Both Polybius and Josephus quote official Roman documents in their historical narratives: the treaties between Carthage and Rome (Polybius) and Roman official decrees dealing with Jewish rights (Josephus). The question on which I intend to focus is whether or not they personally checked the original texts of these documents.

Regarding Polybius, the view that he personally consulted the bronze tablets deposited on the Capitol was offered by Nenci in the 1950s, and has been accepted by Pedech, by Musti and by Scullard. Similarly, the notion that Josephus could have personally consulted the Roman Capitol is still considered as possible by Smallwood, Saulnier and Tessa Rajak.

These views appear to rest upon two similar statements that appear in the work of Polybius and Josephus. Wishing to emphasize the credibility of the texts they quote, they both recall the fact that Roman official documents were publicly exposed on bronze tablets in the Roman Capitol, so that everybody could check their veracity. Polybius writes: “The treaties being such, and preserved as they are on bronze tablets beside the temple of Jupiter Capitolinus in the treasury of the Aediles, who can fail to be surprised at Philinus the historian...?” (III, 26, 1). And in Josephus we read: “Since many persons, however, out of enmity to us refuse to believe what has been written about us by Persians and Macedonians because these writings are not found everywhere...” (III, 26, 1).

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not deposited even in public places but are found only among us and some other barbarian peoples, while against the decrees of the Romans nothing can be said—for they are kept in the public places of the cities and are still to be found engraved on bronze tablets in the Capitol... from these same documents I will furnish proof of my statements” (Ant. XIV, 187-188).

A similar testimony appears in Ant. XIV, 266: “For since we have furnished clear and visible proofs of our friendship with the Romans, indicating those decrees engraved on bronze pillars and tablets which remain to this day and will continue to remain in the Capitol...”.

At first sight, these statements can be regarded as indications that the two historians personally saw the texts which they quote. There are, however, some difficulties which have to be considered. In the case of Polybius, he mentions the difficulty of the language of the treaties which he quotes: “I give below as accurate a rendering as I can of this treaty, but the ancient Roman language differs so much from the modern that it can only be partially made out, and that after considerable application by the most knowledgeable Romans” (III, 22, 3). This statement indubitably shows his awareness of the features of the original treaties. On the other hand, the part played by “the most knowledgeable Romans” is not defined, and a number of interpretations remain possible. His Roman friends could have helped Polybius orally, as Toynbee believed, but it is not altogether impossible that their help was in writing. In the latter case, their work could have been an accurate translation in contemporary Latin, word by word; but it could also be a free version in general terms. This translation/free version could be the text quoted by Polybius. It is certainly a fact that he himself informs us that he does not quote verbatim: “I give below as accurate a rendering as I can of this treaty... The treaty is more or less as follows” (εἰς ἀυτὰ ἑνὸς τοιοῦτος τινές) (III, 22, 4 and III, 24, 2). He summarizes some parts of the treaties which he quotes (see, for example, 25, 2), omits other sections, for example the preliminaries, and some places (23, 3; 23, 4 and 24, 16) have been detected by Walbank, in which Polybius’ commentary implies something not included in his text.4

3 Toynbee believes that Polybius saw the originals, and that his Roman friends helped him orally. Their part would nevertheless have been decisive, inasmuch as they would have consciously misled him, not showing him the whole series of treaties (A. J. Toynbee, Hannibal's Legacy, I, Oxford 1965, pp. 552-555).