JOHN GRANGER COOK

Crucifixion in the Mediterranean World

Wissenschaftliche Untersuchungen zum Neuen Testament
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Mohr Siebeck

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2nd, extended edition

Mohr Siebeck

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et

ELISABETH
FILIAE DILECTISSIMAE

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After I wrote an article on the *lex Puteolana*, the Palatine graffito, and several other ancient pieces of evidence about Roman crucifixion, the late Professor Martin Hengel asked me to revise his small book on the topic. I soon reached the conclusion that it would be advisable to write my own monograph. Along the way many have offered their help and advice, and some have read parts of the manuscript. These include: Professors Paul Achtemeier (†), Jean-Jacques Aubert, Timothy D. Barnes, Roger Bagnall, Jerker and Karin Blomqvist, John Bodel, Daniel Botsman, Giuseppe Camodeca, David W. Chapman, Kathleen M. Coleman, Simon Corcoran, Werner Eck, James Hevia, Annewies van den Hoek, Carl R. Holladay, Erkki Koskenniemi, Thomas J. Kraus, Felicity Harley McGowan, Josh van Lieu, Antonio Lombatti, Gordon Newby, Vernon Robbins, Arthur Robinson, Filippo Canali De Rossi, Donald Schley, A. J. Boudewijn Sirks, Timothy Moore, and William R. Turpin. I owe a particular debt of gratitude to Professor Coleman for helping me sort out the semantics of *patibulum* and its relationship to σταυρός and for her unstinting willingness to help with a number of other issues. The same debt is due to Professor Sirks for critiquing my views on crucifixion and Roman law. I am, of course, responsible for my conclusions and any errors. Professor Aubert encouraged me to gather as much archaeological material as I could and to consider punishments related to crucifixion. The *lex Puteolana* and the Alkimilla graffito were fruits of that search (both were well known to a very narrow group of classical scholars). Professor Robinson, librarian and Latinist at my own institution, procured numerous obscure resources for me and answered many questions about Latin. Mr. Joseph E. Zias graciously provided me with information on various archaeological matters in ancient Palestine. Drs. Richard Goulet and Marie-Odile Goulet-Cazé (Paris) and Dr. Anne-Madeleine Goulet (Rome) answered a number of questions and sent material I found impossible to find in the USA. Several colleagues from diverse fields provided extremely helpful information about the physical effects of Roman impalement and some of the arguments I have used in the monograph. They include: Professors Terry Austin (physics), Melinda Pomeroy-Black (biology), Nickie Cauthen (biology), William Paschal (anatomy), and Senior Lecturer Ian Morton (philosophy). I was able to make an unforgettable visit to the *taberna* in Pozzuoli (the Alkimilla graffito), which I am convinced is one of the most

valuable pieces of visual evidence about Roman crucifixion that has survived from antiquity. On the same visit to Italy I was able to closely inspect the fresco from the Arieti tomb in the Centrale Montemartini (Capitoline Museums, Rome), which is valuable in its own right for its depiction of a man attached to a *patibulum*. With regard to the Alkimilla graffito, I am profoundly indebted to Professor Camodeca for his photographs and the time he spent informing me about the find in correspondence. My students constantly pose inspiring questions including one a theologically inclined New Testament scholar always needs to ask herself or himself: What is the value of this research for understanding the New Testament, and what is its value for the church? I am grateful to Provost David Garrison and President Dan McAlexander of my own institution, LaGrange College, for helping make this monograph possible. Most of all I am thankful for my wife Barbara Horton who supported my research into a very dark corner of human history.

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Preface to the Second Edition

The preface, in which I engage some of my reviewers, an additional image requested by a reviewer (10 bis), and an *addendum* after the original conclusion of the first edition (2014) comprise the changes for the second edition of *Crucifixion in the Mediterranean World*. The *addendum* includes some textual material and some comments on archaeological data with possible relevance to ancient crucifixion. I have corrected some typographical errors noted by reviewers.

My book appeared after David Chapman's first-rate analysis of perceptions of crucifixion in ancient Judaism and after Gunnar Samuelsson's impressive frontal assault on the understanding of Roman crucifixion contained in the lexica, commentaries, and scholarly works of various sorts on crucifixion and on the passion of Jesus.[1] Together with the monograph also published in 2014 by David Chapman and Eckhard Schnabel on texts relevant to the trial and crucifixion of Jesus, all four volumes provide the interested reader with more material on crucifixion than she or he could ever want.[2]

A number of individuals have been kind enough to review the first edition of my book.[3] By far the most critical of these reviews is that of my colleague

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[1] D. W. Chapman, Ancient Jewish and Christian Perceptions of Crucifixion, WUNT 2/244, Tübingen 2008, G. Samuelsson, Crucifixion in Antiquity. An Inquiry into the Background of the New Testament Terminology of Crucifixion, WUNT 2/310, Tübingen [2]2013.

[2] David W. Chapman, and Eckhard J. Schnabel. The Trial and Crucifixion of Jesus. Texts and Commentary, WUNT 344, Tübingen 2015. Cf. J. G. Cook, rev. of Chapman and Schnabel, JTS 68 (2017) 290–293.

[3] J. West, Zwinglius Redivivus 2014/10/03, ‹http://zwingliusredivivus.wordpress.com/2014/10/03/crucifixion-in-the-mediterranean-world/›, K. Brown, Diglotting 2014/08/27 ‹https://diglot.wordpress.com/2014/08/27/book-review-crucifixion-in-the-mediterranean-world›, D. Senior, TBT 52 (2014) 375–6, B. Paschke, Soteria 31 (2014) 45–6, NTA 58/3 (2014) 620–1, V. Fàbrega, Actualidad Bibliográfica (2014) 162–164, S. Schreiber, BZ 59 (2015) 147–9, C. L. Quarles, RBL 04 (2015) ‹https://www.bookreviews.org/bookdetail.asp?TitleId= 9807›, A. O'Leary, JSNT 37/5 (2015) 7–8, A. Standhartinger, TRev 111 (2015) 119–21, G. Ghiberti, Archivo Teologico Torinese 21 (2015) 157–60, Z. J. Kapera, The Polish Journal of Biblical Research 14 (2015) 223–7, M. Matter, RHPR 95 (2015) 476–8, R. Vicent, Salesianum (2015) 77 (3) 570–1, G. Samuelsson, TLZ 141 (2016) 329–31, M. Gourgues, RB 123 (2016a) 292–7, M. Gourgues, ScEs 68 (2016b) 425–9, J. N. Carleton Paget, JEH 67 (2016) 849–51, A. Heindl, SNTSU 41 (2016) 208–11, J. Botticelli, The Christian Librarian 59 (2016) 280–1, David Chapman, BBR 26 (2016) 590–2, J. H. Dee, Bryn Mawr Classical Review 2017.01.19,

and friend Gunnar Samuelsson. His is the only review (out of twenty-six reviews and abstracts known to me) that seeks to "considerably weaken the basic argumentation of the book."[4] This is only fair, since I subjected the radically skeptical methodology he adopted in his own monograph on crucifixion to protracted criticism in the *Review of Biblical Literature*.[5] In general I do not think it profitable for scholars to argue back and forth with one other in the journals (or in monographs) in endless interchanges, and after examining the pages below, the readers of this Preface may well agree. The guild of scholars of early Christianity and the guilds of classical philologists and historians will ultimately have to make the decision between the methodologies adopted by Samuelsson and myself. What follows may be taken as a sort of *Apologia pro libro suo*.

The key issue can be summarized in one sentence: examinations of crucifixion in Roman antiquity should begin with the evidence in Latin texts, *or* they should begin with the evidence in Greek texts. Samuelsson, after noting this issue, then attempts to clarify my own "methodological" position by quoting two sentences from the book and then revealing the presuppositions in the second statement: The first, with the words Samuelsson does not quote in brackets, is: "[Against Samuelsson, however,] when the context of an account of suspension does not indicate any other mode of execution (including impalement) besides crucifixion, then it is fair to assume that crucifixion is the mode of death, given the linguistic usage in texts of the Roman era."[6] This sentence followed the description of four markers of crucifixion that Heinz-Wolfgang Kuhn posited: "suspension," "completed or intended execution," "with or without a crossbeam," and "an extended death struggle."[7] Samuelsson notes four assumptions that he finds in my monograph[8]:

> A) The setting in which crucifixion first was widely used and became famous was the ancient Roman world. Latin became both the definer of, and the vehicle for, the notoriety of crucifixion. B) It is possible to determine the meaning of certain words and tie them di-

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‹http://bmcr.brynmawr.edu/2017/2017-01-19.html›, D. Tombs, The Bible and Critical Theory 13 (2017) 103–7, S. Asikainen, Teologinen Aikakauskirja 122 (2017) 188–189, W. Carter, Interpretation 71 (2017) 338–9, T. Witulski, HZ 305 (2017) 496–7, H. Schwier, JLH 56 (2017) 86–7.

[4] Samuelsson, rev. of Cook, 331.

[5] J. G. Cook, review of G. Samuelsson, Crucifixion in Antiquity. An Inquiry into the Background and Significance of the New Testament Terminology of Crucifixion, WUNT 2/310, Tübingen [2]2013 in: RBL (04/2014) ‹http://www.bookreviews.org/pdf/9718_10735.pdf›.

[6] Samuelsson, rev. of Cook, 330, with ref. to Cook, Crucifixion, 2. For the second statement, cf. objection four below.

[7] H.-W. Kuhn, Die Kreuzesstrafe während der frühen Kaiserzeit. Ihre Wirklichkeit und Wertung in der Umwelt des Urchristentums, ANRW II/25.1 (1982) 648–793, esp. 679. Cf. Cook, Crucifixion, 2.

[8] Samuelsson, rev. of Cook, 330.

> rectly to crucifixion. The occurrence of one[9] such defined word is sufficient to label the text as a crucifixion account. C) Impaling did not occur or at least was very rare, which leads to the conclusion that texts containing assumed crucifixion terminology depict crucifixion. D) Impaling was a swift killer. If a victim is alive while suspended, e.g., is talking or expressing agony, it is a crucifixion at hand.

In general, these are fairly accurate, although "C" needs a bit of modification. Crucifixion terminology "probably" indicates a crucifixion unless there is explicit mention of an impalement (as in the texts of Seneca in which he uses *stipes*).[10]

Before responding to Samuelsson's critique in detail, it may be useful to look at the global argument he formulates in his review. The British empiricists often appealed to what has come to be identified as the "argument from illusion," in which one sought to replace language about objects (or the "external world") with language about immediate and incorrigible "sense data" by appealing to certain illusions of perception. The sceptic concludes that "variation in our perceptual experience undermines all claims to know the world based on sense experience. Doubt about some contaminates all."[11] Samuelsson uses a very similar argumentative structure: if one can create a small doubt with regard to the meaning of the vocabulary in a given Roman text that is normally thought to refer to a crucifixion of some variety (vertical pole, pole with horizontal cross bar or *patibulum*, tree, etc.), then one can no longer describe a text as referring to Roman crucifixion. To know that a text refers to crucifixion, all four markers must be explicitly present. In his monograph Samuelsson sought to create doubt by hypothesizing that impalement or even hanging[12] could be envisioned by the author in question. The doubt then results in a step back from crucifixion language on the part of the scholar to indeterminate "suspension language," just as the empiricists tried to convince their readers to cease speaking about "objects" and commence using the language of "sense data." A. J. Ayer pointed out, after a discussion of sceptics who question the justification for believing in the existence of physical ob-

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[9] This is a misunderstanding of linguistic methodology on Samuelsson's part. A word such as *crux* in one particular text (*parole* in Ferdinand de Saussure's terminology) gets its meaning from its usage in the entire Latin language (*langue*) where polysemy (multiple meanings) is possible. Cf. K. Baldinger, Semantic Theory. Towards a Modern Semantics, Oxford 1980, 15 and F. de Saussure, Cours de linguistique générale, Paris 1916, 32–40.

[10] Cook, Crucifixion, 3 (and references there).

[11] I owe this formulation to Ian Morton (communication of 20 July 2018). Cf. A. J. Ayer, The Problem of Knowledge, Baltimore, MD 1956, 85–95, L.-G. Nilsson, Perspectives on Memory Research. Essays in Honor of Uppsala University's 500th Anniversary, Hillsdale, N.J. 1979, 180–2, G. Dicker, Perceptual Knowledge. An Analytical and Historical Study, Dordrecht 1980, 26, and J. Troyer, In Defense of Radical Empiricism, Essays and Lectures by Roderick Firth, Oxford 1998, 193–203 ("Austin and the Argument from Illusion").

[12] Samuelsson, Crucifixion, 28–9, 149, 175, 197 and cp. Cook, rev. of Samuelsson, Crucifixion.

jects, other minds, and the past that "... if there cannot be a proof, it is not sensible to demand one. The sceptic's problems are insoluble because they are fictitious."[13] Similarly, Samuelsson is demanding that only what is "incorrigible" (that is, no errors possible) is acceptable – much like the sceptic responsible for an argument from illusion with regard to perception. And even the four markers for a crucifixion are not ultimately "incorrigible," since even if all are present in an account, one can still doubt if a crucifixion ultimately took place (and not an accidental death due to other factors such as being burned to death, being killed by a sword, or being killed by a wild animal).

There is no evidence that the Romans ever practiced hanging on the gallows, so that is a red herring.[14] In addition, the only two texts that explicitly specify that the Romans practiced impalement are in Seneca, and he is careful to use the word *stipes* to refer to the object used for impaling a victim.[15] The only other explicit references to impalement in Greco-Roman texts, of which I am aware, refer to practices of non-Roman peoples.[16] Consequently, Samuelsson's continued insistence that *crux* can refer to impalement when there is no explicit indication in the text is just another red herring that can be dismissed with a high degree of confidence. It is part of his "argument from illusion" (just like the suspicion that *crux* and other terms associated with crucifixion might refer to hanging at certain points). The fact that Justus Lipsius[17] in his *De cruce* shows a victim impaled vertically (*per obscena* [through the genitals or rectum]) throughout his body "alive and kicking" is, *pace* Samuelsson, of no evidential value whatsoever.[18] Far more important is the judgement of modern biologists that such a practice would result in immediate death due to the volume of blood lost.[19] There are no other known forms of impaling in ancient Rome. Seneca's reference to Maecenas's wish to sit on the sharp cross (*hanc mihi vel acuta / si sedeam cruce sustine*) is almost certainly not a reference to impalement since (as noted below in the monograph), Seneca envi-

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[13] Ayer, The Problem of Knowledge, 81. I thank Ian Morton for noting this text for me (21 July 2018).

[14] Cook, Crucifixion, 3–4. Suicide was another matter, of course.

[15] Cf. Cook, Crucifixion, 2, 3, 26, 35, 71, 96–8.

[16] See the references in Cook, Crucifixion, 256–7, 304–6. In his review (331), S. refers το LSJ's entry on ῥάχις ("spine, backbone") and Hesychius Lexicon Σ § 1072 σκόλοψιν ὡς ὀπτῶσιν (cf. Cook, ibid., 304) to show that impaling in Roman practice could be survived. This is erroneous, however, because the Greek authors refer to a punishment that was never used historically in Greece (for refs., see Cook, ibid., 304–5 and the comments of M. Halm-Tisserant, Réalités et imaginaires des supplices en Grèce ancienne, CEA 125, Paris 1998, 13–5, 26, 162).

[17] J. Lipsius, De Cruce libri tres: Ad sacram profánamque historiam utiles; Unà cum notis, Antwerp 1593/1594, 23 (Leiden 1595).

[18] Samuelsson, rev. of Cook, 331.

[19] Cf. Cook, Crucifixion, 3.

sions Maecenas suspended from a horizontal *patibulum*.[20] It is also probably not a reference to a *sedile* (seat) that pierces the male victim's perineum (or rectum), because that also would cause nearly immediate death due to the volume of blood loss.[21] The occasional use of *sedilia* in Roman crucifixions is, however, perhaps confirmed by the graffito of Puteoli (figures five and six) in which Alkimilla appears to straddle a small peg, part of the "painful" or "sharp" cross.[22]

Samuelsson's main comments and objections follow:

1. "C. outlines the meaning of *patibulum* as 'crossbeam' … C. argues that σταυρός outside the New Testament clearly signifies a cruciform shape, thus 'cross' while σταυρός within the Gospels means 'crossbeam' *patibulum*."[23]

Response: These are oversimplifications of my views. For details, interested readers should consult the introduction. *Patibulum* usually does mean "crossbeam," but there is also a *pars pro toto* ("part for the whole") usage in which it stands for the **T**-shaped cross (or something similar). And while σταυρός (*stauros*) can often mean a **T**-shaped object (or something similar), it also can certainly stand for vertical pole, or in some cases (as in John 19:17), it is the translation (by synecdoche) adopted by the Gospel authors for *patibulum*, "crossbeam."

2. "The book lacks at large a methodological positioning."

Response. The introduction provides forty-seven pages of close linguistic evaluation of the terms usually taken to refer to crucifixions or related punishments. That research is the fruit of a number of years of careful reading of the Greek and Latin texts that use what has been traditionally taken to be crucifixion language. Methodologically, if the results are correct, then texts which use those terms do actually refer to crucifixions and not simply im-

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[20] Cook, Crucifixion, 101.

[21] Such a move is not available to Samuelsson who claims (Crucifixion, 5) "neither Lipsius nor the ancient authors mention any *sedile* in this sense [i.e., in the middle of the cross]"; cp. 191 ("the origin of the label *sedile* in the sense of a sitting device on a suspension tool is unknown to the present author"), 288, 290, 292–4, 295 ("When it comes to the commonly mentioned wooden seat (*sedile*) there is not one single text that tells of any such thing … The closest is the mention of a pointed *crux* by Seneca the Elder [*sic*] (Sen. *Epist.* 101.10–11), but to interpret this as a support for a *sedile* is difficult"). The first extant use of the term is Tert. Nat. 1.12.4 (cf. Cook, Crucifixion, 7, 35–6 [see Justin, Irenaeus, and Tertullian on the seat included on some Roman crosses, which they would have observed, since crucifixion was still practiced in II–III C.E.], 101).

[22] Cf. Cook, Crucifixion, 101, 427. Felicity Harley-McGowan is cautious: "Something like this may be inferred in the depiction of the lines between the legs of the crucified victim in the Puteoli graffito, but there is not enough clarity to sustain the idea with any certainty" (The Alexamenos Graffito, in: The Reception of Jesus in the First Three Centuries, ed. C. Keith, H. Bond, and J. Schröter, Bloomsbury T & T Clark, forthcoming).

[23] Samuelsson, rev. of Cook, 330. I will discontinue footnotes to his review at this point, since it is only two full columns long in the *TLZ*.

palements or hanging or the other red herrings that Samuelsson used to create uncertainty in scholars' (and lexicographers') minds using his "argument from illusion." I started, for example, with the standard "hypotheses" about the meaning of *crux* (such as the lemmas in the ThLL and the OLD s.v. *crux*), proceeded to textual analyses, which were the "tests," found no evidence inconsistent with the hypotheses, and then wrote the material in the introduction about *crux*.[24]

3. "… assumptions C and D are to some extent contradictions."

Response. This is incorrect from the perspective of elementary logic, in which two propositions contradict each other only if they are in the form of "p" and "not-p," or if together they imply "p" and "not-p." Two propositions either contradict each other or do not, not to "some extent."[25] Samuelsson fails to show that C and D contradict each other. The apparent rarity of impalement in the Roman republic and imperium according to the extant evidence is a historical fact (if correct), however easily one might impale a human being vertically on a sharpened stake.

4. The next objection is:

> A weightier example [than the alleged contradiction in "3"] is found in the introduction where a characteristic sentence illuminates two potential weaknesses with C.'s book: 'In historical research one often has to settle for evidence that is less than impeccable, and since crucifixion belonged to Roman daily life authors of that period did not need to spell out the details for their audiences – details which could be taken for granted' (49). First, evidence which is not impeccable is not evidence.[26] It is rather an *indicium* or *circumstantial* [S.'s italics] evidence.

Response. Samuelsson's term "circumstantial evidence" is a strange use of the concept, at least in current English usage, where it refers to a prosecutor's (or detective's) lack of eye-witnesses to a crime.[27] *Indicium* is a term from the ancient rhetoricians. Quintilian, for example, uses the word in what is presumably its characteristic sense:

> The Latin equivalent of the Greek σημεῖον is *signum*, a sign, though some have called it *indicium*, an indication, or *vestigium*, a trace. Such signs or indications enable us to infer that something else has happened; blood for instance may lead us to infer that a murder has taken place. But bloodstains on a garment may be the result of the slaying of a victim

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[24] O. Hey, *crux*, Thesaurus Linguae Latinae [ThLL], vol. I –, Leipzig/Berlin 1900 – , IV.1255.7–1260.26. "OLD" is P. G. W. Glare, ed., Oxford Latin Dictionary, Oxford 1982.

[25] Cf., e.g., B. Garrett, Elementary Logic, New York 2012, 17–8.

[26] This is actually an example of a logical contradiction, and S. created it.

[27] Cf., e.g., S. H. James, J .J. Nordby, and S. Bell, Forensic Science. An Introduction to Scientific and Investigative Techniques, Boca Raton, FL 2014, 28 ("It is important to understand that forensic evidence is circumstantial evidence" [e.g., DNA, etc.]), 566 ("Evidence requiring the trier of fact to infer certain events – for example, linking a defendant to a crime scene (and ultimately to the crime) via DNA, hair, fiber, glass, footprint, fingerprint, or ballistics evidence").

> at a sacrifice or of bleeding at the nose. Everyone who has a bloodstain on his clothes is not necessarily a murderer.
>
> *Signum vocatur, ut dixi,* σημεῖον *(quamquam id quidam indicium, quidam vestigium nominaverunt), per quod alia res intellegitur, ut per sanguinem caedes. At sanguis vel ex hostia respersisse vestem potest vel e naribus profluxisse: non utique, qui vestem cruentam habuerit, homicidium fecerit.*[28]

Kuhn's four markers that both Samuelsson and I have accepted are, however, *indicia* by Quintilian's definition. The historian can never escape the use of what a modern individual might call "forensic evidence." Even if an author, such as Plautus, lists all four markers in a text, one can imagine (i.e., it is logically possible) that a bear in the arena escaped its handlers and came along and ripped the throat out of the "intended victim of crucifixion."[29]

The (in my view) questionable historical methodology inherent in Samuelsson's demand that all four markers be present for a scholar to describe a given text as a crucifixion may be illustrated by a text of Plautus's *The Ghost*, where a slave named Tranio is looking for someone who will agree to be executed in his place:

> Who could bear to be tortured instead of me today? … I'll give a talent to the chap who first makes a sally onto the cross [*crux*]; but on this condition: that his feet and arms are nailed down [or "attached"] double.
>
> *Qui hodie sese excruciari meam ui<cem> possit pati? … Ego dabo ei talentum primus qui in crucem excucurrerit; / sed ea lege, ut offigantur bis pedes, bis bracchia.*[30]

Samuelsson claims, in his treatment of the passage:

> First, the text does not say explicitly that the punishment at hand is a crucifixion in a traditional sense. It shows that Plautus could imagine a punishment form in which a victim was somehow attached with arms and legs to some kind of punishment tool called *crux*. Second, the text does not say that the punishment which the reader gets a glimpse of in this text is a faithful representation of all other *crux*-punishments of Plautus' text. This might be the case, of course, but the text material does not contain enough indications to draw the conclusion that this is the case.[31]

One need not wonder just what the skeptical Samuelsson would need for Plautus to say for him to willingly label Tranio's demand as a "demand to be crucified in my place" – Plautus would have to include all four markers, or he (via one of the *dramatis personae*) would need to say in an aside, "this is a

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[28] Quint. 5.9.9, trans. of Quintilian, Institutio oratoria, ed. and trans. H. E. Butler, vol. 2, LCL, Cambridge, MA 1921, 199. Cp. H. Lausberg, Handbuch der literarischen Rhetorik. Eine Grundlegung der Literaturwissenschaft, Stuttgart [3]1990, § 358.

[29] Cf. the mime "Laureolus" below (200–1).

[30] Plaut. Most. 355, 359–60. Trans. of Plautus, 5 vols., LCL, ed. and trans. W. de Melo, Cambridge, MA 2011–3, 3.351. Cf. pp. 49–50, 56 below.

[31] Samuelsson, Crucifixion, 173.

crucifixion in the traditional sense."[32] Romans knew that slaves were often crucified. The overwhelming evidence may be found in the volume that follows.[33] One can, with Descartes, probably doubt anything except the existence of himself or herself as a thinking being,[34] and Hume even doubted the existence of a substantival self.[35] Samuelsson's doubts are simply a reduction to absurdity of his own methodology. The evidence for a reference to crucifixion that I find in this passage of Plautus is superb in my view, given the frequency of crucifixions of slaves (in history and fiction) in ancient Rome. To my knowledge, *crux* does not ever *explicitly* refer in classical Latin literature to any form of punishment that does not involve the suspension and execution of a victim, although it may be combined with other punishments as in the case of the mime "Laureolus" and the execution of the Christians by Nero.[36] In his entire volume, Samuelsson fails to find even one use of *crux* that refers *explicitly* to a punishment other than crucifixion.[37]

5. It is best if I quote the following objection in full:

> Second, (assumption A and B above) the last part of the quote[38] is based on an *if*, albeit cloaked under a *since*: *If* crucifixion belonged to Roman daily life – then it is possible to postulate that this is the reason why the texts are not more informative. But the *to be* or *not to be*, combined with the *how*, of crucifixion in the Roman society appears to be one

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[32] Philosopher Ian Morton (personal communication of 19 July 2018) makes this point: "If the only facts, observations, findings, testimony, data, etc., which count as evidence are those which entail the truth of the conclusion, then the law courts waste a huge amount of time considering material which is not, and never was, evidence in that sense. Each element considered by the court might well not prove guilt or innocence on its own, but is properly regarded as evidence."

[33] Cf. the index, s.v. "crimes/disobedience of slaves" and "crucifixion/of slaves" and in particular the *lex Puteolana* discussed in chapter five. See also J. G. Cook, Augustus, R. GEST. DIV. AUG. 25,1: TRIGINTA FERE MILLIA CAPTA DOMINIS AD SUPPLICIUM SUMENDUM TRADIDI, ZPE 201 (2017) 38–41.

[34] Renati Des-Cartes, Meditationes de prima philosophia, in qua Dei existentia, & animæ immortalitas demonstratur, Paris 1641, 21, Medit. 2. [Even if an evil deceiver could cause Descartes to doubt everything, one certainty is left]: *Cogitare? Hic invenio: cogitatio est; haec sola a me divelli nequit. Ego sum, ego existo: certum est* (To think? This I discover: it is thought, this only cannot be torn away from me. I am, I exist, it is certain).

[35] D. Hume, A Treatise of Human Nature, ed. with an analytical index by L. A. Selby-Bigge, rev. text with variant readings by P. H. Nidditch, Oxford ^{2}1978 [first ed. of Book I, 1739], 252 (§ 1.4.6 "Of Personal Identity"): "For my part, when I enter most intimately into what I call *myself*, I always stumble on some particular perception or other, of heat or cold, light or shade, love or hatred, pain or pleasure. I never catch *myself* at any time without a perception, and can never observe anything but the perception." I thank Ian Morton for his comments on this issue.

[36] On Nero, cf. 191–2 below. For Laureolus, see 200–1.

[37] This thesis about *crux* is also the conclusion of Claire Lovisi, a historian of Roman law. Cf. p. 381 below.

[38] Cf. objection § 4 above for the quotation.

> of the basic questions of the book, that is, something that should be resolved in the conclusion. Is it not then a bit odd to use that aim – to show that crucifixion belonged to Roman daily life – as an argument for a conclusion in the very beginning of the book? The danger of circular argumentation is imminent, if one selects a word on basis of its assumed meaning, then decides what it means, next searches for texts that contain the word, and finally studies what the word means.

Response. Although I included the linguistic material in the introduction first, it is – of course – based on a close study of the entire tradition available to me in Latin and Greek. Samuelsson's claim that there is a danger of circular reasoning is specious. One, as noted above, begins with a hypothesis about the meaning(s) of a term based on hundreds of years of lexicographical research (e.g., the ThLL, OLD and predecessors), then one analyzes the texts looking for disconfirming evidence, and finally one produces an introduction such as I have done. Consequently, although Samuelsson wants to call "A" and "B" *assumptions*, they are actually the conclusions of years of labor. I thought it best, and still believe, that these results should be placed in the introduction. The frequency of words such as *crux* and *crucifigo* in Latin texts of many varieties (fiction, poetry, and history) indicates the probable frequency of crucifixion in Roman life, and this is not contradicted by the evidence in Greek. Samuelsson's own failure in his monograph, and apparent continued unwillingness, to begin with the Latin evidence is (in my view) the fundamental weakness of his methodology.

6. With regard to impalement, Samuelsson asks "What happens (assumption D above) if it turns out that some forms of impaling might be survivable?"

Response. I have dismissed this possibility above (p. xix), since it is based on a misunderstanding of the Greek evidence.

7. With regard to suspension, Samuelsson asks,

> Why (assumption C above) are there only two suspension options? How about suspension on a board, on a wall, on a statue, on a tree, on a trunk? There are several different punishment forms that could be described with "crucifixion terminology." Is it possible to conclude that only two suspension forms occurred throughout antiquity? This, in my opinion, is a misleading simplification. The step from *if* to *since* is vast. It is enough that one of these examples of foundational *ifs* is shown inaccurate to considerably weaken the basic argumentation of the book. [39]

Response. I do not doubt that there were many suspension options, although I have no explicit evidence that Romans suspended victims on a wall or board.[40] One finds such evidence in Greek texts describing non-Roman practices. If the Romans suspended victims from trees, statues, etc., then there is no evidence that Samuelsson or I have found that indicates they used anything other than the language of crucifixion to describe that form of execution.

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[39] These two last statements of S.'s are a prime example of his "argument from illusion."

[40] For exposure on a board in the Greek world, cf. Cook, Crucifixion, 13–5.

Samuelsson's refusal to recognize that crucifixion was almost certainly a staple of Roman daily life ("the step from *if* to *since* is vast") illustrates the weakness of his own philological and historical method, in my view. The evidence for the position I take is relentless and depressing. Here I will generalize a statement published by Géza Vermès a month before his death (which I quote on p. 418 below in its original form):

> The trouble with the method of Samuelsson and of similar sceptics is that ... they sit at their desks and absorb the smallest details discoverable in books but have no time or inclination to face up to reality. Mediterranean authors during the imperium knew what crucifixion was from eyewitness experience.

8. Samuelsson's last objection is that I restart the argumentation several times, that there is repetition in the book, and that this "affects the reading negatively." I do not regret including a review of historical crucifixions in Rome (chapter two) after a review of crucifixions in Latin texts, even though the second chapter is an expansion of an earlier article. I attempted not to repeat texts in the first two chapters. The fifth chapter on law inevitably entailed some textual repetition. But in general, I will concede this point to Samuelsson.[41]

I doubt that these eight pages of response to Gunnar Samuelsson are very profitable for the general reader, but perhaps they are necessary for the specialist who is interested in the nuances of argumentation about a topic that is, by its very nature, of central importance for those interested in early Christianity and the history of one of the darkest corners of the Roman imperium.

Michel Gourgues, in two very detailed reviews for which I am grateful, perceptively notes that the material on crucifixion vocabulary in the introduction actually is dependent on the material in the first three chapters. He argues that the introduction should, consequently, constitute a fourth chapter.[42] His insight is important, although the material in the introduction actually depends on the research in the fifth and sixth chapters also.[43] Consequently, it would really be the conclusion as Samuelsson noted. Although I considered that option very briefly for the second edition, I determined that for the general reader (and specialist) it is far easier to present the lexical results first. More seriously, perhaps, he questions whether Maecenas's *acuta si sedeam cruce* (and Seneca's references to Maecenas) might not refer to a form of impalement that was inflicted gradually.[44] Here one can only refer to what the sources ac-

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[41] Asikainen, rev. of Cook, Teologinen Aikakauskirja, 189 also notes the book's repetitive features. I am grateful for colleague Esko Ryökäs's translation of the Finnish review.

[42] Gourgues, rev. of Cook, RB 2016a, 296, ScEs, 2016b, 428.

[43] For example: the *lex Puteolana* (*crux* and *patibulum*) in chapter five is crucial, as is the detail that Jesus (or Simon of Cyrene) carried the σταυρός (*stauros*) = *patibulum* in chapter 6.

[44] Gourgues, RB 2016a, 296–7, ScEs, 2016b, 428.

tually say, not to what they do not say. Seneca is the only author to describe the details of a Roman impalement, and they are so extremely violent that one could not survive more than a few minutes (if that long). And he uses *stipes* and not the terms *crux* and *patibulum* that appear in his discussion of Maecenas. In addition, Justin, Irenaeus, and Tertullian, along (presumably) with the image of Alkimilla, all envision a small "horn" (κέρας) or *sedile* which the victim straddles while being crucified.[45] That is almost certainly Maecenas's reference.

David Tombs also refers to Seneca's two texts about impalement and argues that the *sedile* in the case of Maecenas "could be used to anally impale a victim."[46] But Seneca insists that a *patibulum* was present, and it is highly probable that, as noted above, he envisions Maecenas sitting on the same kind of object that Alkimilla straddles (*suffigas licet et acutam sessuro crucem subdas*). It cannot be a vertical impalement, since Seneca states that he was suspended, stretched out on a *patibulum* (*patibulo pendere districtum*).[47] The scientists (biologists) at my institution insist that impaling a victim brings nearly immediate death due to blood loss (wherever in the groin one impales them). Consequently, given the lack of positive evidence for anal impalement by a *sedile* in Greco-Roman texts[48] and given the positive evidence from Justin, Irenaeus, Tertullian, and the Alkimilla graffito for a *sedile* which one straddles, Tomb's contention that crucifixion included rape by a *sedile* should be rejected. More interesting, in my view, in Tombs's review and article is his insistence that nudity on a cross was sexually humiliating. This needs more nuance, however. Christopher Hallett argues that the stripping of Roman prisoners to be executed "intensified [their] public degradation."[49] The Greek

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[45] Justin Dial 91.2, Iren. 2.24.4, Tert. Nat. 1.12.3–4, fig. 5–7 (Alkimilla). Cf. the discussion above and the texts in Cook, Crucifixion, 7, 35–6.

[46] Tombs, rev. of Cook, Bible and Critical Theory, 105. Cf. D. Tombs, Crucifixion, State Terror, and Sexual Abuse, USQR 53 (1999) 89–109, esp. 101–2 where, however, he refers to Sen. Dial. 6.20.3 (which as noted above is vertical impalement *per obscena*).

[47] Cf. Crucifixion, 100–1 below.

[48] Tombs believes such a form of impalement would be survivable.

[49] C. Hallett, The Roman Nude. Heroic Portrait Statuary, 200 BC–AD 300, Oxford 2005, 63–4. His references are numerous and important. Sen. Contr. 9.2.21 ("commands given to the lictor" including *despolia* [strip, despoil] prior to scourging and execution); "stripping the victim" for scourging prior to execution: Liv. 2.5.8 (*nudatos virgis caedunt* [they beat them, stripped, with rods]), Plutarch Publ. 6.4 (περιερρήγνυον τὰ ἱμάτια ["they tore off their *himatia*/togas]), Liv. 28.29.11 (*nudi*), Dion. Hal. 20.16.2 (γυμνοί [nude]), Suet. Nero 49.2 (*nudi* and beaten to death on a *furca* [fork]; an ancient punishment occasionally found in the imperium – Tac. Ann. 2.32.3 [*more prisco* (ancient custom)], Suet. Claud. 34.1 [*antiqui moris supplicium … deligatis ad palum noxiis carnifex deesset* (punishment according to ancient custom … the criminals being bound to the stake, no executioner was present)], Dom. 11.2–3 [*more maiorum puniendi condemnarentur* (they were condemned to be punished according to the custom of the ancients)]). Hallett also notes stripping increased the prisoner's "vulnerabil-

word (γυμνός *gumnos*) Artemidorus uses in his book on dream interpretation for crucified individuals (Onir. 2.53), does not necessarily mean "completely nude."[50] Felicity Harley-McGowan, following a contention of Christopher H. Hallett, writes that those depicted as *nudus* in ancient sources, usually "retained an undergarment, the *perizoma*" (περίζωμα).[51] In the Palatine graffito, the donkey man wears a short tunic that exposes part of his buttocks, but Alkimilla appears to be entirely nude in the graffito of Puteoli.[52] One of the earliest surviving depictions of Christ crucified (preserved on the Pereire gem) shows him fully nude, and there is no surviving evidence to suggest that Jesus was depicted completely nude on the cross before the middle ages.[53] Exposure on the cross, even in a loincloth, was presumably humiliating.[54]

James H. Dee astutely remarks that I consulted a wide variety of experts, including in particular Kathleen M. Coleman. What I understand of Latin lexicography is due to her kind tutelage.[55] Dee argues that "it would have been good to have more classical period illustrations (for example, gems)." There are no more illustrations I am aware of from the imperium. Most of the gems are from late antiquity (IV C.E. and later). Harley-McGowan has published them all in her article on the Constanza carnelian, and she has nearly finished a monograph concerning all of the most ancient images of crucifixion, many of which are preserved on engraved gemstones.[56] Dee also writes that "a line

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ity": Cic. Verr. 2.5.161 (*foro medio nudari ac deligari et virgas expediri iubet* [Verres ordered that he be stripped and bound in the middle of the forum and that rods be prepared]), Petr. 30.7 (*servus … despoliatus* [a stripped slave]).

[50] Tombs, Bible and Critical Theory, 105–6, idem, Crucifixion, 102–5. Cp., however, Cook, Crucifixion, 192–3.

[51] Harley-McGowan, The Alexamenos Graffito. Cf. Hallett, The Roman Nude, 61. Plutarch Rom. 21.7 describes the nudity of the Lupercals with ἐν περιζώσμασι γυμνοί (naked [*gumnoi*] in *perizōmata*). Cf. Hallett, ibid., 63 for an illustration of such a Lupercal. Both Greek words are used to describe the clothing of individuals in a number of texts including Polybius frag. 196 Büttner-Wobst, Nicolaus frag. 91 FHG (twice), Strabo 15.1.73, and Plutarch Aetia Romana 280B. In Pausanias 1.44.1, however, an individual ran *gumnos* without a *perizōma*.

[52] On the tunic and the frontal presentation of the image, cf. Harley-McGowan, The Alexamenos Graffito.

[53] For discussion, see F. Harley-McGowan, Jesus the Magician? A Crucifixion Amulet and its Date, in: Magical Gems in Context, Proceedings of an International Conference 16–18 Feb, 2012, Budapest, Museum of Fine Arts, ed. Á. M. Nagy, J. Spier, and K. Endreffy, Reichert Verlag, forthcoming. Cf. Cook, Crucifixion, figures 5–7, 10, 14 for the images.

[54] Cf. Harley-McGowan, The Alexamenos Graffito: "all Romans associated crucifixion with shame and humiliation."

[55] Dee, rev. of Cook, BMCR. In addition, all my scholarly life I have been indebted to the courses in semantics, text linguistics, and linguistics I took with David Hellholm (emeritus of Oslo) and the late Hendrik W. Boers (Emory).

[56] Cf. F. Harley-McGowan in the bibliography below. The monograph builds on her Ph.D. dissertation (Adelaide), also referenced in the bibliography.

drawing for the Palatine graffito … would clarify the scratchy photograph."[57] I have included such a drawing (figure 10 bis) in the second edition. Zdisław J. Kapera made the sensible suggestion that I gather "all the archaeological data into one compact chapter … the information is too scattered."[58] Kapera reveals one of my weaknesses: I simply am not qualified to write a full chapter on the images, and for that I would encourage interested scholars to read through the full range of Harley-McGowan's publications, an expert in ancient images of crucifixion.[59]

There are clearly weaknesses in the monograph. Angela Standhartinger remarks that "more discussion on context, on dating, and on the literary and historical integration and history of interpretation of the texts" would have been desirable.[60] Doubtless she is correct, although the monograph would have been many hundreds of pages longer, and it is already reader-unfriendly enough. James Carleton Paget notes that my book "bears little resemblance to Hengel's much shorter, but more invigorating, book of almost forty years ago." Absolutely.[61] Stefan Schreiber writes that it would have been helpful to emphasize the relationships more strongly between the material and the Passion narratives. He does concede that the "material establishes a basis for further social-historical and theological reflection on Roman crucifixion in general and the death of Jesus in particular."[62] Chapter six probably should have been longer, but that need has now been admirably met by the monograph of Chapman and Schnabel. Chapman, a kindred spirit in this field,[63] also argues that "more could be drawn out from the individual sources and their contexts, especially concerning the standpoint of the author and intended readers toward the victim and punishment." I concede that point – but that would have lengthened the manuscript considerably. He would place chapter two after chapter three, which would have made good sense. One point of philology he argues is that the *Consonants at Law* (the *Iudicium vocalium*) attributed to

[57] In defense of the photograph provided by the Soprintendenza: graffiti are by nature often difficult to make out even when one is standing in front of them.

[58] Kapera, rev. of Cook, Polish Journal of Biblical Research, 226.

[59] Here one should also mention the early chapters in R. Jensen, The Cross. History, Art, and Controversy, Cambridge, MA 2017.

[60] Standhartinger, rev. of Cook, TRev, 121.

[61] Carleton Paget, rev. of Cook, JEH, 850–1 (with ref. to M. Hengel, Crucifixion in the Ancient World and the Folly of the Message of the Cross, Philadelphia 1977).

[62] Schreiber, rev. of Cook, BZ, 149. In this regard, T. Witulski, rev. of Cook, HZ, 497 notes that much less material from Roman and Jewish sources would have been needed to establish" the interpretive background for the texts and theology of the NT." Schwier, rev. of Cook, JLH, 87 also notes the monograph comprises "occasions for further theological work."

[63] Along with specialists including Jean-Jacques Aubert (crucifixion and Roman Law), Kristan Foust Ewin (exposition, crucifixion, and other similar punishments in the Near East, Greece, and Rome), Felicity Harley-McGowan (art history), Robin Jensen (art history), and Gunnar Samuelsson.