Wissenschaftliche Untersuchungen zum Neuen Testament · 2. Reihe 67

# Harry W. Tajra The Martyrdom of St. Paul



Wissenschaftliche Untersuchungen zum Neuen Testament · 2. Reihe

Herausgegeben von Martin Hengel und Otfried Hofius

67

# The Martyrdom of St. Paul

Historical and Judicial Context, Traditions, and Legends

by

H.W. Tajra



J.C.B. Mohr (Paul Siebeck) Tübingen

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To His Excellency

The Most Reverend Pierre Duprey M.Afr.,

Bishop of the Titular See of Thibar and Segretarius of the Pontificium Consilium ad Unitatem Christianorum fovendam,

without whose kind help this book could not have been written.

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# New Testament Textual Apparatus

#### I. Codices

- D --- Codex Bezae Cantabrigiensis
- E Codex Laudianus

#### II. Versiones Antiquae

- vg. Vulgate
- vg.<sup>codd</sup> Vulgate codices (excluding the Sixtina and the Clementina
- g Codex Gigas
- p Codex Perpinianus
- tepl --- Codex Teplensis
- sy<sup>p</sup> Syriac Peshitta
- syh\*--- Asterisked additions to the Harclean readings
- prov. Provençal Version eth. — Ethiopic sa. — Sahidic

Ambst — Ambrosiaster  $\delta$  — indicates Western Text consensus 614 — miniscule ( $\delta$  — text), Milan

# Abbreviations

Anal. Boll.	Analecta Bollandiana, Brussels.
ANL	Ante-Nicene Library, T. & T. Clark, Edinburgh.
AC	Antiquité Classique, Brussels.
Arndt & Gingrich	Arndt, W.F. and Gingrich, F.W., A Greek-English
_	Lexicon of the New Testament and other Early Chris-
	tian Literature (a translation and adaptation of Walter
	Bauer's Griechisch-Deutsches Wörterbuch zu den
	Schriften des NT und der übrigen urchristlichen
	Literatur), University of Chicago Press, Chicago,
	1957.
ANRW	Aufstieg und Niedergang der römischen Welt, Walter
	de Gruyter, Berlin/New York, (from) 1972.
BC	Foakes-Jackson, F.J. and Lake, K., (edd.), The Be-
	ginnings of Christianity, MacMillan & Co., London,
	in 5 volumes, 1920-1933.
BGU	Berliner griechische Urkunden (Ägyptische Urkunden
	aus den königlichen Museen zu Berlin), Berlin, (from)
	1895.
BHG <sup>3</sup>	Bibliotheca Hagiographica Graeca, Société des
	Bollandistes, Brussels, 3rd. Edition in 3 volumes,
	1957.
BHL	Bibliotheca Hagiographica Latina, Société des
	Bollandistes, Brussels, in 3 volumes, 1898-1911.
ВНО	Bibliotheca Hagiographica Orientalis, Société des
	Bollandistes, Brussels, 1910.
BZ	Biblische Zeitschrift, Paderborn.
BCH	Bulletin de Correspondance Hellénique, Athens/
	Paris.
Bull. J.R. Lib.	Bulletin of the John Rylands Library, Manchester.
Bull. Litt. Eccl.	Bulletin de Littérature Ecclésiastique, Toulouse.
BAC	Bulletino di Archeologia Cristiana, Rome.
CAH	The Cambridge Ancient History, University of Cam-
	bridge Press, 1926-34.

		. •
Ahh	revia	tinne
1100	Crita	10110

X	Abbreviations
CR	Classical Review London.
Corp.ChristSer.Lat.	Corpus Christianorum, series Latina, Brepols, Turnhout.
CII	J.B. Frey, (ed.), <i>Corpus Inscriptionum Iudaicarum</i> , Rome; Vol. I, 1936; Vol. II, 1952.
CIL	Corpus Inscriptionum Latinarum, Berlin, (from) 1863.
DACL	Dictionnaire d'Archéologie chrétienne et de Liturgie, Letouzey et Ané, éditeurs, Paris, in 15 volumes, 1907-1953.
DB	<i>Dictionnaire de la Bible</i> , Letouzey et Ané, éditeurs, Paris, in 5 volumes, 1895-1912. <i>DB-Suppléments</i> start in 1926.
Dict.Théol.Cath.	<i>Dictionnaire de la Théologie catholique</i> , Letouzey et Ané, éditeurs, Paris, in 15 volumes, 1909-1972.
Digesta	<i>The Digest of Justinian</i> , Corpus Iuris Civile, Vol. I; Latin text edited by Th. Mommsen, 1886. English translation by A. Watson, University of Pennsylvania Press, Philadelphia, in 4 volumes, 1985.
ET	The Expository Times
GCS	Die griechischen christlichen Schriftsteller der ersten Jahrhunderte, Leipzig/Berlin, (from) 1897.
HTR	The Harvard Theological Review, Cambridge, Massachusetts.
HDB	Hastings, James, (ed.) A Dictionary of the Bible, Edinburgh, in 4 volumes, 1898-1902.
ICUR	Inscriptiones Christianae Urbis Romae, Rome, in 3 volumes, 1857-1861; Nova Series in 9 volumes, 1922-1985.
IG	Inscriptiones Graecae, Berlin, (from) 1873.
IGR	Inscriptiones Graecae ad Res Romanas pertinentes, Paris, (from) 1911.
JOeBG	Jahrbuch der Osterreichischen Byzantinischen Gesellschaft, Vienna.
JBL	Journal of Biblical Literature, Philadelphia.
JRS	Journal of Roman Studies, London.
JTS	Journal of Theological Studies, Oxford.
LP	Duchesne, L. (ed.), Le Liber Pontificalis, Ernest Thorin, éditeur, Paris, Vol. I, 1886; Vol. II, 1892, Vol. III, 1957.

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Abbreviations xi			
LCC	<i>The Library of Christian Classics</i> , Westmir Philadelphia.	ister Press,	
LNPF	A Selected Library of Nicene and Post-I thers, The Christian Literature Co., New		
LS <sup>9</sup>	Liddell, H.G., and Scott, R.A., A Grea Lexicon, Clarendon Press, Oxford, 9th. Edit	-	
Lipsius	Lipsius, R.A. (ed.), <i>Acta Apostolorum A</i> Hermann Mendelssohn Verlag, Leipzig, Ve Vol. II, 1898, (Bonnet, M., ed.).		
Loeb	The Loeb Classical Library, W. Heinem London/Harvard University Press, Cambrid		
MEFRA	Mélanges de l'Ecole française de Rome		
Mombritius	Mombritius, B. (ed.), <i>Sanctuarium Sanctorum</i> , Fontemoing et Cie., éditeurs, volumes, 1910.		
NTS	New Testament Studies, Cambridge.		
NBAC	Nuovo Bulletino di Archeologia Cristiana	a, Rome.	
OGIS	Orientis Graeci Inscriptiones Selectae, Leip 1905.		
Р	Papyri		
P.Amh.	Amherst Papyri		
P. Bodmer	Bibliotheca Bodmeriana, Cologny-Genev	a	
P.Fay	Fayûm Towns and their Papyri		
P. Lille	Papyrus grecs: Institut papyrologique de l' de Lille	Université	
P. Lips.	Griechische Urkunden der Papyrussammlur zig	ng zu Leip-	
P. Lond.	Greek Papyri in the British Museum		
P. Oxy.	The Oxyrhynchus Papyri, London		
P. Ryl.	Catalogue of the Greek Papyri in the Joh Library, Manchester	n Rylands	
P. Thead.	Papyrus de Théadelphie, Paris		
Patr.Gr.Lex.	Lampe, G.W.H., (ed.), <i>A Patristic Greek</i> Clarendon Press, Oxford, 1961.	k Lexicon,	
PG	Patrologia Graeca (J.P. Migne), Paris.		
PL	Patrologia Latina (J.P. Migne), Paris.		
PLSuppl.	Patrologia Latina-Supplements, Paris, (fon)	rom 1958	
PO	Patrologia Orientalis, Paris, (from 1907).		

xii	Abbreviations
PROLEGOMENA	Moulton, J.H., <i>A Grammar of New Testament Greek</i> , T. & T. Clark, Edinburgh, 2nd. Edition, 1906: Vol. I, <i>The Prolegomena</i> .
RE	Paulys Real-Encyclopädie der classischen Altertumswissenschaft, herausgegeben G. Wissowa, Stuttgart/Munich, (from) 1894.
RSR	Recherches de Science religieuse, Paris.
RGG	Die Religion in Geschichte und Gegenwart, J.C.B. Mohr (P.Siebeck), Tübingen, 3rd. Edition, 1961.
RB	Revue Biblique, Paris.
RHE	Revue d'Histoire ecclésiastique, Louvain.
RHPR	<i>Revue d'Histoire et de Philosophie religieuses</i> , Strasbourg.
Rev.Hist.	Revue Historique, Paris.
ROC	Revue de l'Orient chrétien, Paris.
RAC	Rivista di Archeologia cristiana, Rome.
RQS	Römische Quartalschrift, Rome.
SIG <sup>3</sup>	Sylloge Inscriptionum Graecarum, (W. Dittenberger, ed.), Leipzig, 3rd. Edition, 1915-1924.
TU	<i>Texte und Untersuchungen</i> , Leipzig/Berlin, (from) 1882.
ThWb.	Kittel, G. and Friedrich, G. (edd.), <i>Theologisches Wörterbuch zum Neuen Testament</i> . The English edition used in this book is by G.W. Bromiley, <i>Theological Dictionary of the New Testament</i> , Wm. B. Eerdmans, Grand Rapids, in 10 volumes, 1964-1976.
Thesaurus Ling.Lat.	Thesaurus Linguae Latinae, Leipzig, (from) 1900.
VC	Vigiliae Christianae, Amsterdam.
ZK	Zeitschrift für Kirchengeschichte, Gotha/Stuttgart.
Zerwick-GB	Zerwick, M., <i>Biblical Greek</i> , Rome, 1963 (based on the 4th Latin edition of <i>Graecitas Biblica</i> ).

#### Chapter One

#### Paul's Condemnation and Martyrdom: Juridical Aspects

#### I. Paul's Roman Citizenship and its Effect on His Martyrdom

In the Trial of St. Paul, we reviewed at length the primordial importance of Paul's Roman citizenship in his earlier legal history. Twice in the canonical Acts of the Apostles, Paul had solemnly proclaimed his Roman citizenship<sup>1</sup> and this cry of civis Romanus sum had substantially modified his legal position over against the Roman magistrates charged with his case. Most importantly of all it was because of his status as a Roman citizen that he was able to avail himself of the *ius provocationis* and thus appeal to Nero's court at Rome for protection against what he felt to be an iniquitous magisterial decision on the part of Festus, Procurator of Judaea<sup>2</sup>. It was thus his Roman citizenship which allowed the Apostle to escape extradition, which Festus had proposed<sup>3</sup>, and to escape a certain death sentence at the hands of the very same body which had not hesitated to condemn Jesus and the proto-martyr St. Stephen. Later in Rome, the benevolent treatment which Paul received from the police authorities was due to his citizen status. Although one must keep in mind that Luke's pro-Roman stance in Acts would have led him to emphasize the good relations which Paul enjoyed with the Roman magistratura, it is nonetheless indubitable that had Paul been a peregrine, the treatment accorded him would have been quite other than what it was. For his part Paul recognized the Roman Emperor, the Roman magistrates and the Roman police as holding full and legitimate political and juridical authority over him and he submitted willingly to that State power<sup>4</sup>.

E. Benveniste notes that the Latin word *civis* invoked links of kinship, friendship and companionship, that is of a common *sharing* of political and

<sup>1</sup> Acts 16,37; Acts 22,25.

<sup>2</sup> Acts 25,11.

<sup>3</sup> Acts 25,9.

<sup>4</sup> Rom. 13,1-7. Cf. M. Adinolfi, "San Paolo e le autorità romane negli Atti degli Apostoli", *Antonianum*, Rome, Vol. 53; 1978, pgs. 460-461.

juridical prerogatives as well as duties and of a common *participation* in the life of the State. "The true meaning of civis", writes Benveniste, "is not citizen (*citoyen*) ... but fellow citizen (*concitoyen*)"<sup>5</sup>. From this root, the term *civitas* is derived, meaning as is does, of course, the quality of being a citizen or citizenship, but also the whole of the citizenry and indeed the city itself as a real legal entity. Sharing and participation englobed not only the political but also religious life of the city; these were in fact quite inseparable in ancient urban societies. C. Nicolet is quite correct in pointing out that the Roman citizenship

"whatever visage it would later take on would always keep this double character of both a sacred and political community resting on a community of rights (the *ius civile* — the rights of citizens) which among other things governed family links very strongly".<sup>6</sup>

The fundamental characteristic of citizenship was the guarantee of the individual's juridical and civil status. The key word here is the word *protection*. Roman citizenship "... protected the individual over against the magistrates or high imperial officials in the straight line of Republican tradition"<sup>7</sup>. In Paul's time, Roman citizenship was the privilege of relatively few people. It was of enormous value as citizens enjoyed "all sorts of civil, military, political, juridical, economic and religious rights, privileges and duties (*iura, honores, munera*)"<sup>8</sup>. The Roman citizen was protected from magisterial abuse by the whole body of the Porcian and Valerian laws promulgated during the Republican régime and by the *Lex Iulia de vi publica et privata* of Augustan provenance<sup>9</sup>.

The citizen therefore had a completely different legal status from the peregrine who enjoyed none of the former's juridical and political rights, benefits and privileges. Thus St. Peter, for example, as a peregrine, would have quite woefully lacked the legal protection against magisterial abuse and the right to due process which Paul enjoyed as rights inherent to his citizenship. So whereas Peter could be executed very summarily (perhaps after torture) during the anti-Christian terror which occurred in the wake of the great fire of 64 A.D., Paul was protected from torture and could only be executed subsequent to a proper juridical proceeding<sup>10</sup>. If one speaks purely in juridical

<sup>5</sup> E. Benveniste, Le Vocabulaire des Institutions indo-européennes, Paris, 1969, Vol. I, pg. 337.

<sup>6</sup> C. Nicolet, Le Métier de Citoyen dans la Rome républicaine, Paris, 1976, pg. 39.

<sup>7</sup> Ibid, pg. 34.

<sup>8</sup> M. Adinolfi, op.cit., pg. 461.

<sup>9</sup> Ampler discussion in H. Tajra, The Trial of St. Paul, Tübingen, 1989, pg. 25 and 146.

<sup>10</sup> Cf. Acts 16,37-38 and 22,24-29. Cf. Eusebius, *HE*. 5,1.44. Eusebius writes in his account of the persecutions of the Christians at Lyons: "The people were very bitter against him [Attalus], but when the governor learnt that he was a Roman, he commanded him to be put

terms, it is absolutely necessary to *de-couple* Peter and Paul, that luminous binary so joined together in later Christian traditions, legend, lore, liturgy and art, because their violent deaths occurred at separate times, with different modes of capital punishment (crucifixion/decapitation), consequent to entirely different legal proceedings (or lack thereof in Peter's case).

As we mentioned earlier, Roman citizenship brought with it not only privileges but also duties of both a political and religious nature. The Roman citizen would be expected to adhere to the national religion and, with the establishment of the Principate, this came to include fidelity to and participation in the ruler cult:

"A religio was licita for a particular group on the basis of tribe or nationality and traditional practices, coupled with the proviso that its rites were not offensive to the Roman people or their gods. But, for Roman citizens, loyalty to the national religion precluded participation in the rites of others, unless these had been specifically sanctioned by the Senate. (...) The practice by a Roman citizen of an *externa religio* which had not been accepted could be an insult to the gods and an affront to the greatness of the Roman people. (...) Not for nothing were *maiestas* and *sacrilegium* linked in the minds of Roman lawyers, and the participation of individuals in a *religio externa* condemned. Christianity was certainly among the latter".<sup>11</sup>

Finally, a Roman citizen was expected to be fluent in Latin, the language of his *patria*<sup>12</sup>. Although Rome was a completely cosmopolitan city and many of the early Roman Christians were non-Latins more at home in Greek than in Latin, Paul would not have ignored the city's main language when he preached, worked, received visitors or extended hospitality. The Apostle had already demonstrated a considerable knowledge of Roman institutions and of the Roman legal system and doubtlessly his stay in the empire's capital city had greatly enhanced his fluency in Latin<sup>13</sup>. Moreover, if, as seems likely, the Apostle did succeed in reaching Spain, any mission to that thoroughly

back with the rest, who were in jail, about whom he had written to the Emperor and was waiting for the reply" (*trans.* K. Lake, *Loeb*, 1959).

<sup>11</sup> W.H.C. Frend, Martyrdom and Persecution in the early Church, Oxford, 1965, pg. 106. Cf. Digesta 48,4.1.

<sup>12</sup> Dio Cassius records an incident in which a Lycian was stripped of his Roman citizenship by Emperor Claudius (year 43 A.D.) when his inadequate knowledge of Latin was exposed: "During the investigation of this affair [the murder of a Roman by some Lycians] which was conducted in the Senate, he put a question in Latin to one of the envoys who had originally been a Lycian, but had been made a Roman citizen; and when the man failed to understand what was said, he took away his citizenship, saying that it was not proper for a man to be a Roman who had no knowledge of the Romans' language." (Dio Cassius 60,17.4; *trans.* E. Cary, *Loeb*, 1961).

<sup>13</sup> F.R. Montgomery Hitchcock, "Latinity of the Pastorals", ET., Vol. 39; 1927-1928, writes: "He would not have been slow to seize the opportunity of conversing in Latin with the welltrained and educated Praetorian who was always with him ... We must take into account his

Romanized land would have had to have been conducted in Latin<sup>14</sup>. It would seem reasonable to conclude that the proceedings in Paul's trial in Rome took place in that language and that the Apostle's *apologia* before the imperial court, the final one of his ministry, was delivered in Latin.

#### II. The Juridical Foundation for Paul's Condemnation to Death

As a Roman citizen, Paul could not have been put to death except after having been found guilty by the imperial court of a very grievous infraction of the law. In view of what is known of the indictment lodged against Paul in the lower courts as recorded in the *Acts of the Apostles* and of the political and juridical situation during Nero's reign, Paul could only have been condemned to death on a charge of *crimen laesae maiestatis*. That is to say that his words and deeds were judged to have directly and indubitably diminished and injured the Emperor's person, station and sovereign authority<sup>15</sup>.

# II,1. The Modification and Extension of the Laws governing the *Crimen laesae maiestatis*

The establishment of the Principate by Augustus substantially modified the legal definition of *crimen laesae maiestatis*. At the end of the Republican régime, Cicero had described crimes of lese-majesty as those acts diminishing the dignity, high estate or authority of the Roman people or those to whom they had confided authority: *maiestatem minuere est de dignitate aut amplitudine aut potestate populi aut eorum quibus populus potestatem dedit aliquid derogare*<sup>16</sup>. Later on the great imperial jurist Ulpianus (170 ? — 228 A.D.), defined *maiestas* as follows: "The crime of treason is that which is committed against the Roman people or against their safety (*maiestatis autem crimen illud est, quod adversus populum Romanum vel adversus securitatem eius committitur*)"<sup>17</sup>. In the same passage Ulpianus also writes that "closest to

Latin studies and the fact that he was hourly, for two years, in the company of an Italian who would not speak Greek and with whom he would have to converse in Latin". (pg. 348)

<sup>14</sup> Ibid, pg. 348.

<sup>15</sup> Cf. R. Jewett, *A Chronology of Paul's Life*, Philadelphia, 1979, pg. 46: *Maiestas* was "in all likelihood ... the actual charge on which Paul was executed".

<sup>16</sup> Cicero, de Inventione 2,17.53.

<sup>17</sup> Digesta 48,4.1.

sacrilege is that crime which is called treason (*proximum sacrilegio crimen est*, quod maiestatis dicitur)<sup>718</sup>.

With the founding of the Principate, written or verbal insults or any other sort of denigrating acts aimed at diminishing the dignity, sovereign authority or person of the Emperor became assimilated with crimes against the State:

"The association of insults to the emperor with treason was productive of many anomalies and inconsistencies. Other legal systems know the crime of lèse-majesté, of injury to the dignity of the sovereign, alongside what is usually known as High Treason, but as a rule the distinction between the two is clear. It was not so in Rome".<sup>19</sup>

This new definition of the law assimilating insults to the Emperor with State treason (thereby effacing the old *perduellio* as a crime distinct from *maiestas*, a separation that was clear under Republican law) was refined and more rigorously applied in the reign of the second Emperor, Tiberius (14—37 A.D.). Tacitus writes rather scathingly:

"For he had resuscitated the *Lex Maiestatis*, a statute which in the old jurisprudence had carried the same name but covered a different type of offence — betrayal of an army; seditious incitement of the populace; any act, in short, of official maladministration diminishing the 'majesty of the Roman nation'. Deeds were challenged, words went immune (*facta arguebantur, dicta inpune erant*). The first to take cognizance of written libel under the statute was Augustus; ... then Tiberius, to an inquiry put by the praetor, Pompeius Macer, whether process should still be granted on this statute, replied that 'the law ought to take its course' (*exercendas leges esse*). He, too, had been ruffled by verses of unknown authorship satirizing his cruelty, his arrogance, and his estrangement from his mother''.<sup>20</sup>

Suetonius provides a parallel account showing how repressive the law was:

<sup>18</sup> Digesta 48,4.1. R.A. Bauman comments: "Etymologically maiestas is derived from maior. As maior expresses not an absolute value but the comparative degree, so maiestas is not an absolute quality but a relationship. This fact is fundamental to Roman maiestas. The word denotes an unequal relationship, with one component occupying the position of the maior, and the other that of the minor, but it denotes only a relationship and not a quality or attribute existing in isolation". (R.A. Bauman, The Crimen Maiestatis in the Roman Republic and Augustan Principate, Johannesburg, 1967, pg. 1).

<sup>19</sup> R.A. Bauman, Impietas in Principem, Munich, 1974, pg. 2. C.W. Chilton writes that the crimen laesae maiestatis "was extended to include, as well as the abuse of the divinity of Julius, verbal abuse and slander of the Princeps and sometimes even slander of his family. It was this extension of the meaning of maiestas by Augustus — showing as it did the shift in the balance of power in the State — that was so significant ..." (C.W. Chilton, "The Roman Law of Treason under the early Principate", JRS. Vol. 45; 1955, pg. 75). B. Kübler notes: "In der Zeit der Monarchie ... ist das Majestätsverbrechen aus einern Staatsverbrechen zum Verbrechen gegen die Person des Herrschers und seiner Familie, der domus Augusta, geworden" (B. Kübler, "Maiestas" RE. Vol. 14,1; 1928, col. 550.

<sup>20</sup> Tacitus, Ann. 1.72 (trans. J. Jackson, Loeb, 1962).

"It was about this time that a praetor asked him whether he should have the courts convened to consider cases of lese majesty; to which he replied that the laws must be enforced (*exercendas esse leges*), and he did enforce them most rigorously (*et atrocissime exercuit*)."<sup>21</sup>

A passage from Dio Cassius about Tiberius (year 20 A.D.) indicates that not only deeds but even *speech* deemed improper was enough to condemn someone under the expanded *maiestas* law:

"Among other ways in which his rule became cruel, he pushed to the bitter end the trials for *maiestas*, in cases where complaint was made against anyone for committing any improper act, or uttering any improper ( $dve\pi utilde{becaust}$ ) speech, not only against Augustus, but also against Tiberius himself and against his mother".<sup>22</sup>

In Nero's reign, Tacitus notes the case of the Praetor Antistius Sosianus, who was charged with treason in the year 62 A.D. by Cossutianus Capito at the urging of his father-in-law Tigellinus, joint commander of the Praetorian Guard. Antistius had written some verses satirizing Nero and had read them openly at a dinner party. Tacitus notes this case as an ominous revival of the *maiestas* law: *tum primum revocata ea lex*<sup>23</sup>.

The sort of political climate engendered by the extension of the law on *maiestas* spawned a whole breed of private accusers (*delatores*) whose denunciations would open a judicial proceeding against a foe. Seneca has given a chilling account of the perversion of the Roman legal system during the Julio-Claudian period:

"Under Tiberius Caesar there was such a common and almost universal frenzy for bringing charges of treason, that it took a heavier toll of the lives of Roman citizens than any Civil War; it seized upon the talk of drunkards, the frank words of jesters; nothing was safe — anything served as an excuse to shed blood, and there was no need to wait to find out the fate of the accused since there was but one outcome".<sup>24</sup>

Indeed this brings us to the question of the punishment meted out to the perpetrator of a crime of lese-majesty. C.W. Chilton notes that in the late Republic death was probably the penality prescribed for crimes of lese-majesty, but that Roman citizens could avoid the capital sentence by going into exile, i.e. *interdictio* "with or without confiscation, became the actual legal

<sup>21</sup> Suetonius, Tib. 58 (trans. J.C. Rolfe, Loeb, 1960).

<sup>22</sup> Dio Cassius 57,19 (*trans.* E. Cary, *Loeb*, 1961). The adjective ἀνεπιτήδειος, that is improper, mischievous, prejudicial, can also be used in a political sense, i.e. as the unfriendly act or discourse of a political opponent (*LS*<sup>9</sup>, pg. 134).

<sup>23</sup> Tacitus, Ann. 14,48.

<sup>24</sup> Seneca, *de Beneficiis* 3,26 (*trans.* J.W. Basore, *Loeb*, 1958). Tacitus notes that after the fall of Nero in 68 A.D., the Senate demanded the swift punishment of *delatores* as required by ancestral custom (Tacitus, *Hist.* 4,42). Cf. Suetonius, *Titus* 8.

penalty for *maiestas*<sup>25</sup>. Under the Julio-Claudian Emperors, *interdictio* as a penalty for *maiestas* soon disappeared: "banishment was made harsher and summary execution became more and more common<sup>26</sup>.

#### II,2. The Ruler-Cult

In Antiquity political loyalty was almost always inseparable from religious practice. The concept of divine honours being bestowed on a ruler had its roots in the ancient Greek notion of kingship and in the later Hellenistic idea of the god-like king who was the benefactor and protector of his subjects:

"It is an essential aspect of the ruler-cult in Hellenistic and Roman times that it develops this notion of divine man and is not founded upon the notion of hero. One excellent reason among others, is that the ruler-cult, though interested in past rulers, was basically oriented towards living sovereigns: it was meant to explain, justify, and recognize present, not past power".<sup>27</sup>

It is not surprising then that one of the most important factors in the growth and spread of the imperial ideology was the process of increasing veneration for the Emperor; the conscious propagation of what A.D. Nock has termed a "doctrine of royal divinity"<sup>28</sup>. The imperial cult became quite extensively integrated into the local cults in the diverse cities and provinces with the consequence that "the Emperors were the object of the same cult-acts as the other gods"<sup>29</sup>.

Imperial Roman policy strove to promote a common religious faith in the Emperor as the being to whom his subjects looked to satisfy their temporal needs, as the benefactor of mankind, as the giver of peace and defender of security, as the liberator from oppression; all this in order to encourage a sense of unity and bonds of loyalty in the vast and variegated Empire. Cultic forms of Emperor-worship varied in the different parts of the Empire, being rather more intense and developed in the Hellenistic East than in the Latin West. Yet everywhere there was a common veneration for the Empire's ruler. Emperorworship was one of the major assizes underpinning the whole imperial régime

29 F. Millar, "The Imperial Cult and the Persecutions", in *LE CULTE DES SOUVERAINS* DANS L'EMPIRE ROMAIN, Vandoeuvres-Geneva, 1973, pg. 164.

<sup>25</sup> C.W. Chilton, op.cit., pg. 75.

<sup>26</sup> Ibid. pg. 75.

<sup>27</sup> A. Mornigliano, "How the Roman Emperors became gods", 8º CONTRIBUTO ALLA STORIA DEGLI STUDI CLASSICI E DEL MONDO ANTICO, Rome, 1987, pg. 301.

<sup>28</sup> A.D. Nock, "The Augustan Restoration", *CR*, Vol. 39; 1925, pg. 62. Nock notes in the same passage that religion could in no way be neglected by a ruler "eager to regenerate the national spirit".

as it was a concrete and very visible act in which all the Emperor's subjects could unite. It was as much a political statement as a religious deed.

At Rome itself there was a strong tradition against the actual worship of a living ruler; a factor which the early Emperors were forced to take into account. Octavian tried to maintain the political fiction that he was the providential restorer of Republican traditions. It was thus embarrassingly awkward to attribute divine status to an "alleged Republican leader"<sup>30</sup>. He therefore limited himself to being called, from 42 B.C. on, *divi filius* (i.e. of the deified Julius) and then in 27 B.C. taking on the title Augustus. This title, which had formerly been reserved for the gods or sacred things, gave him "a holy character by raising him above mankind"<sup>31</sup>. Augustus set an example in religious policy which was the model for his immediate successors, especially Tiberius and Claudius, although not for Caligula or Domitian, both of whom applied the title *deus* to their person and consequently sought a more developed worship of their divinity. It was only upon his death in 14 A.D. that the Principate's founder was decreed by the Senate to be *divus Augustus* and to be placed among the other State gods<sup>32</sup>:

"This inclusion was the culmination of a series of honours given in return for services rendered. It was not an automatic culmination. It was warranted by miracle and approved by the authority which was necessary for any addition to the official circle of worships. Further, it depended on the quality shown by the man and not on the fact of his having held the supreme position. Divinity hedged a princeps around but was not inherent in him however much it might and did so appear to provincials and even to individual citizens. From the constitutional point of view he stood between the mass of citizens and the gods on the godward side but without any loss of his humanity or of his ultimate responsibility before the bar of public opinion".<sup>33</sup>

While never *imposing* imperial worship, Augustus encouraged in many subtle ways an unofficial or semi-official veneration of his person. Indeed the founder of the Principate and his successors all quite eagerly accepted the *fact* of the imperial cult<sup>34</sup>. The titles Saviour ( $\sigma\omega\tau\eta\rho$ ) and Benefactor ( $\epsilon\dot{\nu}\epsilon\rho\gamma\dot{\epsilon}\tau\eta\varsigma$ ) were frequently attributed to the Emperor<sup>35</sup>, sometimes alongside the title "son

<sup>30</sup> A. Momigliano, op.cit., pg. 304.

<sup>31</sup> L. Cerfaux & J. Tondriau, Le Culte des Souverains dans la Civilisation gréco-romaine, Tornai, 1957, pg. 330-331.

<sup>32</sup> Tacitus, Ann. 1,11.

<sup>33</sup> A.D. Nock, "Religious Developments from the Close of the Republic to the Death of Nero", CAH. Vol. 10; 1934, pg. 488-489.

<sup>34</sup> F. Miller, op.cit., pg. 157.

<sup>35</sup> IGR. 1,1294; Horace, Odes 1,12. Cf. two edicts of Germanicus (19 A.D.) in which he disclaims divine status for himself whilst asserting the divinity of Tiberius Saviour (in V. Ehrenberg & A.H.M. Jones, Documents illustrating the Reigns of Augustus and Tiberius, Oxford, 2nd. Edition, 1955, No. 320,b.38. A bilingual inscription from Sagalassos in

of god"<sup>36</sup>. In the Latin West the Emperor gradually promoted the cult of *Dea Roma* and *Augustus*, often assimilated with *Pax* and *Fides* or divinized qualities such as *Victoria, Fortuna Redux*, and *Pax Augustus*, and moulded it into an imperial mystique<sup>37</sup>. The identification of Rome with Augustus was a political masterstroke designed to legitimate the Emperor's exceptional State power and to instill political loyalty in his subjects<sup>38</sup>.

"What meaning did this deification possess, especially for Roman citizens? Of one thing we can be certain, of the enormous impression that Augustus had produced: his deification as *Divus Augustus* corresponded to a widespread feeling that here, in his achievements and benefits, was a being divine."<sup>39</sup>

Nero was never officially deified in Rome during his lifetime (nor was he of course, after his death in 68 A.D.), but official worship of a living Emperor as divine was brought nearer mainly through the exaggerated adulation and sycophancy of the Senate and Court. In the Hellenistic East, of course, the cult of the divine Nero was considerably more developed than in the West. Coins struck in the East called him  $\theta \epsilon_{0C}$  and his bust on the coins had him wearing the radiate crown of the deified Emperors<sup>40</sup>. Nero was invested with the titles of Saviour and Benefactor<sup>41</sup> and was called "Lord of the whole cosmos"<sup>42</sup>. Significantly the Emperor was equated with the sun-god Helios (Néwi Hλίωι  $N\epsilon\rho\omega\nu_1$ )<sup>43</sup> as well as with Zeus<sup>44</sup>. The usage of such titling clearly demonstrates that the tendency toward the deification of a living ruler was becoming considerably more normalized. Even at Rome itself where the tradition against the worship of a living ruler was much stronger than in the East, Nero succeeded in assimilating himself with the traditional gods to a much greater degree than his predecessors (except for Caligula). Already at the outset of his reign, in 55 A.D., Senators had proposed placing his statue in the temple of Mars Ultor. This motion was more than an ascription of divine attributes to

- 37 CIL. 14,2898; CIL. 10,820.
- 38 Cf. Suetonius, Aug. 52.
- 39 M.P. Charlesworth, "Some Observations on Ruler-Cult especially in Rome", *HTR*. Vol. 28; 1935, pg. 29.
- 40 D.L. Jones, "Christianity and the Roman Imperial Cult", ANRW. II,23.2; 1980, pg. 1029. Both the head radiate and the head laureate occur on the Nero coins struck at the Rome mint.
- 41 OGIS, 668. The Greek formula θεός Σεβαστός was rather widespread.
- 42 SIG<sup>3</sup>. 814.
- 43 IGR. 3,345.
- 44 SIG3. 814.

Pisidia, dated 18-19 A.D., is most revealing. Here the Latin *princeps optimus* is rendered in the Greek as σωτήρ Σεβαστός. The same manuscript renders *maiestas* as θειότης (in G.H.R. Horsley, *New Documents illustrating early Christianity*, North Ryde, Australia, 1981, Vol. I, pg. 36-37).

<sup>36</sup> *I.G.* 7,1836.

Nero. It was a direct association of the reigning Emperor's image with that of a principal god. The fact that the Nero statue was to be of the same size as that of the temple's titular god was a highly symbolic gesture aimed at equating Nero with Mars Ultor himself<sup>45</sup>.

The idea of the divine Nero permeated court life especially in the latter part of that Emperor's reign. The unfortunate poet Lucan divinized Nero in a panegyric which amply manifests the perversion of cultural life by the end of the Julio-Claudian dynasty<sup>46</sup>. Dio Cassius writes that when Tiridates came to Rome to be crowned by Nero as King of Armenia in 66 A.D., he worshipped the Emperor as a god:

"And I come to thee, my god, to worship thee as I do Mithras".47

Dio Cassius also provides an account of Nero's triumphal entry into Rome in 68 A.D., his last regnal year. Here the author notes that the population hailed the Emperor as Nero-Hercules and Nero-Apollo<sup>48</sup>. Yet even Nero, with his fearsome political power, could not go beyond certain limits. In the same year,, 68 A.D., when the Consul-designate Anicius Cerialis proposed that a temple be built out of public funds to *divo Neroni*, the project was vetoed:

"Ilis notion, it is true, merely implied that the prince had transcended mortal eminence and earned the worship of mankind; but it was vetoed by that prince, because by other interpreters it might be wrested into an omen of, and aspiration for, his decease; for the honour of divinity is not paid to the emperor until he has ceased to live and move among men."<sup>49</sup>

Religious policy under the Julio-Claudian Emperors was thus characterized by attempts to assure the stability of the régime through a programme of restoring traditional Roman religion into which the ruler-cult was inserted in order to assure the ruler a primordial place within the body politic of the State. Thus an active and visible participation in some sort of cultic devotion to the Emperor had become by the end of the Julio-Claudian period a test of a Roman citizen's loyalty and political conformity.

<sup>45</sup> Tacitus, Ann. 13,8.

<sup>46</sup> Lucan, Pharsalia 1,45 ff.

<sup>47</sup> Dio Cassius 63,5 (trans. E. Cary, Loeb, 1961)..

<sup>48</sup> Dio Cassius 63,20. The great scholar of Roman numismatics, Harold Mattingly, writes: "One very rare Aureus, with reverse *IUPPITER LIBERATOR*, was probably struck for Nero during his stay in Greece (67 A.D.). (...) The allusion of the reverse is unmistakeable. *IUPPITER LIBERATOR* (Ζεὺς ἐλευθέριος) is but a thin disguise for the Emperor who set Greece free, and was actually acclaimed by the grateful province under that name". (II. Mattingly, *Coins of the Roman Empire in the British Museum*, London, Vol. I, 1923, pg. clxxxiii-clxxxiv).

<sup>49</sup> Tacitus, Ann. 15,74 (trans. J. Jackson, Loeb, 1962).

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