

If the title presbytera/presbyteressa implied a function, what could that function have been? As with the other titles, an analysis of the functions of male elders can shed light on the duties and rights of female elders.

B. The Meaning of "Elder"

1. Literary References to the Title

Of the various titles occurring in ancient inscriptions, "elder" is one of the most difficult to define precisely, for in the course of its long history the title took on rather different meanings.²³ "Elder" could denote a political function, as in the "elders of Israel" (Num 11:16-30; 2 Sam 3:17; 5:3; 17:4, etc.). It sometimes included judicial functions, as in the "elders of the city" (Deut 19:12; 21:2-9,19-20; 22:15-21; 25:7-9). Philo (In Flacc. 74,76,80; Leg. ad Gaium 229) and Josephus (J.W. 7.10.1 §412) speak of the gerousia of Alexandria, a body which would have had representative political (and religious?) functions; it is not certain, however, that the members of this gerousia were called presbyteroi.²⁴ The New Testament regularly refers to members of a group in the Sanhedrin as "elders" (Matt 16:21; Mark 8:31; 11:27; Luke 9:22, etc.). According to a saying in the Talmud, "elder means nothing other than scholar" (b. Qidd. 32b). The Theodosian Code (16.8.2,13,14) speaks of "elders" as if they were synagogue officials. A further complication arises from the possibility that presbyteroi is equal in meaning to such terms as seniores²⁵ or maiores.²⁶ It is this spectrum of meanings and possible synonyms which makes it very difficult to utilize ancient literature to help define the title presbytera/presbyteros as it occurs in our inscriptions. For the following, those parallels are preferred which are closest chronologically, geographically and linguistically to the presbytera/presbyteressa inscriptions. The following passages do not all necessarily refer only to male elders; women could be included in some of them.

The oldest presbyteros inscription is CII 1404 (the Theodotos inscription²⁷), a pre-70 Palestinian inscription written in Greek. We have seen that the geographical range of the title was considerable, and that the chronological extension was well into the Byzantine era. Thus, New Testament references would be quite appropriate as parallels. Luke 7:3-5 is of special interest, for it could well be a close parallel to the Theodotos inscription:

Ἀκούσας δὲ περὶ τοῦ Ἰησοῦ ἀπέστειλεν πρὸς αὐτὸν πρεσβυτέρους τῶν Ἰουδαίων ἐρωτῶν αὐτὸν ὅπως ἐλθῶν διασώσῃ τὸν δοῦλον αὐτοῦ. οἱ δὲ παραγενόμενοι πρὸς τὸν Ἰησοῦν παρεκάλουν αὐτὸν σπουδαίως λέγοντες ὅτι ἄξιός ἐστιν ᾧ παρέξῃ τοῦτο· ἀγαπᾷ γὰρ τὸ ἔθνος ἡμῶν καὶ τὴν συναγωγὴν αὐτὸς ᾠκοδόμησεν ἡμῖν.

When he (the centurion) heard of Jesus, he sent to him elders of the Jews, asking him to come and heal his slave. And when they came to Jesus, they besought him earnestly, saying, "He is worthy to have you do this for him, for he loves our nation, and he built us our synagogue."

As in the Theodotos inscription, "elders" occurs in the plural. The elders' reference to the centurion's having built the synagogue, as well as the fact that the centurion chose them to go to speak to Jesus, makes it likely that the centurion considered the elders to be the official representatives of the Jewish community and that his negotiations for the building of the synagogue had been with them. A significant difference, of course, is that these elders, being in the provincial town of Capharnaum (Luke 7:1), could well have served as the Jewish elders of the city, while the elders who founded the synagogue of Theodotos could hardly have been the elders of the city of Jerusalem.

The New Testament references to Christian elders are striking in that they occur especially, although not exclusively, in a Jewish-Christian context (Acts 11:30; 15:2,4,6,22-23; 16:4; 21:18; Jas 5:14; etc.). These elders usually appear in the plural as a decision-making body of the church. Apparently Jewish-Christians continued to organize themselves on a presbyteral constitution for some time, for Epiphanius (died 403) says that the Ebionites had teachers whom they called presbyteroi and archisynagogoi and who made such decisions as whom the young men would marry (Panarion 30.18.2).²⁸ The many other New Testament references to elders, especially to elders as members of the Sanhedrin, are not likely to be useful parallels to our inscriptions.

Another major source of information on Jewish elders is the Theodosian and Justinian Codes, for the term presbyterus occurs several times in texts found therein.²⁹ A law from the Theodosian Code (16.8.2), from November 29, 330, reads:

Idem A. ad Ablavium p(raefectum) p(raetori)o. Qui devotione tota synagogis Iudaeorum patriarchis vel presbyteris se dederunt et in memorata secta degentes legi ipsi praesident, immunes ab omnibus tam personalibus quam civilibus muneribus perseverent, ita ut illi, qui iam

forsitan decuriones sunt, nequaquam ad prosecutiones aliquas destinentur, cum oporteat istiusmodi homines a locis in quibus sunt nulla compelli ratione discedere. Hi autem, qui minime curiales sunt, perpetua decurionatus immunitate potiantur. Dat. iiii kal. decemb. Constant(ino)p(oli) Gallicano et Symmacho cons.³⁰

The same Augustus to Ablavius, Praetorian Prefect. If any persons with complete devotion should dedicate themselves to the synagogues of the Jews as patriarchs and elders and should live in the aforementioned sect and preside over the administration of their law, they shall continue to be exempt from all compulsory public services that are incumbent on persons, as well as those that are due to the municipalities. Likewise, such persons who are now perchance decurions shall not be assigned to any duties as official escorts, since such people shall not be compelled for any reason to depart from those places in which they are. Moreover, such persons who are not decurions shall enjoy perpetual exemption from the decurionate.

Given on the third day before the kalends of December at Constantinople in the year of the consulship of Gallicanus and Symmachus (November 29, 330).³¹

Like Cod. Theod. 16.8.4 (December 1, 331)³² this law exempts certain Jewish officials from compulsory public services and from the burdensome decurionate.³³ Whereas Cod. Theod. 16.8.4 frees "priests, heads of the synagogues, fathers of the synagogues and all others who serve the synagogues" from compulsory public service, our law speaks of "patriarchs and elders." The two laws together form, with the exception of "patriarchs," a list of several of the more common titles of synagogue leadership. This law states that the patriarchs and the elders "preside over the administration of their law," thus informing us of at least one function of the elders. The "administration of their law" could be a continuation of certain decision-making functions assigned to elders in the bible (on blood redemption: Deut 19:11-13; expiation for an unknown murderer's crime: Deut 21:2-9; the stubborn and rebellious son: Deut 21:18-21; defamation of a virgin: Deut 22:13-21; levirate: Deut 25:5-10).

Cod. Theod. 16.8.13 (July 1, 397) reads:

Idem AA. Caesario p(raefecto) p(raetori)o. Iudaei sint obstricti caerimoniis suis: nos interea in conservandis eorum privilegiis veteres imitemur, quorum sanctionibus definitum est, ut privilegia his, qui inlustrium patriarcharum ditioni subiecti sunt, archisynagogis patriarchisque ac presbyteris ceterisque, qui in eius religionis sacramento versantur, nutu nostri numinis perseverent ea, quae venerandae Christianae legis primis clericis sanctimonia deferuntur. Id enim et divi principes Constantinus et Constantinus et Valens divino

arbitrio decreverunt. Sint igitur etiam a curialibus muneribus alieni pareantque legibus suis. Dat. kal. iul. Caesario et Attico cons.³⁴

The same Augustuses to Caesarius, Praetorian Prefect. Jews shall be bound by their own ritual. Meanwhile, in preserving their privileges, We shall imitate the ancients by whose sanctions it has been determined that privileges shall be preserved for those who are subject to the rule of the Illustrious Patriarchs, for the heads of the synagogues, the patriarchs, and the elders, and all the rest who are occupied in the ceremonial of that religion, namely those privileges according to the consent of Our Imperial Divinity, which by virtue of their holy office are conferred on the chief clergy of the venerable Christian religion. The foregoing, indeed, was decreed by the divine imperial authority of the sainted Emperors Constantine and Constantius, Valentinian and Valens. Such Jews shall therefore be exempt from the compulsory public services of decurions and shall obey their own laws.

Given on the kalends of July in the year of the consulship of Caesarius and Atticus.³⁵

Of importance for our question is the parallelization of Christian clerics with "those who are subject to the Illustrious Patriarchs, . . . the heads of the synagogues, the patriarchs, and the elders." As in Cod. Theod. 16.8.2, the concern here is clearly with official synagogue functionaries, and not with bearers of honorific titles. The context further makes clear that the functions are specifically religious ones, both through the comparison with Christian clerics, and by the phrase "all the rest who are occupied in the ceremonial of that religion."

Cod. Theod. 16.8.14, given on April 11, 399, discussed above in the context of heads of the synagogue,³⁶ says that it is customary "that heads of the synagogue or the elders of the Jews or those whom they themselves call apostles, who are dispatched by the patriarch at a certain time to collect gold and silver, should bring back to the patriarch the sum which has been exacted and collected from each of the synagogues" (ut archisynagogi sive presbyteri Iudaeorum vel quos ipsi apostolos vocant, qui ad exigendum aurum adque argentum a patriarcha certo tempore diriguntur, a singulis synagogis exactam summam adque susceptam ad eundem reportent), and continues by saying that this custom is now abolished. This text gives us one of the official functions of elders in this period; given this function, it is not unreasonable to posit that elders normally had some responsibility for the finances in the synagogue. This text makes clear that money was collected through the synagogues, and not, independently of them, from the Jewish community at large. This particular constellation, heads of the synagogues and elders,³⁷ reminds one of Epiphanius's reference to the Jewish-Christian

elders (presbyteroi) and heads of the synagogue (archisynagōgoi), a roughly contemporary attestation of the same synagogal organization.

These three fourth-century laws are especially valuable due to the specificity of the information they give. All three place the elders in the context of religious activities: 16.8.2: "preside over the administration of their law;" 16.8.13: ". . . and the elders, and for all the rest who are occupied in the ceremonial of that religion;" 16.8.14: ". . . the elders of the Jews . . . should bring back to the patriarch the sum which has been exacted and collected from each of the synagogues." This does not exclude the possibility that elders also had civic, representative functions, but in the eyes of the Roman lawgiver, it seems that the religious ones were considered primary.

Two further laws should be briefly considered in this context. Cod. Just. 1.9.15, dates from the year 418 and reads:

Si qua inter Christianos et Iudaeos sit contentio, non a senioribus Iudaeorum, sed ab ordinariis iudicibus dirimatur.³⁸

When any dispute arises between Christians and Jews, it shall not be decided by the elders of the Jews, but by the ordinary judges.³⁹

The Latin seniores here is most likely the equivalent of the Greek presbyteroi of our inscriptions and of the three laws just cited. This text is a further attestation to the judicial functions of Jewish elders.

Corpus Iuris Civilis, Novellae 146.1, from the year 553, forbids pericope masters, elders and teachers (archipherekilai . . . presbyteroi . . . didaskaloi) to hinder the reading of the Greek bible in the synagogue by means of excommunications (anathematismoi).⁴⁰ This is a further attestation of the synagogal, religious functions of the elders.

In rabbinic literature there are a number of references to elders (zəqənīm), although it is not certain that the rabbinical authorities meant the same thing with zəqənīm as our inscriptions meant with presbyteroi. B. Qidd. 32b, in a baraita (i.e., Tannaitic, that is, pre-220), defines elder: "an elder is nothing other than a scholar" (איין זקן אלא חכם).⁴¹ According to a saying attributed to R. Jose the Galilean (b. Qidd. 32b), who flourished around 110, "an elder is one who has acquired wisdom" (איין זקן אלא מי שקנה חכמה), which is a play on the letters of זקן: (זה) קנה חכמה. This definition complements what we have

learned from the Greek and Latin texts discussed thus far. The references to judicial activity (*Cod. Theod.* 16.8.2; *Cod. Just.* 1.9.15), although these texts are much later, fit in well with the definition of elder as scholar.

The Manual of Discipline from Qumran makes reference to a special seating place for elders (IQS 6:8-9): "The priests should sit first, and the elders second and then all of the rest of the people; each should sit in his proper place" (הכההנים ישבו) (לרשונה והזקנים בשנית ושאר כול העם ישבו איש בתכוננו).⁴² The Tosefta also speaks of elders having a special seating place (*t. Meg.* 4.21 [Zuck. 227]): "How did the elders sit? With their faces towards the people and their backs towards the sanctuary." (כיצד היו זנקים יושביין? פניהם כלפי העם ואחוריהם כלפי קודש).⁴³ The difficulty with this text is that it probably does not refer to a synagogue service. It does, in any case, refer to elders seated together in a group at a worship gathering. Two possible non-literary corroborations of a separate seating place for elders are the semi-circular steps in the apse of the Sardis synagogue, for they could have served as seats for the elders,⁴⁴ and an inscription (CII 663; Lifshitz, *Donateurs* no. 101; probably 4th C.⁴⁵) from a synagogue in Elche, Spain, for the inscription could indicate that the archons and elders were to sit in that portion of the synagogue in which the inscription was found.⁴⁶ The geographical and chronological spread represented by these two literary and two possible archaeological attestations of a special seating place for Jewish elders during the worship service or other public gathering make it likely that the practice was more widespread than these few pieces of evidence would make us think. This is not to imply, however, that "elder" meant the same in each place. The Qumran elders probably had rather different functions from the elders mentioned in the Tosefta passage and from those in the Elche inscription. In spite of these possible differences, two elements are constant and confirm what other sources have told us: the context is a religious one and elders are mentioned in the plural, as if they formed a council.

It is not possible to discuss the many further rabbinic passages referring to *zēqēnīm*, but it is also questionable, on the basis of geography and chronology, whether they are appropriate parallels to our inscriptions. For example, according to certain rabbinic passages, the ordination of elders was limited to the Holy Land,⁴⁷ which would mean that all Diaspora inscriptions with the title "elder" refer to unordained elders. It is

methodologically questionable, however, to take rabbinic statements concerning the Diaspora as objective, unbiased reports of actual Diaspora practice. Perhaps ordinations in fact occurred in Rome or in Asia Minor, but were not recognized--or not known--by the rabbis, which would not necessarily mean that these ordinations were not recognized in the communities in which they occurred. Since evidence for the ordination of elders in the Diaspora is lacking, however, we should probably assume that the question is irrelevant for our inscriptions (excepting CII 931: Jaffa; 1277: Jerusalem; 1404: Jerusalem).

2. Inscriptional References to the Title

The title presbyteros occurs in over twenty ancient Jewish inscriptions. They come from as far west as Elche, Spain (CII 663) and as far east as Dura Europos, Syria (CII 829). The chronological range is also considerable. The Theodotos inscription (CII 1404) found in Jerusalem is from the Second Temple period, and presbyteros inscriptions from later centuries attest that the title remained in use for some time.

Most of the inscriptions mentioning presbyteroi tell us little or nothing about the office.⁴⁸ Several inscriptions mention elders as donors.⁴⁹ Since we have seen donors bearing each of the titles discussed thus far, as well as no title at all, it would be incautious to assume that elders were responsible in a special way for the upkeep of the synagogue. CII 803⁵⁰ is the most informative of the donative inscriptions. The plural "elders" indicates a council of elders, the number of which is larger than three; only Eisakios and Saulos are mentioned here by name. Possibly the gerusiarch Theodoros is a sort of president of the council of elders. The relationship between the heads of the synagogue and the gerusiarch and the elders is not clear, but the inscription gives the impression that these are the three main titles of leadership in the synagogue in question.

That more than one elder functioned at a time is also clear from CII 731f,⁵¹ an inscription which is difficult to reconstruct, but which clearly has hoi presbyteroi in the first legible line. CII 663⁵² also speaks of elders in the plural.

CII 800⁵³ records the son of an elder, who is himself a scribe and president of the ancients (hoi palaioi). Should one assume two councils, one of elders and one of ancients? This seems unlikely. Given the lack of evidence, one cannot come to a