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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ISBN 978-3-16-156001-9 / eISBN 978-3-16-156256-3
DOI 10.1628/978-3-16-156256-3

ISSN 0512-1604 / eISSN 2568-7476 (Wissenschaftliche Untersuchungen zum Neuen Testament)

The Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliographie; detailed bibliographic data are available on the Internet at *http://dnb.dnb.de*.

1st edition 2014

The book was printed on non-aging paper and bound by Gulde Druck in Tübingen.

Printed in Germany.

לזכר נשמת חברי ענדרו משה מוסקוויץ
ניצול שואה

et

ELISABETH
FILIAE DILECTISSIMAE

Acknowledgements

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.

For his guidance and acceptance of this manuscript into the *Wissenschaftliche Untersuchungen zum Neuen Testament I* series I thank Professor Jörg Frey. I also thank Dr. Henning Ziebritzki, the editor of theology at Mohr Siebeck, for his constant encouragement. Herr Matthias Spitzner of Mohr Siebeck graciously provided his expert help with the production of the book.

For permission to use images I thank the British Museum, the Berlin-Brandenburgische Akademie der Wissenschaften, the Mainz Römisch-Germanisches Zentralmuseum, the Ministero per i Beni e le Attività Culturali – Soprintendenza Archeologica di Roma, the Roma Capitale Struttura di Linea Sovraintendenza Capitolina, the Ministero per i Beni e le Attività Culturali Soprintendenza Speciale per i Beni Archeologici di Napoli e Pompei, the Österreichische Nationalbibliothek Bildarchiv und Grafiksammlung, The University of California, Berkeley (C. V. Starr East Asian Library), the University of Nagasaki Library, the Bridgeman Art Library International, Professor Camodeca, Professor van den Hoek, Mr. Zias, and Professor Lombatti.

I thank Walter de Gruyter for permission to reuse the material from two articles: "Crucifixion in the West: From Constantine to Recceswinth," *ZAC* 16 (2012) 226-246 and "Roman Crucifixions. From the Second Punic War to Constantine," *ZNW* (2013) 1-32.

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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.

Lucian "could well be pseudepigraphic according to Harmon."[64] He is correct that such a position could be important for my research. In my review, however, of the monograph he wrote with Schnabel, I argued that his position (and that of the Loeb editor and translator) "goes against the grain of modern scholarship."[65] Boris Paschke notes the Roman material in the second chapter, but regrets that I make no attempt to develop a general history of crucifixion.[66] Michel Matter believes (presumably because of the data in my monograph) that the origins of crucifixion are in the Orient (Persia), but probably came to the Romans via Carthage. That is certainly possible, but I am unsure even of the truth of this statement.[67] At this time I still do not believe a history of Roman crucifixion to be possible.[68]

Giuseppe Ghiberti, in his fairly lengthy review, objects to my statement that the Shroud of Turin is "apparently a medieval forgery."[69] Msgr. Ghiberti, at one time president of the Turin diocesan commission on the Shroud and professor of Sacred Scripture at the Facoltà Teologica dell'Italia Settentrionale, argues in his review that the "procedure that resulted in the origin of the object and even more the motivations for the origin of the Shroud are completely unknown."[70] I realize there are Catholic, Orthodox, and Protestant Christians who are Shroud enthusiasts and do not wish to anger them.[71] But

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[64] Chapman, rev. of Cook, BBR, 592. Harmon's argument is confined to one phrase: "This mock presentation, probably not by Lucian …" (Lucian, 8 vols., LCL, ed. and trans. A. M. Harmon et al., Cambridge, MA 1913-67, 1.395).

[65] Cook, rev. of Chapman and Schnabel, JTS, 292. My reference there is: S. Swain, Hellenism and Empire. Language, Classicism, and Power in the Greek World, AD 50–250, Oxford 1996, 48–9. Swain refers to B. Baldwin, Studies in Lucian, Toronto 1973, 58: ("The parody is quite in the Lucianic manner with its travestied decree, the allotropes of legal phraseology, the high-flown rhetoric, jests and invective, and the deposition of false evidence"; and cp. n. 54: "Harmon offers no good reason for his view …") and H. Wolanin, Problematyka językoznawcza w "Sądzie Samogłosek" Lukiana [Linguistic Issues in Lucian's *Court of the Vowels*], Meander 45 [1990] 3–11). For the key text, cf. Cook, Crucifixion, 5 (Lucian Jud. voc. 12).

[66] Paschke, rev. of Cook, Soteria, 46.

[67] Matter, rev. of Cook, RHPR, 477.

[68] A statement from my book (451) that Paschke quotes.

[69] Ghiberti, Archivo Teologico Torinese, 158.

[70] Ghiberti, ibid., 158.

[71] For an argument by a Jewish documentary photographer, who was a member of the Shroud research team of 1968, in favor of the Shroud's authenticity, cf. B. M. Schwortz, Five Reasons Why Some Christians are Shroud Skeptics, The City 9 (2016) 67–73, esp. 71 "…science has proven the Shroud is *not* a manmade artwork." On the other side of the aisle, the arguments of Robin Lane Fox (The Unauthorized Version. Truth and Fiction in the Bible, New York 1993, 250–1) are worth noting (e.g., "… radiocarbon dating" confirmed a "fourteenth-century date"; there is no record of the Shroud's existence whatsoever until the 1350s; a bishop of Troyes claimed to have "found (so he said) the person who admitted faking it"; the image "… was artfully imprinted by a craftsman who used chemical compounds … traces

no serious scholar could possibly consider using the controversial Shroud to do any kind of research on Roman crucifixion – the Shroud is for those of the Christian faithful who accept its authenticity.

I will conclude with some remarks Martin Hengel wrote me on 20 March 2009 – only a few months before his death. In the email, Hengel was objecting to Kuhn's tendency to devalue the importance of the "historical cross" for understanding Paul's theology of the cross. His last sentences were:

> Auf dieser Grundlage [the work of Hengel, Kuhn, and Chapman] können Sie jetzt für die nächsten 100 Jahre eine umfassende Monographie zum Thema schreiben, wobei die theologische Bedeutung der paulinischen *theologia crucis* nicht unterschlagen werden dürfte. Ohne sie wird Paulus überhaupt unverständlich.
>
> On this basis [the work of Kuhn, Hengel, and Chapman] you can now write a comprehensive monograph on the theme which will be valid for the next 100 years. Thereby, the theological relevance of Paul's *theologia crucis* [theology of the cross] ought not to be suppressed. Without it, Paul becomes altogether incomprehensible.[72]

Whether the monograph will stand for 100 years remains to be seen – *vita brevis, ars longa*. That is out of my hands. I must leave to experts in Pauline exegesis the task of relating this material to Paul's theology of the cross. Although trained in exegesis, it was not my intention to write such a book. Those who have spent their scholarly lives writing on Paul are in a much better position to relate the historical material on Roman crucifixion to the understanding of Paul's theology.

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of his pigments have been found on threads of the cloth … etc." For a sceptical approach (by a former member of a Shroud team), cf. W. C. McCrone, Judgment Day for the Shroud of Turin, Amherst, NY 1999.

[72] My thanks to Professor Jörg Frey for his suggestions for the translation.

Table of Contents

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 profánamque historiam utiles; Unà 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 siebzigsten 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-

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[4] G. Samuelsson, Crucifixion in Antiquity. An Inquiry into the Background of the New Testament Terminology of Crucifixion, WUNT 2/310, Tübingen [2]2013, 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-

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[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 πασσάλοις ὀξέσι διὰ παντὸς τοῦ σώματος κατὰ μῆκος 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/in^2 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 in^2 surface the resulting pressure would be 150 lb/(.25 in^2) = 600 lb/in^2. 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 libitinariae* campane. *Iura sepulcrorum*. 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-

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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*), Iuvencus 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 Herculius fractured using a noose after capturing him in Marseilles: *Maximianus Herculius 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)*, σταυρόω *(crucify)*, ἀνασταυρόω *(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 αὑτῶν τύχην ὀδύρονται καὶ Κάδμῳ καταρῶνται πολλάκις, ὅτι τὸ Ταῦ ἐς τὸ τῶν στοιχείων γένος παρήγαγε· τῷ γὰρ τούτου σώματί φασι τοὺς τυράννους ἀκολουθήσαντας καὶ μιμησαμένους αὐτοῦ τὸ πλάσμα ἔπειτα σχήματι τοιούτῳ ξύλα τεκτήναντας ἀνθρώπους ἀνασκολοπίζειν ἐπ' αὐτά· ἀπὸ δὲ τούτου καὶ τῷ τεχνήματι τῷ πονηρῷ τὴν πονηρὰν ἐπωνυμίαν συνελθεῖν. ὃ δὴ 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

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[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 Boissevain], 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.

cross was going to have grace in the tau, he says "300").[21] Barnabas (ca 130-132) naturally identified the shape of a σταυρός with the T-shape.[22] Two Roman graffiti (by pagans) of crucifixions are both in the shape of a tau (T).[23] The Puteoli graffito is probably from the era of Trajan. This evidence is surely not coincidental. Lucian and Barnabas show that σταυρός is not the equivalent of "pole" in its broadest sense. The word could mean "pole" or some kind of "cross."[24] Lest one object that the cruciform sense of the word can only be shown to apply in the NT era (and later), one merely has to consider the meaning of *patibulum* below (§ 3.1-3). It clearly signifies the horizontal member of the cross and can also be used to refer to the entire structure in some Latin texts. Many of those texts are pre-Christian. Consequently, it is clear that Roman crosses could be cruciform. The preferred Greek word that was used to describe the *patibulum* and *stipes* structure (i.e., the cruciform shape) was σταυρός (*stauros*).[25] Since one can demonstrate that σταυρός could have a cruciform sense beginning with the NT period, there is no overwhelming reason for doubting that the same meaning existed in some texts prior to the NT.[26] It could, of course, also mean "pole." The cruciform sense of *crux* (one of its two main senses) warrants the belief that the cruciform sense of its Greek equivalent (σταυρός) existed before the NT.

Several patristic writers and Artemidorus confirm this interpretation. Justin, after quoting Deut 33:13-17, discusses the shape of crosses in his *Dialogue with Trypho*. He intends his typological exegesis to reveal the power of the mystery of the cross (τὴν ἰσχὺν τοῦ μυστηρίου τοῦ σταυροῦ).[27]

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[21] Barn. 9.8. Cp. J. Stockbauer, Kunstgeschichte des Kreuzes, Schaffhausen 1870, 89.

[22] The date is from Die Apostolische Väter. Griechisch-deutsch Parallelausgabe auf der Grundlage der Ausgaben von F. X. Funk, K. Bihlmeyer und M. Whittaker, mit Übersetzungen von M. Dibelius und D.-A. Koch, newly trans. and ed. A. Lindemann and H. Paulsen. Tübingen 1992, 24 with ref. to Barn. 16:3 (the new editors date the construction of the temple of Jupiter to 130, which is problematic). Cf. E. M. Smallwood, The Jews und Roman Rule. From Pompey to Diocletian. A Study in Political Relations, Boston/Leiden 2001, 432-435.

[23] On the Puteoli graffito, cf. J. G. Cook, Crucifixion as Spectacle in Roman Campania, NovT 54 (2012) 68-100, esp. 92-98 and on the Palatine graffito, cf. idem, Envisioning Crucifixion: Light from Several Inscriptions and the Palatine Graffito, NovT 2008, 262-285, esp. 282-284. See figures 5-7, 10. The tau shape appears on an amulet of III C.E. (figure 14).

[24] Cp. the similar picture of cross in Artemidorus Onir. 2.53 (below in this section and in chapt. 2 § 3.1.4) and cp. the image of cross as mast in Eusebius H.E. 8.8.1 (chapt. 2 § 3.24.1) quoted below.

[25] Cf. § 3.1-2 below on *patibulum* and σταυρός.

[26] Diodorus 25.5.2 (chapt. 3 § 1.12), e.g., mentions an individual nailed to a cross, which probably had a *patibulum*. Cp. Diodorus 20.54.7 (chapt. 3 § 1.12) where it is also clear that *stauros* is not a simple pole and 2.18.1 (chapt. 3 § 1.12: nail to a cross).

[27] Justin Dial. 91.1 (PTS 47, 226,1-2 Marcovich). The quotation of Deut 33:13-7 then follows.

> No one can say or demonstrate that the horns of the single horned animal are [signs] of any other matter or figure other than of the type which represents the cross. For the one beam is upright, whose highest part is raised up into a horn when the other beam is attached to it, and on each side the ends appear as horns that are yoked with the single horn. And what is fixed in the middle [i.e., the *sedile*] is like a horn and it projects [outward], and those who are being crucified rest on it; and it itself also appears to be a horn conformed and fixed with the other horns.
>
> μονοκέρωτος γὰρ κέρατα οὐδενὸς ἄλλου πράγματος ἢ σχήματος ἔχοι ἄν τις εἰπεῖν καὶ ἀποδεῖξαι, εἰ μὴ τοῦ τύπου ὃς τὸν σταυρὸν δείκνυσιν. ὄρθιον γὰρ τὸ ἕν ἐστι ξύλον, ἀφ' οὗ ἐστι τὸ ἀνώτατον μέρος εἰς κέρας ὑπερηρμένον, ὅταν τὸ ἄλλο ξύλον προσαρμοσθῇ, καὶ ἑκατέρωθεν ὡς κέρατα τῷ ἑνὶ κέρατι παρεζευγμένα τὰ ἄκρα φαίνηται· καὶ τὸ ἐν τῷ μέσῳ πηγνύμενον ὡς κέρας καὶ αὐτὸ ἐξέχον ἐστίν, ἐφ' ᾧ ἐποχοῦνται οἱ σταυρούμενοι, καὶ βλέπεται ὡς κέρας καὶ αὐτὸ σὺν τοῖς ἄλλοις κέρασι συνεσχηματισμένον καὶ πεπηγμένον.[28]

Thus Justin is a witness for a T-shaped cross. One should compare his description to the Puteoli graffito (figures 5-7) that includes a *sedile* (seat) and a *patibulum*. Since "pagan" crosses correspond to Justin's description (cp. the Palatine graffito [figure 10]), his conception accurately mirrors Roman practice.[29]

Artemidorus (mid - late II C.E.) explains the nature of the cruciform shape in one of his dream interpretations:

> Being crucified is a good thing for all sailors. For a cross is made from posts and nails like a ship, and its mast is like a cross.
>
> Σταυροῦσθαι πᾶσι μὲν τοῖς ναυτιλλομένοις ἀγαθόν· καὶ γὰρ ἐκ ξύλων καὶ ἥλων γέγονεν ὁ σταυρὸς ὡς καὶ τὸ πλοῖον, καὶ ἡ κατάρτιος αὐτοῦ ὁμοία ἐστὶ σταυρῷ.[30]

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[28] Justin Dial. 91.2 (227,11-8 Marc.) and cf. the quotation by Tertullian of the same text of Deuteronomy below in two texts (§ 3.4: Iud. 10.7, Marc. 3.18.3). Justin 1 Apol. 55.3 (PTS 38, 110,10-11 Marcovich) says that diggers (σκαπανεῖς) do their work with a tool in the form of a cross. A man carries a tool (a ✝ shape) in a depiction on a roof tile found in a Roman graveyard in Baltatonberény. K. Sági, Darstellung des altchristlichen Kreuzes auf einem römischen Ziegel, AAH 16 (1968) 391-400 (figure on 399) thought it was a pagan caricature of Christ and his cross, however it is more likely a representation of a gravedigger. Cf. D. Gáspár, Christianity in Roman Pannonia. An Evaluation of Early Christian Finds and Sites from Hungary, Oxford 2002, 139-40 § 61.II.a (figs. 386a, b) and cp. figures 52 (found in Aquincum) and 53 for depictions of the tools of a *fossor*. The tool on the roof tile closely resembles a tool on the ground in the depiction of "*Diogenes fossor* ...," that was found in the catacomb of Domitilla. An illustration is in É. Michon, *fossarius, fossor*, DAGR II/2, 1333-4. For the inscription, cf. ICUR (1896) III, 6649 (IV CE). Both text and illustration are on the Clauss-Slaby database (accessed 11 April 2013). Consequently, Hengel, Crucifixion, 20 is probably in error (i.e., his claim that the tile is a parody of Christ carrying his cross).

[29] Consequently Samuelsson's (Crucifixion, 295) dismissal of such descriptions as "Christian" is baseless.

[30] Artemidorus Onir. 2.53. Kuhn, Die Kreuzesstrafe, 702.

The important point is that a cross is made from posts and not just one stake, in his conception. The mast clearly comprises a horizontal member, because for Artemidorus a cross consists of two members, at the least. In another text Artemidorus mentions individuals who carry the cross before crucifixion, and this is a clear reference to a *patibulum*.[31]

Eusebius confirms the role "mast" terminology plays in a text on crucifixions which he witnessed in Egypt in 313:[32]

> … others with good courage stretched forth their heads to them that cut them off, or died in the mist of their tortures, or perished with hunger; others again were crucified, some as malefactors usually are, and some, even more brutally, were nailed in the opposite manner, head-downwards, and kept alive until they should perish of hunger on the gibbet [mast/cross].[33]

> ... ἄλλοι δ' εὐθαρσῶς τοῖς ἀποτέμνουσιν τὰς ἑαυτῶν προτείναντες κεφαλάς, οἳ δὲ καὶ ἐναποθανόντες ταῖς βασάνοις, ἕτεροι δὲ λιμῷ διαφθαρέντες, καὶ ἄλλοι πάλιν ἀνασκολοπισθέντες, οἳ μὲν κατὰ τὸ σύνηθες τοῖς κακούργοις, οἳ δὲ καὶ χειρόνως ἀνάπαλιν κάτω κάρα προσηλωθέντες τηρούμενοί τε ζῶντες, εἰς ὅτε καὶ ἐπ' αὐτῶν ἱκρίων[34] λιμῷ διαφθαρεῖεν.[35]

The word Eusebius uses for gibbets can mean "mast" or "cross." It is also evident that there are no uses of σταυρός that include clues or additional semantic details which describe an impalement.[36]

The verb ἀνασταυρόω can mean "impale" in certain texts when describing the treatment of disembodied heads. Herodotus describes Taurians who sacrifice shipwrecked Greeks and suspend/impale their heads (τὴν δὲ κεφαλὴν ἀνασταυροῦσι). They treat enemies similarly:

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[31] Artemidorus Onir. 2.56. See § 3.2 below. For the argument concerning *patibulum* and *crux* (which in Roman texts one *never* carried), see § 3.2.

[32] Eusebius H.E. 8.9.4 (T. D. Barnes, Early Christian Hagiography and History, Tria Corda 5, Tübingen 2010, 342) and cp. idem, Constantine and Eusebius, Cambridge, MA/London 1981, 148.

[33] Here and elsewhere in translations I take from other scholars the material in brackets is my own contribution.

[34] LSJ, s.v. "ἵκρια III, sg., = ἱστός, *mast*." Cp. Eustathius Comm. ad Hom. Il. (3.784,1-2 van der Valk) in which the word is used for the top of a mast: ἄλλοι δὲ ἵκριά φασι τὰ ἐξέχοντα τῶν νηῶν ἄκρα. ὅτι δὲ ἵκριον λέγεται καὶ ἐπὶ ἱστοῦ ... (with ref. to Homer, Il. 15.685). LPGL s.v. ἵκριον "*scaffold, gallows*; of cross ..." Cp. Eusebius D.E. III 3.4.27 (GCS Eusebius Werke VI, 115,1-2 Heikel): ... κἄπειτα ἐπὶ τοῦ ἱκρίου φωνήσας μέγα, καὶ τῷ πατρὶ παρατιθεὶς τὸ πνεῦμα ... (and then calling out loudly on the mast/cross and commending his spirit to the Father) and Lucian Cat. 13 (chapt. 3 § 2.10): ἱστῷ (mast).

[35] Eusebius H.E. 8.8.1, trans. of Eusebius, Ecclesiastical History, vol. 1-2, LCL, ed. and trans. K. Lake and J. E. L. Oulton, Cambridge, MA/London 1926-1932, 2.275. Cp. the similar account in Laus C. 7.7 (chapt. 2 § 3.24.1).

[36] See, in contrast, Diodorus 25.5.2 (chapt. 3 § 1.12; nailed to a *stauros*), Anthologia Graeca 11.192 below, and Plutarch An vit. 499D (nail to a *stauros*) below.

> Each one cuts off his enemy's head and brings it to his home, then impales it on a great beam and places it high above the home, especially above the smoke hole in the roof.
>
> ἀποταμὼν [ἕκαστος] κεφαλὴν ἀποφέρεται ἐς τὰ οἰκία, ἔπειτα ἐπὶ ξύλου μεγάλου ἀναπείρας ἱστᾷ ὑπὲρ τῆς οἰκίης ὑπερέχουσαν πολλόν, μάλιστα δὲ ὑπὲρ τῆς καπνοδόκης.[37]

The verb, however, means "crucify" in texts such as Josephus's description of Alexander Jannaeus's crucifixion of 800 of the Pharisees' supporters in 88 B.C.E.:

> While he feasted with his concubines in a conspicuous place, he ordered some eight hundred of the Jews to be crucified, and slaughtered their children and wives before the eyes of the still living wretches.
>
> ἑστιώμενος γὰρ ἐν ἀπόπτῳ μετὰ τῶν παλλακίδων ἀνασταυρῶσαι προσέταξεν αὐτῶν ὡς ὀκτακοσίους, τοὺς δὲ παῖδας αὐτῶν καὶ τὰς γυναῖκας ἔτι ζώντων παρὰ τὰς ἐκείνων ὄψεις ἀπέσφαττεν.[38]

The fact that the crucified victims were still living while their families were murdered in front of them indicates that impalement was clearly not the punishment. In a much earlier text Herodotus uses ἀνεσταύρωσε to describe Darius's intended crucifixion of Sandoces (he was released).[39] I am aware of no text using the verb ἀναστανρόω that describes an explicit impalement of a living person (i.e., a text with additional semantic clues).[40] The linguistic and historical contexts are crucial for determining which sense of the verb should be adopted (i.e., "suspend," "impale" [presumably for most disembodied heads], or "crucify").

σταυρόω can refer to suspension as in Diodorus Siculus's description of the death of Onomarchus: "Onomarchus was wounded (or cut in pieces) and suspended/crucified" (Ὀνόμαρχος ... κατακοπεὶς ἐσταυρώθη.[41] The *Greek Anthology* preserves an epigram of Lucillius, who was active during

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[37] Herodotus 4.103.1-3 (cf. Samuelsson, Crucifixion, 45). Cp. Herodotus 9.78.3: the impalement or suspension of Leonidas's head by the Persians τὴν κεφαλὴν ἀνεσταύρωσαν. See chapt. 3 § 1.2. Josephus A.J. 6.374 describes the attachment (not impalement), by the Philistines, of the bodies of Saul and his sons to the walls of Bethshan (τὰ δὲ σώματα ἀνεσταύρωσαν πρὸς τὰ τείχη τῆς Βηθσὰν πόλεως). Cf. chapt. 2 § 3.22 for other uses of the verb to refer to impaled or suspended heads. It is possible that nails were occasionally used for suspending heads. Strabo 4.4.5 describes Druids who nail the heads of their enemies on the doors of their homes (κομίσαντας [τὰς κεφαλὰς] δὲ προσπατταλεύειν τοῖς προπυλαίοις). Cf. Samuelsson, ibid., 46.

[38] Josephus A.J. 13.380. Trans of Josephus, Jewish Antiquities Books XII-XIV, vol. 7, ed. and trans. R. Marcus, Cambridge, MA/London 1933, 417. Cp. B.J. 1.97 (same scene).

[39] Herodotus 7.194.1-3 (cf. chapt. 3 § 1.2). Diodorus 25.5.2 (cf. chapt. 3§ 1.12) is another use of ἀνεσταύρωσεν that clearly means "crucified," since it is parallel with εἰς τὸν αὐτὸν σταυρὸν ... προσήλωσεν (nailed to the same cross).

[40] No text describes an explicit hanging by a noose using the verb.

[41] Diodorus 16.61.2 (cf. chapt. 3§ 1.12).

the reign of Nero in which the verb manifestly refers to crucifixion and not impalement:

> Envious Diophon, seeing another man near him crucified on a higher cross than himself, fell into a decline.
>
> Μακροτέρῳ σταυρῷ σταυρούμενον ἄλλον ἑαυτοῦ
> ὁ φθονερὸς Διοφῶν ἐγγὺς ἰδὼν ἐτάκη.[42]

Diophon, while being crucified himself (and so not impaled, which would have resulted in immediate death), was consumed with envy of another man's more impressive cross. No occurrence of σταυρόω I have found describes the explicit impalement of a living person (i.e., a text with additional semantic clues). Consequently, "suspend" (in the case of corpses) or "crucify" are acceptable translations of the verb in most penal contexts.[43]

σκόλοψ could be used for a stake to impale an individual. Plutarch mentions it as a possible form of death (unspecified executioner), which he contrasts with crucifixion, ("will you nail him to a cross or impale him on a stake?" εἰς σταυρὸν καθηλώσεις ἢ σκόλοπι πήξεις;).[44] Celsus, however, uses the noun interchangeably with σταυρός, and does not conceive Jesus' death to be an impalement. His mention of the piercing of Jesus' hands probably implies the presence of a *patibulum*.[45] An oracle attributed to the Milesian Apollo describes Jesus nailed to stakes (γομφωθεὶς σκολόπεσσι), which indicates a cross built from at least two members.[46] Cassius Dio can use ἀνασκολοπίζω for suspension. The governor envisions impalement by stakes after suspension using the verb: "... to be suspended ... to be pierced by

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[42] Anthologia Graeca 11.192 (chapt. 2 § 3.5.4). Trans. of The Greek Anthology, Vol. 4, LCL, ed. and trans. W. R. Patton, Cambridge, MA/London 1918, 163. Cp. the use for crucifixion (with nails mentioned) in Lucian Prom. 1 (ἐσταυρῶσθαι).

[43] An exception may be Priscus's use of the verb to describe Attila's executions (cf. frag. 2 [Blockley] in chapt. 3 § 10.6). The verb is never used to express hanging by a noose (i.e., with explicit semantic clues).

[44] Cf. Plutarch An vit. 499D (chapt. 3 § 2.6). Cp. Euripides Iph. Taur. 1430 σκόλοψι πήξωμεν δέμας ([Asia Minor] let us [some barbarians] impale their [live] bodies on a stake), El. 898 πήξασ' ἔρεισον σκόλοπι (Orestes to Electra: impaling it [the corpse of Aegisthus] thrust it down on a stake [a murder]), Diodorus 33.15.1 οἱ δὲ κεφαλὰς καὶ χεῖρας καὶ πόδας ἀφῃρημένοι· καὶ τούτων οἱ μὲν ἐπὶ σκόλοψιν, οἱ δὲ ἐπὶ δένδρεσιν ἀνήρτηντο ([Diegylis, a Thracian, executed some hostages:] some were deprived of heads, and hands and feet; of these some were fixed to stakes and others to trees), Eur. Bacch. 1139-41 κρᾶτα δ' ἄθλιον / ... / πήξασ' ἐπ' ἄκρον θύρσον ([Agave] fixed his [Pentheus's] miserable head on the top of a thyrsus), Homer Il. 18.176-7 κεφαλὴν ... / πῆξαι ἀνὰ σκολόπεσσι ταμόνθ' ἁπαλῆς ἀπὸ δειρῆς (cutting his [Patroclus's] head from the tender neck fix it on stakes).

[45] Origen C. Cels. 2.55 τὴν ἐπὶ τοῦ σκόλοπος αὐτοῦ φωνήν (his voice on the stake [this text also mentions the nails in his hands]), 2.61 τῶν ἐπὶ τῷ σταυρῷ τραυμάτων (the wounds he received on the cross). Cf. chapt. 3 § 6.1 (Celsus) and the discussion of *patibula* below (§ 3.1).

[46] Lact. Inst. 4.13.11, cf. chapt. 1 § 2.27.

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