

When the Governor is a Subject: The Rhetoric of Misrule in Philo's *In Flaccum* and *De legatione ad Gaium*

The Jewish author Philo's account of violence against the Jews of Alexandria uses language that is couched in the procedure of Roman civil government. His emphasis on the inversion of the expected behavior of magistrates shapes his depiction of the figures of Flaccus and the emperor Gaius as enemies of his people. This allows him to fit violence against the Jews into the framework of Roman rule that he and his provincial contemporaries experienced.

Previous scholarship has firmly established that Philo's account of the violence in AD 38 (*In Flacc.*; *Leg.* 119-139) drew on events that played out in the following years up to AD 41 and Gaius' assassination (e.g., Sherwin-White 1972). An increased emphasis on the emperor's divinity brought Gaius into conflict with his Jewish subjects beginning with his response to a Jewish delegation from Alexandria, then violence in Jamnia in AD 39, and finally with a decision to have a statue of Gaius housed in the Temple at Jerusalem (Balsdon 1934; Smallwood 1976; Barrett 1989; *Leg.* 199-224). The means by which Philo connects the violence to the norms of Roman governmental procedure has not yet been sufficiently examined, and scholars have instead focused on Philo's outrage over verbal abuse he received at the hands of Gaius (Barret 1989; Gruen 2002 [cf. McKechnie 2005]; Wilkinson 2005).

Philo's depiction of his people's mistreatment hinges on an inversion of expected norms. The hostile attitude of Gaius towards his Jewish subjects, if we are to believe Philo, influenced the prefect of Egypt in AD 38, Avillius Flaccus, to side with the non-Jewish residents of the city in hopes of avoiding the emperor's displeasure for being a close associate of Tiberius (*In Flacc.* 16-20; on the implausibility, Sherwin-White 1972). The culmination of this behavior was that Flaccus turned a blind eye during riots against Alexandria's Jewish residents (*In Flacc.* 58-72;

Leg. 132-134). Likewise, Philo and his delegation received a hostile reception by Gaius in the winter of 38/39 during an appeal heard at one of the imperial residences (*Leg.* 349-353).

In the case of Flaccus, Philo accuses the governor of being governed by his subjects (καὶ γίνεται ὁ μὲν ἄρχων ὑπήκοος, οἱ δ' ὑπήκοοι ἡγεμόνες, *In Flacc.* 19) and in the case of Gaius a matter of the “greatest importance” (*Leg.* 350), was reduced to a bizarre hearing and series of trifling jokes regarding Jewish dietary customs (*Leg.* 352, 361-363). Philo contrasts this with an idealized description of a *cognitio* that likely paralleled his experience with Claudius only a few years later in 41 concerning the same violence (*Leg.* 350; on Claudius, see Crook 1955 and *PLondon* 1912).

This construction couches Philo’s critique of the Roman response to the violence in Alexandria within the expected norms of governance. The elite hostility towards violations of procedure, such as Claudius’ arrogation of senatorial trials to his *consilium* within a private dwelling (*Tac. Ann.* 11.2-3), paralleled Philo’s anger at not receiving a proper hearing under Gaius. Philo also portrays a relatively standard competition between civic constituencies for the governor’s ear (on this type of competition, see Kokkinia 2004). Despite Gambetti (2009)’s argument that Flaccus was carrying out Gaius’ *mandata*, his sudden removal in 38 followed a common pattern for a governor who failed to restrain civic conflict (e.g. the case of Pontius Pilate, Joseph. *AJ* 18.85-89). The rhetoric of misrule must have resonated with an audience accustomed to provincial politics under Roman rule. We ought therefore to read Philo’s account particularly in the context of a Roman subject articulating a miscarriage of justice within the provincial system.

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