustus after the disastrous civil war which had brought him to supreme power in 31 BCE.

According to Josephus, the work was essentially Herod's personal project:

> It was at this time, in the eighteenth year of his reign, after the events mentioned above, that Herod undertook an extraordinary work, (namely) the reconstructing of the temple of God at his own expense, enlarging its precincts and raising it to a more imposing height. For he believed that

9 b. BB 3b.

10 Richardson 1996: 249.

the accomplishment of this task would be the most notable of all the things achieved by him, as indeed it was, and would be great enough to assure his eternal remembrance. But since he knew that the populace was not prepared for or easy to enlist in so great an undertaking, he thought it best to predispose them to set to work on the whole project by making a speech to them first, and so he called them together and spoke as follows:

"So far as the other things achieved during my reign are concerned, my countrymen, I consider it unnecessary to speak of them, although they were of such a kind that the prestige which comes from them to me is less than the security which they have brought to you. For in the most difficult situations I have not been unmindful of the things that might benefit you in your need, nor have I in my building been more intent upon my own invulnerability than upon that of all of you, and I think I have, by the will of God, brought the Jewish nation to such a state of prosperity as it has never known before.

Now as for the various buildings which we have erected in our country and in the cities of our land and in those of acquired territories, with which, as the most beautiful adornment, we have embellished our nation, it seems to me quite needless to speak of them to you, knowing them as you do.

But that the enterprise which I now propose to undertake is the most pious and beautiful one of our time I will now make clear. For this was the temple which our fathers built to the Most Great God after their return from Babylon, but it lacks sixty cubits in height, the amount by which the first temple, built by Solomon, exceeded it. And yet no one should condemn our fathers for neglecting their pious duty, for it was not their fault that this temple is smaller. Rather it was Cyrus and Darius, the son of Hystaspes, who prescribed these dimensions for building, and since our fathers were subject to them and their descendants and after them to the Macedonians, they had no opportunity to restore this archetype of piety to its former size.

But since, by the will of God, I am now ruler and there continues to be a long period of peace and an abundance of wealth and great revenues, and – what is of most importance – the Romans, who are, so to speak, the masters of the world, are (my) loyal friends, I will try to remedy the oversight caused

> by the necessity and subjection of that earlier time, and by this act of piety make full return to God for the gift of this kingdom."[11]

Since in Greek historiography since the time of Thucydides, speeches had been used by authors to express less what was said at the time than what in their view should have said by the historical actors they described in light of the predicament in which they found themselves,[12] the speech here attributed to Herod should be taken to reflect what Josephus considered the most plausible explanation of Herod's actions.[13]

But did Josephus tell the whole story? If Herod's primary aim was to 'assure his eternal remembrance', [14] a standard concern of benefactors elsewhere in the Hellenistic world and evidently also sought by the Jew from Rhodes who donated some of the pavement of a courtyard south of the Temple Mount in 21/20 BCE or 18/17 BCE,[15] he was not very successful. Josephus described an attempt by the king to ensure that the Jews gave him credit for his generosity, noting that the day when work on the inner sanctuary was deemed complete just happened to coincide with the anniversary of the king's accession, and that the celebratory festival, including a sacrifice of three hundred oxen, was particularly glorious 'because of the double occasion'.[16] But Josephus noted elsewhere that, although Herod loved honours and displayed generosity wherever there was reason to hope for future remembrance, 'the Jewish nation is by law opposed to such things',[17] and it is striking that the idealised and detailed description of the temple in the Mishnah, much of which describes the Temple as rebuilt by Herod, makes no mention at all of Herod, even though it includes references to King Agrippa (who will have been either Herod's grandson, Agrippa I, or his great-grandson, Agrippa II).[18]

11 Jos. *AJ* 15. 380-387 (transl. Marcus), with commentary in Van Henten 2014: 285-94.

12 On speeches in Greek historiography, see Fornara 1983: 142-58.

13 On Josephus's sources for his Herod narrative, in particular Herod's court historian, Nicolaus of Damascus, see Landau 2006.

14 Jos. *AJ* 15. 380.

15 Isaac 1983.

16 Jos. *AJ* 15. 423.

17 Jos. *AJ* 16. 150-159.

18 m. Bikk. 3:4; Sotah 7:8.

And Josephus's account leaves obscure the immediate source of funding for this hugely expensive project, for which Herod is said to have paid out of his own pocket.[19] Josephus's reference to 'an abundance of wealth and great revenues' under Roman patronage at the time when the project was devised in 23 BCE might appear to conflict with his graphic account of the drought of the previous year which led to a disastrous famine, explicitly said to have persisted through a second harvest, and a complete collapse of Herod's finances which had impelled him to chop up the silver and gold in his own palaces to raise the cash to buy grain from Egypt. [20]

In view of Herod's claim to have covered the cost himself, it seems unlikely that the finances can have come from funds belonging to the Temple itself without eliciting at least some hostile comments in the ancient evidence. In the long term, the project may well have made sense as a form of economic stimulus, since the Temple was to play a central role in the economy of Jerusalem both through the provision of employment and the encouragement of international pilgrimage, but the expectation of such future returns will not in itself have ensured the supply of the enormous sums required to contemplate the rebuilding following the dark days of 25/24 BCE.[21] I suggest that Herod's confidence that he could afford to embark on the project rested on his knowledge that the project would have the support of Augustus and that he would be able to rely on Augustus providing him with opportunities to gain the requisite funds by bolstering his income from such lucrative concessions as the right to collect taxes in Syria.[22] If this is correct, it will be worth considering whether Augustus may have thought such massive expenditure on the Temple of the Jews was in his interest, and, if so, why.

The Roman world had undergone a revolution over the previous quarter of a century. Civil war between rival Roman aristocrats between 49 and 31 BCE had embroiled every part of the Mediterranean in ruinous conflict until one aristocrat, Octavian (the future

19 Jos. *AJ* 15. 380; the same claim is to be found in a speech by Herod as reported by Josephus at *AJ* 17.162.

20 Jos. *AJ* 15. 387 (claim of prosperity); 15. 299-307 (famine); 15. 306 (cutting up of silver and gold).

21 On the project as devised to be an economic stimulus, see Gabba 1990: 166, based primarily on Jos. *AJ* 20. 219-223; on the pilgrimage economy, see Goodman 1999.

22 Jos. *BJ* 1. 139, on Herod made 'procurator of all Syria' in 20 BCE (with slightly different account in *AJ* 15. 360); Gabba 1990: 163, also suggests plausibly that Josephus's reference at *BJ* 1. 148 to Herod's generosity in lightening the tax burden on the inhabitants of some cities in Lycia, Syria and Cilicia should be taken to indicate that Herod's had a concession from the Roman state to collect taxes from these cities.

emperor Augustus), had emerged victorious at the battle of Actium in 31 BCE. Octavian had prevented further conflict primarily by establishing an autocracy bolstered by the permanent militarisation of large parts of the empire, but he had also sought to defuse opposition from fellow aristocrats by representing himself as only first among equals, with his primacy presented as a recognition of his exceptional qualities as leader and statesman rather than a reflection of the brutal ambition which had won him power. In January 27 BCE the Roman senate, at Octavian's instigation, had proclaimed the restoration of the Roman state, and Octavian was voted, in recognition of his beneficence, the name 'Augustus', which means 'revered'.[23]

The success of Augustus in establishing an image of his rule after 27 BCE as a time of peace and prosperity can be attributed largely to its long duration, which lasted to his death in 14 CE. The image was carefully cultivated. Augustus already in the twenties BCE ploughed resources into the erection of public buildings in Rome named after himself or his relatives,[24] and by the end of his life he could claim to have found Rome a city of brick and to have left it a city of marble.[25] The new title 'Augustus' was widely advertised on coins,[26] and those who wished to interpret the name as a reason to offer forms of worship to their ruler were not discouraged.[27]

Over the following centuries the imperial cult was to become a defining feature of the Roman world, but in the twenties BCE the cult was still in the early stages of evolution. Already before 27 BCE Augustus, along with Roma (the personification of Rome), was the focus of worship in Asia Minor. Provincials in the west who were slower to adopt similar practices were encouraged by Augustus's stepson Drusus to establish an altar to *Roma et Augustus* in Lugdunum in 12 BCE,[28] but that deciding how best to please the emperor was still a matter of trial and error decades later is clear from the unenthusiastic response of Augustus's successor Tiberius in 25 CE to a request by a delegation from Further Spain to dedicate a temple in his honour.[29]

23 Goodman 2012: 29-45.

24 Suet. *Aug*. 29.

25 Suet. *Aug*. 28.

26 Howgego 1995.

27 Cassius Dio 51. 20. 6-8; Gradel 2002.

28 Goodman 2012: 323.

29 Tacitus, *Ann*.4. 37-38.

This is the world in which Herod and his building projects are to be understood: Herod is best viewed not just as a Jewish king and the junior partner within a system of two-level sovereignty, but as a Roman provincial who sought, with considerable success, to negotiate a role for himself within the new, and constantly changing, Augustan order. Herod's father Antipater had been granted Roman citizenship and it is almost certain that Herod was a Roman citizen also.[30]

Herod was appointed king of Judaea in 40 BCE by the senate and people of Rome and celebrated his appointment by sacrificing to Jupiter on the Capitol in Rome.[31] Since, unlike all other rulers established by Rome in client kingdoms in this period, Herod did not come from the current ruling dynasty, his rise to power relied entirely on Roman backing. Even his conquest of Jerusalem in 37 BCE was achieved only through the efforts of the Roman general Sosius, who staged a triumph in Rome in 34 BCE to celebrate his achievement.[32] In the chaos of the civil war, Herod aligned himself with Antony and Cleopatra, and on their defeat at Actium he was required to show his loyalty to the new regime by throwing himself with even greater enthusiasm into the service of Octavian.[33] Hence, when Octavian adopted his new persona as Augustus in 27 BCE, Herod was 'the earliest and most zealous to propagate the new faith',[34] founding probably already in that year the city of Sebaste on the site of the ancient city of Samaria, and thereby marking the adoption into the Greek world of Octavian's new name: 'Sebastos' was a direct translation into Greek of the Latin 'Augustus'.[35]

And Herod was equally quick off the mark in establishing the worship of his patron. At the centre of the new city of Sebaste was a temple dedicated to Augustus. Built on an artificial platform constructed over the remains of the palace of the kings of Samaria and a Hellenistic fortress, the temple and its large forecourt were the central focus of the city.[36] On the completion of building works in Sebaste in 22 BCE, Herod threw himself with equal enthusiasm into the creation of another new city in honour of the emperor, selecting the site of the Hellenistic town of Straton's Tower for the harbour city

30 On the notion of two-level sovereignty, see Millar 1996; on Antipater's Roman citizenship, see Jos. *BJ* 1.94.

31 Jos. *AJ* 14. 381-93.

32 Schurer 1973-87, vol. 1: 252.

33 Jos. *AJ* 15. 183-97.

34 Syme 1938: 477.

35 Roller 1998: 210 (on date of foundation).

36 Jos. *AJ* 15. 298; Roller 1998: 134-5, 211.

of Caesarea and again erecting a temple to Augustus, with a statue of Rome and a statue of Augustus, in the most prominent position so that it would be visible from far out to sea.[37] Building of Caesarea is said by Josephus to have taken twelve years;[38] the work was therefore carried out concurrently with the erection of another temple dedicated to Augustus in Paneion, in the north of the country.[39]

Also contemporaneous with the building of temples to Augustus in Caesarea and Paneion was Herod's reconstruction of the Temple in Jerusalem, with a peristyle court on an artificial platform designed along the same lines as the temple of Augustus in Sebaste which had just been completed.[40] Josephus, presumably reflecting Herodian propaganda as mediated through Nicolaus of Damascus, stated that Herod firmly distinguished between his expenditure on pagan temples and his expenditure in Jerusalem, justifying the erection of pagan temples to his Jewish subjects, who objected to 'honouring of statues and sculptured forms in the manner of the Greeks', by claiming that he confined such actions to 'foreign and surrounding territory' and that he was doing these things 'not on his own accord but by command and order'.[41]

That Herod was portrayed in this passage as protesting too much will become clear when we discuss below his erection above the main gate of the Jerusalem Temple of a golden eagle, which was quite clearly a 'sculptured form in the manner of the Greeks', but first I should like to explore whether the building of the Jerusalem Temple may have been carried out by Herod 'by command and order' from Rome just as much as the temples he built elsewhere in his kingdom, and to enquire whether, just as Greeks in Asia Minor incorporated worship of Rome and Augustus into their existing religious structures,[42] so too the massively expensive construction in Jerusalem of 'the greatest religious precinct in the Roman world'[43] may have been intended to ensure that Augustus was incorporated into the worship of the Jewish God in a fashion compatible with local custom with the full support of Augustus himself.

Augustus's support for the Jerusalem project was clear not least from his substantial financial aid to the Jerusalem Temple , which was specifically asserted by the philosopher

37 Jos. *AJ* 15. 339; Roller 1998: 190.

38 Jos. *AJ* 15. 341.

39 Jos. *BJ* 1.404-6; *AJ* 15. 363-64; Roller 1998: 190-92.

40 Roller 1998: 211.

41 Jos. *AJ* 15. 392-30.

42 Price 1984.

43 Roller 1998: 249.

Philo in the forties CE, some sixty years after the rebuilding had been undertaken. In his praise of the behaviour of Augustus, which he contrasted to that of his great-grandson Gaius Caligula, Philo noted that 'so religiously did he [Augustus] respect our interests that, supported by well nigh his whole household, he adorned our temple through the costliness of his dedications, and ordered that for all time continuous sacrifices of whole burnt offerings should be carried out every day at his own expense as a tribute to the most high God'.[44] Later in the same treatise, Philo specified that these daily offerings were of two lambs and a bull.[45]

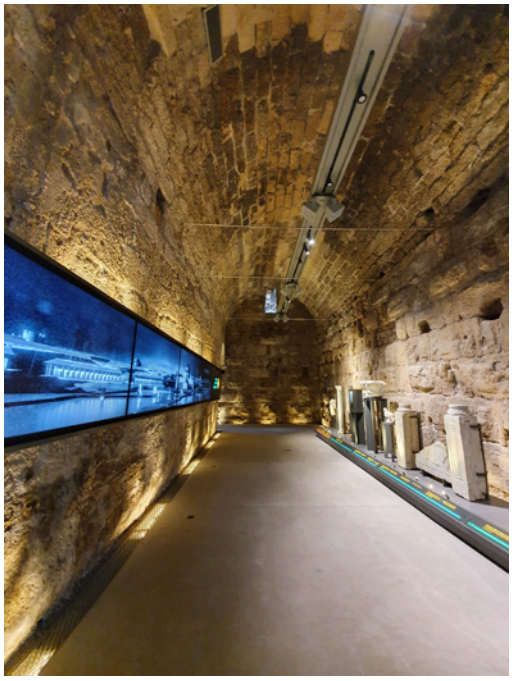

Fig.2. One of the vaults that carried the Herodian temple in Caesarea. Photo: dr. Eyal Meiron.

Philo was clear that these sacrifices were not just offered to the Jewish God on behalf of Augustus but were instituted and paid for by him.[46] Philo's whole argument in the *Legatio* was that these sacrifices were the Jewish equivalent of the cult of Augustus and Rome practised elsewhere in the Roman world. Josephus's account of the sacrifice in Jerusalem of a hecatomb, a burnt-offering of one hundred oxen, by Augustus's closest friend, M. Vipsanius Agrippa, when he came to visit Herod in 15 BCE as the building works were still in progress, constitutes confirmation of this enthusiastic support from the emperor.[47] Philo added further details about Agrippa's admiration for the rebuilt Jerusalem Temple:

44 Philo, *Leg*. 157 (transl. Colson).

45 Philo, *Leg.* 317.

46 Schürer 1973-87, vol 2: 302; Philo's testimony that Augustus paid for these sacrifices is to be preferred to the apologetic claim made half a century after Philo by Josephus (*C. Ap.*2. 77) that the expense was covered by the Jewish community.

47 Jos. *AJ* 16. 14.

> But when he [Agrippa] surveyed the temple and the rich array of the priests and the worship paid by the native population he was filled with wonder thinking that he had seen something to be profoundly reverenced, something greater than words could describe. His discourse to those of his friends who were there with him consisted of nothing else but praise of the sanctuary and all that pertained to it. Thus throughout the days which he spent in the city out of courtesy to Herod he resorted to the precinct, delighting himself with the spectacle both of the ornate structure and of the sacrifices and the ritual observed in the services and the majestic aspect of the high priest when arrayed in the sacred vestments and conducting the holy rites. After decking the temple with all the dedicatory gifts which the law made permissible and benefitting the inhabitants by granting every favour which he could without causing mischief and paying many compliments to Herod and receiving a host of the same from him, he was escorted to the harbours not by one city only but by the whole population of the country amid showers of posies which expressed their admiration of his piety.[48]

Both Philo and Josephus wrote after this Augustan incorporation of the emperor into the liturgy of the Jerusalem Temple had come under threat from the plan by Gaius Caligula to require the Jews to set up his statue in their Temple in 40 CE,[49] and the uproar caused by that incident may have coloured their adamant assertions that all images were forbidden by Jewish custom.[50] This may explain why Josephus made no reference in his encomiastic description of Herod's rebuilding in the fifteenth book of the *Antiquities* to a crucial detail which demonstrated that at least one Jew disagreed about the permissibility within Jewish tradition of displaying images, and that this Jew was Herod.

Josephus wrote in detail about an episode near the end of Herod's life when some religious enthusiasts chopped down with hatchets a great golden eagle which the king had erected over the great gate of the Temple. The opposition to the eagle was prompted by precisely the claim, specifically denied by Herod according to Josephus, that placing in

48 Philo, *Leg.* 295-7.

49 Tacitus, *Hist.* 5. 9. 2 also noted the significance of the statue incident in 40 CE as the event which ended the quiet of the province of Judaea under Tiberius.

50 Philo, *Leg.* 290, 292; Jos. *AJ* 15. 329-30.

the Temple images or busts or any representation whatsoever of any living creature was an affront to the ancestral laws.[51]

Josephus's account of the punishment of those who pulled down the eagle makes it clear that the image had been set up originally by Herod himself as a votive offering and at great cost,[52] but he provides no explanation for this contentious choice of iconography. Numerous suggestions have been made by scholars, from the eagle being intended as a symbol of Rome (not at all obvious, despite the use of eagles on military standards) or of Jupiter (more plausible, but obviously inflammatory in this context), or the eagle as a reflection of the birds depicted on Tyrian shekels or on reliefs on Nabataean and Palmyrene temples; interpretation is complicated by the use of an eagle on some of Herod's coins, which may or may not suggest that the image had particular resonance for him. [53] Eagles are to be found in later Jewish art, and doubtless Jews could have found suitable interpretations of the eagle image within their sacred texts (and modern scholars have suggested what these might have been), but it is worth noting that Josephus did not ascribe any such claim to Herod when he portrayed the king as protesting that what was ostensibly an insult to him was in fact sacrilege.[54]

One of the advantages of religious imagery is its inherent ambiguity, and in any case images can always be treated just as decoration, as was probably the case with the famed golden vine in the Temple,[55] but in view of Herod's willingness to face down mass hostility about the eagle in 4 BCE, it seems likely that it held a specific significance for him, and it is worth considering the possibility that the eagle reflected the evolving ideas of Augustus about the symbols which should accompany the new cult of Rome and Augustus, and that this is why Josephus made no mention of the eagle in his detailed description of the Temple in book fifteen of the *Antiquities* and why he left its significance unexplained when he told the story of the eagle's destruction.

We have seen that worship of Roman emperors was still in the early stages of evolution at the time when the Jerusalem Temple was being rebuilt by Herod. Among the aspects of

51 Jos. *BJ* 1. 648-55; *AJ* 17. 149-167.

52 Jos. *AJ* 17. 151.

53 General discussion in Schalit 2001: 734; survey of possible interpretations, particularly in relation to Herod's coins, in Ariel and Fontanille 2012: 115-19.

54 Jos. *AJ* 17. 163; Richardson 1996: 18, notes that Josephus at *AJ* 8. 82 understood the cherubim of 1 Kings 7:29 as eagles.

55 Fine 2005: 73-74; on the vine, see Jos. *AJ* 15. 395, with modern suggestions of possible symbolic meaning listed in Van Henten 2014: 299-300.

the new cult still unclear was the iconography which would be used when, in due course, Augustus died. When Julius Caesar had died in 44 BCE his divinity had been portrayed as having been signified by the appearance of a comet in the sky, a fortuitous event which was celebrated with an image of the comet by his adoptive son Octavian on the coins which proclaimed him *divi filius*, 'son of a god'.[56] Arranging a comet to coincide with Augustus's own death was obviously not going to be possible but, according to Cassius Dio, at the funeral of Octavian (now Augustus) on his eventual demise in 14 CE an eagle was released from his funeral pyre as evidence that his soul was being carried to heaven.[57]

Some have claimed that Cassius Dio's account, written in the early third century CE, was anachronistic, on the grounds that the eagle was not mentioned in earlier references to Augustus's funeral, but this view has been robustly challenged in recent years, and if Dio's story is to be believed, arrangements for the release of the eagle must have been made some years before 14 CE. We cannot be certain that Dio was right to assert that the flight of the eagle was meant specifically to signify apotheosis, since his interpretation of the event was composed two centuries after it had occurred, but his story must imply that the eagle had been adopted as an imperial symbol of some kind during Augustus's lifetime.

Quite when the plan will have been hatched cannot be known, but since Augustus had already built his monumental mausoleum in Rome by 28 BCE and his severe illness in 23 BCE required him to make preparations for the government of the empire if he was to die,[58] it is entirely possible that the plan for the flight of an eagle at his funeral was in place at the time Herod was commissioning the rebuilding of the Temple in Jerusalem. If that was the case, it is possible that the golden eagle placed by Herod above the great gate of the Jerusalem Temple may have constituted one of the earliest uses of eagle imagery in the evolving iconography of the imperial regime.[59]

56 On the coins, see Howgego 1995.

57 On the eagle in 14 CE, see Cassius Dio 56. 42. 3. On the continuing debate about the reliability of this account, see Swan 2004: 343; McIntyre 2019: 32-33.

58 On the date of construction of the mausoleum, see Suet. *Aug.*100; on the illness, see Cassius Dio 53. 30. 1.

59 Greet 2015: 136-8, sees the Dio account as anachronistic and dates the representation of eagles in imperial apotheosis imagery to the Flavian period, but Cook 2018: 434-6, accepts the Dio account on the basis of the depiction of an eagle on the Belvedere altar and the role of an eagle in a story in Suet. *Aug.* 97.1 about signs taken to prefigure Augustus's death and deification. On the eagle on the Belvedere altar, see Buxton 2014: 100-104, with the suggestion that it relates to the funeral of Drusus in 9 BCE.

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