

JOHN GRANGER COOK

Crucifixion in the Mediterranean World

*Wissenschaftliche Untersuchungen
zum Neuen Testament*

327

Mohr Siebeck

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Crucifixion in the Mediterranean World

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JOHN GRANGER COOK, born 1955; 1976 B.A. in Philosophy, Davidson College; 1979 M.Div., Union Theological Seminary (VA); 1985 Ph.D. at Emory University; Professor of Religion and Philosophy, LaGrange College, LaGrange, GA.

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לזכר נשמת חברי ענדרו משה מוסקוויץ
ניצול שואה

et

ELISABETH
FILIAE DILECTISSIMAE

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Introduction

Crucifixion Terminology

The New Testament's narrative of the crucifixion of Jesus of Nazareth and the accompanying *theologia crucis* (theology of the cross) or perhaps better *theologiae crucis* (theologies of the cross) motivate many of the studies on crucifixion in the Mediterranean world – as they do my own. One of the great humanists of the sixteenth century, Justus Lipsius, wrote a seminal work in 1593, a book written soon after he had reembraced the Catholic faith in 1591 under the influence of the Jesuits after a journey through Neostoicism.¹ The title, *De cruce libri tres: Ad sacram profānamque historiam utiles; Unā cum notis* (*Three Volumes on Crucifixion: useful for sacred and secular history; together with notes*),² indicates his continuing interest in humanist scholarship (a characteristic of the Jesuits), but his dedication to the reader and the first words of the book in which he prays to Christ that he may write what is true make his intentions clear.³ He does, however, indicate his historical method: *Siquid usquam praeter religionem moresque veterum, non agnosco ...* (I do not acknowledge anything at all except the religion and customs of the ancients ...). The book includes illustrations, and although later scholars argue with various aspects of his conclusions it remains a fascinating element in the man's vast scholarship. The illustrations are an element that has been omitted in many of the best modern studies of the theme – perhaps because they are not “objective” enough. Rather than use illustrations below of my own making, I will appeal to what archaeological evidence I have been able to find including graffiti, a fresco, the famous crucifixion nail in a *calcaneum* bone,

¹ He obtained a position at the University of Louvain in 1592. Cf. idem, *Politica*. Six Books of Politics or Political Instruction, ed. with trans. and intro. by J. Waszink, Assen 2004, 23 (and cf. the entire biographical section in *ibid.*, 15-23). Waszink (23) calls the book on the cross a work of “antiquarianism.”

² Published in Antwerp in 1593 (the edition used below was published in 1594 by the same printer in Antwerp).

³ Lipsius, *De cruce*, Ad lectorem and pp. 1-2. Cp. J. de Landtsheer, Justus Lipsius's *De Cruce* and the Reception of the Fathers, *Neulateinisches Jahrbuch* 2 (2000) 99-124, esp. 119 (on Lipsius's “approach of the ancient historian”) and F. P. Pickering, Justus Lipsius' *De Cruce libri tres* (1593) or The Historian's Dilemma, in: *Festgabe für L. L. Hammerich*. Aus Anlass seines siebenzigsten Geburtstags, Copenhagen 1962, 199-215 (esp. 202-3, on where the text belongs in Lipsius's historical study [*Ritualia-profana-publica*]).

and so forth (figures 1, 5-7, 10-14). It is not my intention to give a history of research on the topic. A partial attempt at such an exercise may be found in the able study by Gunnar Samuelsson whose work has served as a muse for my own semantic research.⁴ In my view the path breaking studies of August Zestermann in the nineteenth century remain some of the best material before the fine investigation of Heinz-Wolfgang Kuhn in the twentieth century.⁵ Martin Hengel's collection of data is also of great usefulness. A very welcome addition to the field is David Chapman's extensive survey of attitudes toward crucifixion in Hebrew and Aramaic literature of Second Temple and Rabbinic Judaism, which enabled me to write chapter four below.⁶

1 Definitions and Methodological Assumptions

The definition of crucifixion as "execution by suspension" is acceptable as long as one excludes impalement or hanging.⁷ Four markers of the execution that Samuelsson takes over from Heinz-Wolfgang Kuhn are important: "suspension," "completed or intended execution," "with or without a crossbeam," and "an extended death struggle."⁸ 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.⁹ By "Roman era" I refer to the period beginning with the Second Punic war when the first historical crucifixions appear in Roman texts and ending with Constantine.¹⁰ There does not seem to be any overwhelming rea-

⁴ G. Samuelsson, *Crucifixion in Antiquity. An Inquiry into the Background of the New Testament Terminology of Crucifixion*, WUNT 2/310, Tübingen ²2013, 2-24.

⁵ A. Zestermann, *Die Kreuzigung bei den alten*, *Annales de l'académie d'archéologie de Belgique* 24, 2^e série, tome quatrième (1868) 337-404 and idem, *Die bildliche Darstellung des Kreuzes und der Kreuzigung Jesu Christi historisch Entwickelt ...* Leipzig 1867. Cp. 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 and M. Hengel, *Crucifixion in the Ancient World and the Folly of the Message of the Cross*, Philadelphia 1977 (cp. *La crucifixion dans l'antiquité*). S. Castagnetti, *Le leges libitinariae* flegree, Napoli 2012, 49-84, 103-14, 214 etc. is of fundamental importance.

⁶ D. W. Chapman, *Ancient Jewish and Christian Perceptions of Crucifixion*, WUNT 2/244, Tübingen 2008.

⁷ Samuelsson, *Crucifixion in Antiquity*, 19, 143, 262 (and cf. 261-70).

⁸ See Samuelsson, *Crucifixion*, 19, 29, 30 and Kuhn, *Die Kreuzesstrafe*, 679.

⁹ I am aware of no Latin texts, for example, in which *crux* was used for some kind of Roman exotic torture (and not execution) – the *arbor infelix* being the exception (with its distinct terminology). Cf. the discussion of Cicero's *Rab. perd.* below in § 3.7 and chapt 1 § 1.6.

¹⁰ Cp. chapt. 2 and J. G. Cook, *Roman Crucifixions: From the Second Punic War to Constantine*, ZNW (2013) 1-32.

son to assume that when a penal text indicates a person was suspended that any other method of execution was then subsequently used. That would be a needless and rather gratuitous exercise in interpretive futility and skepticism. What is logically possible in this context is not historically probable. An author narrating a past event (fictional or historical) is forced by the nature of language itself to choose the details the author has an interest in describing.

It is impossible, of course, to completely exclude impalement in all cases that use *crux*, *σταυρός* (*stauros*) and the associated verbs, but explicit impalement is (textually) rare as a Roman punishment. Seneca, for example, in one of his letters distinguishes the cross (*crux*) from the *stipes* used in impalement.¹¹ Physically it is not difficult to impale an individual lengthwise on a sharp stake.¹² My colleagues in biology assure me that such a stake could not possibly avoid fatally damaging vital organs and/or nicking the descending aorta or inferior vena cava, which would have caused a victim to bleed to death immediately.¹³ In Greek texts before the Roman era, however, that describe non-Roman penalties one cannot always assume that impalement is not the intended form of execution. Another form of execution that can be ruled out both during the Republic and the imperium is hanging, since it was used during neither period by the Romans.¹⁴ They did make use of garroting, how-

¹¹ Seneca, Ep. 14.5. Cf. chapt. 1 § 2.3. In Ep. 101.10-12 it is doubtful that impalement is the punishment, because Maecenas does not die immediately and in 101.12 prolongs his life hanging with his arms extended horizontally on a *patibulum*. Seneca includes impalement as a form of crucifixion in Dial. 6.20.3 *Video istic cruces, non unius quidem generis ... alii per obscena stipitem egerunt*. But even in that text he uses *stipitem* for the object used in impalement. See § 3.1.1, 4 below. In the revolt of Boudicca (60/61 CE), for example, the Britons suspended (*ἐκρέμασαν*) the elite Roman women of two captured Roman cities. Cassius Dio, however, uses the precise expression *πασάλοις ὀξέσι διὰ παντὸς τοῦ σώματος κατὰ μήκος ἀνέπειραν* to refer to their subsequent impalement with sharp stakes through the length of the entire body (Cassius Dio 62.7.2). Tacitus (Ann. 14.33.2), on the other hand, uses the vocabulary of crucifixion to describe the executions (*patibula ... cruces*) and not the vocabulary of impalement. Cp. chapt. 3 § 2.13 and chapt. 1 § 2.18.

¹² “Pressure (pounds per square inch or newtons/square meter) is the result of a force acting on a given area. Pressure (P), force (F), and area (A) are related by $P = F/A$. For a given force the resulting pressure varies inversely with the area. For example, a 150 lb person on a 1 square inch surface would have a pressure of 150 lb/in² exerted on the area in contact with the surface. If the contact surface area were reduced to 1/2 inch by 1/2 inch yielding a 1/4 in² surface the resulting pressure would be 150 lb/(.25 in²) = 600 lb/in². So the act of tapering the stake dramatically increases the pressure at the point of contact.” My thanks to colleague Professor Terry Austin for this calculation.

¹³ I thank Professors William Paschal, Melinda Pomeroy-Black, and Nickie Cauthen.

¹⁴ E. Cantarella, *I supplizi capitali in Grecia e a Roma*, Milan 1991, 185. Cf. J.-L. Voisin, *Pendus, crucifiés, oscilla dans la Rome païenne*, *Latomus* 38 (1979) 422-450, esp. 441. Of 410 cases of suicide between 509 B.C.E. and 235 C.E., Voisin finds only six cases of hanging (*ibid.*, 426). Cp. S. Castagnetti, *La lex cumana libitinaria nelle sue due redazioni*, in: *Libitina e dintorni. Libitina e i luci sepolcrali. Le leges libitinae campane. Iura sepolcrorum*. Vec-

ever (while the individuals were on the ground), using a garrote or noose (*laqueus*). W. A. Oldfather lists a number of terms used for this form of execution including *strangulare*, *laqueo gulam frangere*, *cervicem frangere*, *fauces elidere*, etc.¹⁵

2 Greek Terminology

The Greek terminology for “cross”, “stake”, and “crucify,” “impale,” or “suspend” is ambiguous at times. One must pay careful attention to the context. The context is a reliable guide for determining if an act of suspension is a penal execution. During the Roman era there does not exist much doubt that suspension (i.e., crucifixion) was a frequent form of execution.¹⁶ The fre-

chie e nuove iscrizioni. Atti dell’XI Rencontre franco-italienne sur l’épigraphie, ed. S. Panciera, Libitina 3, Rome 2004, 133-46, esp. 140 (approves Cantarella’s position). W. A. Oldfather, Livy i, 26 and the Supplicium *de More Maiorum*, TAPA 39 (1908) 49-72, esp. 54, “There is not a particle of evidence that Romans ever hanged criminals from a gallows.” W. B. Tyrrell, A Legal and Historical Commentary to Cicero’s Oratio pro C. Rabirio Perduellionis Reo, 93 “... hanging by the neck is unattested as a means of executing criminals.” One possible example from the Republic is Cic. Ver. 2.3.57 (Nymphodorus of Athens was apparently not “hung” by Apronius [a tithe collector], but kept in discomfort suspended from an olive tree, and then rescued [*suspendi ... in oleastro ... pependit in arbore ... quam diu voluntas Apronii tulit*], according to Cantarella, *ibid.*, 177) and cp. Oldfather, Supplicium, 52 (he escaped with his life although he was suspended a long time). *pependit in arbore* should be compared to Ov. Pont. 1.6.38 and Mart. Sp. 9.(7)4 (both *pendens in cruce*), Iuvenius Euang. 4,662 (CSEL 24, 140 Huemer) *Iamque cruci fixum pendebat in arbore corpus*. Cp. Apronius’s temporary punishment of another individual in 2.3.56 (*quantum Apronii libido tulit*). Apronius did not have legal authority to put him to death. In Ammianus 15.7.4-5 a rioter named Peter is suspended with his hands tied behind his back and flogged (*post terga manibus vinctis suspendi*), but not put to death. One of the earliest accounts of execution by hanging occurs in Oros. Hist. 5.16.5 (V C.E.). The Cimbri in 105 B.C.E. executed their prisoners by placing nooses on their necks and hanging them from trees (*homines laqueis collo inditis ex arboribus suspensi sunt*). The earliest evidence for Roman hanging I have found is from the era of Constantine (319) in Codex Iust. (CJ) 9.14.1.1 where Constantine decrees a charge of murder against masters who suspend their slaves by a noose (*suspendi laqueo praeceperit*). He also used the noose (while the condemned was presumably standing): He had the vertebrae of Maximianus Herculus fractured using a noose after capturing him in Marseilles: *Maximianus Herculus a Constantino apud Massiliam obsessus, deinde captus, poenas dedit mortis genere postremo, fractis laqueo cervicibus* (Epit. 40.5 [BiTeu 164,27-9 Pichlmayr]).

¹⁵ Oldfather, Supplicium, 54. Tac. Ann. 6:5.9.2 depicts the “squeezed throats” (*oblisis faucibus*) of Sejanus’s two children who were then thrown down the Gemonian stairs. Cp. Tacitus in chapt. 1 § 2.18, Cic. Vat. 26 (*fregerisne in carcere cervices*), Sal. Cat. 55.5 (*laqueo gulam fregere*), SHA Trig. Tyr. 22.8 (*strangulatus in carcere*), Vell. 2.4.2 (*elisarum faucium* [apparently a murder])

¹⁶ Cf. Cook, Roman Crucifixions, *passim* and chapt. 2.

quency, dreariness and brutality of the act itself did not encourage authors to expend a great deal of energy making narrative descriptions.

2.1 *σταυρός* (*pole, cross*), *σταυρώ* (*crucify*), *ἀνασταυρώ* (*suspend, crucify, impale*), *σκόλοψ* (*stake, cross*), *ἀνασκολοπίζω* (*impale, crucify*)

Samuelsson has recently made numerous and intriguing claims about crucifixion terminology.¹⁷ In my view his attempt to identify one main sense for *σταυρός*, i.e. “a raised pole” or “a pole onto which something or somebody (dead or alive) is suspended,” is erroneous.¹⁸ Clearly words can have numerous senses.¹⁹ Samuelsson’s claim that *σταυρός* “is a pole in the broadest sense. It is not the equivalent of a ‘cross’ (†)” is almost certainly incorrect. Two texts and two graffiti that he ignores are decisive evidence against his position. Lucian writes in his *Consonants at Law*:

People weep and mourn over their destiny and often curse Cadmus, because he brought the Tau into the class of letters. For they affirm that tyrants follow its [Tau’s (T)] figure and imitate its form and then join beams together with the same figure to crucify people on them. From this [Tau], the evil name [*stauros*, cross] is united with the evil device. For the cross [*stauros*] has been created by this letter [the Tau], but has been given a name by people.

κλάουσιν ἄνθρωποι καὶ τὴν αὐτῶν τύχην ὀδύρονται καὶ Κάδμῳ καταρῶνται πολλάκις, ὅτι τὸ Ταῦ ἐς τὸ τῶν στοιχείων γένος παρήγαγε· τῷ γὰρ τούτου σῶματί φασι τοὺς τυράννους ἀκολουθήσαντας καὶ μιμησάμενους αὐτοῦ τὸ πλάσμα ἔπειτα σχήματι τοιούτῳ ξύλα τεκτύναντας ἀνθρώπους ἀνασκολοπίζειν ἐπ’ αὐτά· ἀπὸ δὲ τούτου καὶ τῷ τεχνήματι τῷ πονηρῷ τὴν πονηρὰν ἐπωνυμίαν συνελθεῖν. ὁ δὲ ὁ σταυρὸς εἶναι ὑπὸ τούτου μὲν ἐδημιουργήθη, ὑπὸ δὲ ἀνθρώπων ὀνομάζεται.²⁰

Lucian thinks it self-evident that *σταυρός* has a cruciform shape. Barnabas, in his discussion of Gen 14:14, also draws an equivalence between tau and *stauros*, since tau’s numerical value is 300: “Ὅτι δὲ ὁ σταυρὸς ἐν τῷ Τ ἤμελλεν ἔχειν τὴν χάριν, λέγει καὶ τοὺς «τριακοσίους» (Because the

¹⁷ Samuelsson, *Crucifixion*, 203, 309 (*σταυρός* is “a pole in the broadest sense”). *σταυρός* in certain contexts can be used for the stake to which an individual was bound (*προσδέω*) on the ground and then flogged to death (Cassius Dio 2.11.6 [I, 27,9-11 Boissvain], 30-35.104.6, 49.22.6, 63.13.2).

¹⁸ Samuelsson, *Crucifixion*, 285. He then hedges his definition of *σταυρός*: “a pole or wooden frame on which corpses were suspended or persons exposed to die” (cf. OLD, s.v. *crux*).

¹⁹ One of the most useful handbook for semantics is K. Baldinger, *Semantic Theory. Towards a Modern Semantics*, Oxford 1980.

²⁰ Lucian *Jud. voc.* 12. J. Sommerbrodt deletes the last sentence, but it is included in the Oxford edition (Luciani Opera. Tomus I. Libelli 1-25, SCBO, ed. M. D. Macleod, Oxford 1972, 143). Samuelsson, *Crucifixion*, 278 includes this text in his quotation of LSJ s.v., but does not discuss it, nor modify his position accordingly (in either edition). P. Degen, *Das Kreuz bei den Alten*, Aachen 1872, 24 recognized the importance of this text.