

ROMAN SOCIETY AND ROMAN LAW IN THE NEW TESTAMENT

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LECTURE EIGHT

Aspects of Roman Citizenship, and the question of Historicity

ASPECTS OF ROMAN CITIZENSHIP AND THE QUESTION OF HISTORICITY

The general importance attributed to the Roman citizenship in Acts fits the early period. Enough has been said earlier about the technicalities of *provocatio* and the qualified immunities from personal punishment of the Roman citizen in the provinces. Here what calls for attention is the tone, the indignant tone, in which these things are mentioned, and the alarmed reaction of those who find that unwittingly they have maltreated a Roman citizen. Paul at Philippi declaims like Cicero on Verres. 'They have given us a public beating without the formality of a trial. We are citizens of Rome and they have thrown us into prison. Now they are trying to send us away without any fuss. It won't *do*'- *οὐ γὰρ ἀλλά*'- 'They had better come in person and escort us from the gaol'¹. Not so differently did Cicero phrase it. 'Along comes the gaoler, the governor's butcher, the death and bugbear of Roman citizens, the lictor Sextius.' 'The crosses that Verres set up for condemned slaves he kept in hand for Roman citizens who had been given no trial.' 'A Roman citizen, C. Servilius, was beaten and cud-gelled at your tribunal, at your very feet. Is there any legal reason why this should happen to any Roman citizen?' Such are the more moderate passages from Cicero's great effusion on the rights of Romans² Style, circumstance, detail, even the legal situation, differ. But the tone, the approach, is the same. There is a climate of feeling about this topic the sacrosanct quality of the Roman overseas-which extends from the last century of the Republic, the age of the master race, clown into the Empire. The force of this feeling ultimately petered out with the large extension of the citizenship through the provinces, just as the privileges of Romans came to be whittled clown at a similar rate.

Acts breathes the climate of the earlier phase. Fifty years later the literary Pliny, though steeped in Cicero, when he comes to deplore the savagery of a proconsul towards Roman citizens forgets to dwell on their privileged status as citizens, and characteristically for his generation, concentrates on the social status of a victim who was a Roman knight, instead of his legal status as a citizen³ The dramatic date of Acts belongs to the period when the spread of Roman status in the provinces was still on a small scale. The scale of extension was a matter of great debate at Rome in the time of the emperor Claudius. There was still organized opposition at Rome to the over-rapid extension of Roman privileges in the provinces at that time⁴ In the half-century after Claudius the tide of extension flooded fast and high, though, as will presently appear, not so fast or so high in the eastern provinces as in the west. In references to the citizenship, Acts gets things right both at the general level, in its overall attitude, and in specific aspects such as were discussed in the last lecture-the type of names of

¹ Acts xvi. 37.

² 11 in *Verr.* v. 12, 118, 141-1.

³ Pliny, *Ep.* ii. 11. 8: 'exilium equitis Romani septemque amicorum eius ultimam poenam, ... unius equitis Romani ... plura supplicia arguebatur emisse: erat enim fustibus caesus, damnatus in metallum, strangulatus in carcere.' Cf. *ibid.* 2. Contrast the apologetic tone of the Augustan edict on the arrest of certain Roman citizens cited above, p. 60.

⁴ See Sherwin-White, *RC*, ch. viii

the centurions, the prevalence of bribery in this context under Claudius.

Something has already been said of the emergence, in the later second and third centuries, of the classes known as *honestiores* or *curiales*, the municipal aristocracies. In the late Empire the distinction between *honestiores* and *humiliores* - the masses - replaces the earlier distinction between *cives Romani* and *peregrini*¹. Hints of the future trend can first be distinguished in the time of Trajan and Hadrian. Pliny advises a proconsul on the importance of maintaining the distinctions between the classes- 'discrimina ordinum dignitatumque'-and of showing due respect to the men of influence, the *potentes*, in his province. Pliny himself, in Bithynia, preferred to recruit civic councillors from the 'sons of the well born', *honestiorum hominum liberi*, rather than from the common folk². Hadrian was the first emperor to discriminate in favour of the curial class in the matter of criminal punishment³. This led to the doctrine that normally the member of a magisterial family was not liable to capital execution or to humiliating punishments, a doctrine general in the late Empire.

Acts is remarkable for the absence of these social and legal distinctions which became increasingly rigid in the late Empire. In Acts a man is either a Roman or a provincial. There is no privileged and recognized Third Estate, though naturally the municipal upper classes, the men of substance and authority, who later became the *honestiores* and *curiales*, appear in the appropriate situation. These may be the First Men of the City, and the 'ladies of good estate', as at Antioch and Beroea, or the Asiarchs as at Ephesus. The ladies of good estate, with the implication of a propertied class, reappear at Thessalonica⁴. But, as appeared from the detailed analysis of the civic situation at Philippi and Ephesus, the stress in Acts is on the actual magistrates in office, and the mass of the population plays some part in affairs : the demos is active both at Ephesus and at Thessalonica⁵. The city councils, so predominant in the later period, are conspicuously absent from the story. Even at Athens there is no word of the council which administered the city, and it is very questionable whether the meeting 'en Areopagus' is a meeting of the council of Areopagus. Paul addresses his assembly as 'Men of Athens'⁶.

Provincial Romans in the eastern Empire lived in a different legal and social atmosphere from their fellow citizens in the western provinces. In the latter, Roman material and cultural civilization dominated the life of the communities, and technical Roman status was being steadily granted to whole communities in increasing numbers. The Mediterranean provinces in the west were becoming an extension of Italy, and the *termprovincia togata* was coined to

¹ The development of the *honestiores* has long been the theme of the great books on the later Empire, e.g. M. Rostovtzeff, *Soco and Ec. Hist. of the Roman Empire*, ch. viii. But the precise significance of the term in legal contexts has been developed more recently by G. Cardascia, art. Cit. (p.69 n.1), and briefly by A. H. M. Jones in relation to Roman citizenship and the right of appeal, '1 appeal', 929 f.

² Pliny, *Ep.* ix. 5. 3. x. 79. 3, 112.3

³ Cardascia, art. cit. 305 ff. Cf. above, pp. 69 f.

⁴ Acts xiii. 50, xvii. 4, 12, xix. 31

⁵ Above, pp. 83 f. For Thessalonica, Acts xvii. 5-10

⁶ Acts xvii. 19. In s. 2 I 'all the Athenians and the resident aliens' are in question; The reference in s. 34 to Dionysius the Areopagite has led to the hasty inference that Paul addressed the Council of Areopagus. Athens had two councils in this period, the Areopagus and the Six Hundred. See P. Graindor, *Athènes de Tibère à Trajan* (Cairo, 1931), 62ff., 117ff., who adlllits that the phrase in Acts does not technically refer to the Council, but notes that the Hill was a very odd place for any purpose save an inquiry before the latter, while admitting that this was not a trial.

indicate this massive extension of Roman rights and Roman ways¹. Hence the individual Roman citizen circulated against a background of Romanism or Latin civilization. In the eastern provinces the predominant civilization was Hellenistic *and* -the predominant language Greek. There were no romanized communes of provincial origin, no cities which had acquired Roman citizenship *en bloc* and so become what were called *municipia civium Romanorum*². There was, however, a small number of Roman military colonies founded mostly by Julius Caesar and Augustus, at a time when they had to provide land for an unusually large number of veterans and civilian settlers in a period of crisis. There was also a group of three or four military colonies in southern Asia Minor around the highlands occupied by the turbulent Pisidian mountaineers; these had been established by the generals of Augustus. It happens that the direction of Paul's travels took him remarkably often through these Roman settlements. He visits Antioch and Lystra in Asia Minor, though Acts does not mention their status, and also two Roman colonies in Macedonia and Achaëa, Corinth, and Philippi-where they were more frequent than in Asia Minor-and one of the three colonies on the long coasts of the province of Asia, Alexandria Troas³. This recurrence of the colonies in Acts, largely due to the Roman habit of placing their colonies at centres of communication, gives a misleading impression of the part played by colonies in the East. It is precisely because the Roman colony was exceptional that Acts notes the colonial status of Philippi, which was relevant to the story because the disturbances at Philippi involved a point of Roman custom⁴.

The population of Roman settlers maintained themselves with some vigour in the eastern colonies, but they formed only a small proportion of the total local population, sometimes constituting a city within a city. The Roman class formed an enclave of which a passing stranger might not be aware in the smaller settlements, though the government was in its hands. In Acts, Antioch, Lystra, and Corinth have as many Rellenes and Jews in their streets as Romans⁵ Elsewhere in the hundreds of Greek and half-Greek cities, large and small, the Roman citizen was a somewhat rare bird. Tribal lists of inhabitants and even lists of annual magistrates from the Greek cities in the Julio-Claudian period frequently contain the names of no recognizable Roman citizens⁶ The individual inhabitant of a great Greek city who happened to possess the Roman franchise could make effective use of it, if he was a proletarian, only by entering the Roman army, or if he was a magnate, by securing admission to the Equestrian order and thence into the public service as an officer. Such promotion required great wealth and considerable personal influence in the right quarters at Rome. There

¹ Pliny, *NH*, 3. 112. Mda, 2.4.59, 'Gallia togata'. giraba uses the Latin word *togati*, in Greek spelling, to describe the provincials of Spain, iii. 2. 15, p. 151

² Cf. Sherwin-White, *RC*, 174,236 fr

³ For the colonies cf. Jones, *Cities*, ch. v, 135; *Greek City*, 61 f. M. Grant, *From Imperium to Auctoritas*, 238 f., 264 f. Iconium was not a Roman *colonia* at this date. Its title *Claudia* indicates only some municipal benefit received from Claudius, or for desire to honour him, as also at Derbe and Laodicea. *Cifres*, 136 and n. 21. Momigliano, *Emperor Claudius*, &c. 117 n. 71. Troas is always taken to be Alexandria Troas, another Augustan colony, Jones, *Cities*, 86 and n. 98. But properly it was a large district, not a single city. Jones, *op. cit.* 40 f., 85 f. Cf. Strabo, pp. 581-2. 586, XIII. i. 1, 3, 4, 9, 23. But Pliny, *NH*, v. 124, uses Troas as the city-name, as in Acts: 'ipsaque Troas Antigonía dicta nunc Alexandria colonia Romana.' Troas was the only colony on the west coast; Parium and Lampsacus lie on the north, or Propontic, coast of Asia. All these colonies were genuine veteran settlements. In the later Empire the title was given even to Greek cities, without actual colonization, as to Claudionium by Hadrian

⁴ Above, pp. 78 f

⁵ Acts xiii. 14, xvi. 2, xviii. 4

⁶ Above, p. 9 I. A-], no. 68, 'Istria, 1, 50 ff. *Gf. ibid.*, no. 52 in A.D. 5 I. Some Rhodian emissaries, *allperegrini*. Ditt. Syll. 799-800. But cf. SEG. xvi. 415

are perhaps a dozen Roman citizens, in the Julio-Claudian period, from the eastern provinces, who are known to have made a career in the Equestrian service as military officers and procurators of the emperor¹. This was the way of few among the few provincial Romans from Greek cities of the East, though members of the Roman colonies from the East might make more active use of their status.

It was natural that the Hellenistic Roman, as one may call the type for convenience, tended to regard his citizenship as a kind of honorary degree, which was of little practical use to him unless it was joined with other, separate privileges, such as immunity from taxation and compulsory services. The Hellenistic world was familiar with the notion of *isopoliteia*, the exchange of honorary citizenships, which became effective if one changed one's domicile. Men of substance tended to collect citizenships in that style. This is very apparent in the inscriptions of notables from Lycia. They like to list their citizenships in a sequence, e.g. C. Iulius Demosthenes, citizen of Rome, citizen of Patara, and citizen of Xanthus. The Roman status appears as merely the highest of a list of civic dignities, though from time to time particular Lycian magnates materialized their Roman status by successfully pursuing a career in the Roman public services².

Dio of Prusa in his discourse 'To the Senate of Apamea on Concord', delivered about A.D. 100-5, casts a curious light on the attitude to Roman status in the Asiatic provinces³. Apamea was one of the veteran colonies of Julius Caesar, like Alexandria Troas where Paul left his cloak. Dio indicates that there was a flourishing Greek community mixed up with the Roman colony, and apparently identified with it in many respects. Intermarriage, exchange of citizenship, exchange of magisterial appointments, are all proceeding merrily between the Roman colony and Prusa, as between any two Greek provincial cities. 'Senators of Apamea', says Dio, 'You have made many men of Prusa citizens and senators of Apamea, and have given them a share in the solemnities which belong to the state of Rome'⁴. But Dio is cheating a little, for the one thing that the Senate of Apamea could not do was to make outsiders, *peregrini* from other cities, into Roman citizens. Dio lets that slip out in another passage, admitting that his own family received the franchise of Apamea without having Roman status⁵. So, even at the colony of Apamea, the personal status of the *coloni*, the descendants of the Roman settlers, as Romans, if not submerged, has retired into the background, and the pattern of Greek city life prevails. Being Apameans was of greater practical importance than being Romans.

Still more in an ordinary provincial community, a man who happened to have Roman status, such as Paul at Tarsus, would tend to look for an active political life in the municipal affairs of his own city. Thus in Lycia, in the early Principate, the magistracies of one's own city, and the headship of the Lycian provincial council, or *koinon*, are the ordinary limit of political ambition even of those who are Roman citizens¹. It is not surprising, then, that there is a certain ambiguity in Paul's references to his personal status as represented in Acts. He thinks

¹ Gr., e.g., Sherwin-White, *RC*, 190 n. 4, to which list add at least Gessius Florus, procurator of Judaea, from Glazomene, *Jos. Ant.* xx. II. I. Ti. Claudius Balbillus, prefect of Egypt under Nero, and probably Nymphidius Sabinus, pretorian prefect under Nero; cf. *BSR*, xv 25, nn. 98-100

² *RC*, 242 f., e.g. *I GRG*, iii. 6^o3, 628, 634, &c.

³ Dio Chrys. 41

⁴ *Ibid.* 9-10.

⁵ *Ibid.* 6. He distinguishes the acquisition of Roman citizenship from the grant of Apamean franchise

¹ Sherwin-White, *RC*, 242 f.

of himself first and foremost as a citizen of Tarsus, and only refers to his latent Roman status when it is expedient to do so. To Claudius Lysias, the ex-provincial Roman officer, he identifies himself as '*antropos Ioudaeus Tarseus tons Kilikias*' and repeats this identification to the Jewish mob². The addition, 'a citizen of no mean city', is a very characteristic Hellenistic addition, and touches the theme, with the help of an erudite quotation from the classics, of half the municipal orations of Dio of Prusa. Tarsus is Paul's city, and he takes pride in it. For Tarsos, as Strabo's description shows, was the first city of Cilicia, not merely in material wealth but in intellectual distinction, as one of the great university cities of the Roman world³. His Roman franchise was only a personal privilege to be invoked if and when necessary. Just so did the Lycian dignitaries regard their Roman status.

This touch, as with so many other details, is part of the pattern of the earlier Empire, the first century and a quarter A.D., when there was something exceptional about Roman status. In the third century, after the *Constitutio Antoniniana*, all the inhabitants of the *oikoumene*-except slaves-became Romans, and the distinction ceased to have validity. The word *Romanus* came to be used in a different sense, for the generality of the inhabitants of the Roman empire. This usage can first be discerned in Tertullian's *Apology*, at the end of the second century A.D., in such passages as: 'Our enemies will not allow that we Christians are Romans.' 'We are reckoned non-Romans because we do not worship the god of the Romans.' 'Those who used to be counted as Romans have been found out to be enemies.' Tertullian also uses *Romanus* in its specific historical sense, but this loose usage is characteristic⁴. It led to the identification of the Greek-speaking half of the Empire, and ultimately of the Byzantine empire, with the term *Romanoi - Romani*. But this usage is quite alien to the author of Acts. For him *antropos Romanios* or *Romanios* alone means *civis Romanus* in the technical sense of the early Empire⁵. This would be remarkable in the writer of a popular novel in the third or fourth century A.D. The great catalogue of the Peoples of the World at Pentecost in Acts, may represent, as Dr. Weinstock demonstrated, the utilization of a list of peoples originally composed for astralographical purposes⁶. But it has been adapted by the author of Acts in a manner interesting for the present inquiry. He introduces 'the Romans visiting Jerusalem', and contrasts them with the inhabitants of the various provinces, Judaea, Cappadocia, Pontus, Asia, &c.⁷ This is a nice contemporary touch from the Julio-Claudian age.

There is a preliminary question about the Roman citizenship that has attracted a good deal of attention in recent years. In the Republican period the Roman citizenship was incompatible with that of any other State. The provincial who became a Roman ceased to be a member of his native community, and to exercise any rights or to be required to perform any duties there. This was certainly the standard rule or custom in the time of Cicero-though as with all customs there were differing interpretations of its effects¹. It is an important consideration in dealing with the eastern provinces, where the cities continued to rate as *civitates iuris peregrini* and were not incorporated as communities into the Roman State, as in the western provinces,

² Acts xxi. 37-39, xxii. 3.

³ Strabo, xiv. 5. 10-15 with Dio Chrys. 34, for the material aspects

⁴ Tertullian, *Apol.* 24, 35, 36. Cf. *RC*, 266 f.

⁵ Acts xvi. 21, 37, 39, xxii. 25, xxiv. 27-28

⁶ S. Weinstock, 'The Geographical Catalogue in Acts II 9-11', *JRS*, xxxviii. 43 fr.

⁷ Cf. Acts ii. 17, 2 I.

¹ The development of dual citizenship from the Republic onwards is discussed in Sherwin-White, *RC*, 54, 69, 134, 189 f., 213 f. F. de Visscher, at length, in *Les Édits d'Auguste* (Louvain, 1940), 108 f. For a summary of recent discussions see H. F. Jolowicz, *Historical Introduction to... Roman Law* (Cambridge, 1954), 542 fr.

where the communes tended to become Roman municipalities. The incompatibility of two citizenships would be a serious limitation on the local political life of enfranchised persons in the eastern provinces. It can be seen from the speech of Dio at Apamea that this incompatibility had certainly ceased to exist by the end of the first century A.D., so much so that the former position had almost been reversed. The Roman status had become a titular dignity, except for the small number of persons who entered the Roman public service. The characteristic oriental Roman citizen lives out his life with his local community as its focus. Just such a one is that magnate of Ephesus, Claudius Aristion, a local magistrate and an Asiarch too, who was involved in a political charge in A.D. 106, and like Paul exercised his right of appeal to the emperor Trajan. His trial and acquittal are described briefly in a letter of Pliny².

Roman historians have been much exercised as to the stages and dates by which the change in the rule of incompatibility was accomplished. For the study of Acts the only concern is whether the change came about early enough to fit the attitude of Acts or of Paul to the citizenship. This is not in serious doubt. The rule of incompatibility was beginning to waver, even in the late Republic, when different opinions were held about it in the fifties³. A few years earlier it had been taken for granted by Pompeius as a basic principle and applied, rather oddly, in his organization of city life in the new province of Bithynia, though it was alien to Greek practice⁴. One consequence of the rule of incompatibility was that the provincial Roman enjoyed immunity from local municipal taxation and other civic obligations. This automatic exemption was whittled down in the time of Augustus and finally abolished altogether by a series of specific edicts referring to particular persons and areas⁵. Probably there was no general rule, but the cumulative effect of the various documents suggests that citizenship and *immunitas* had ceased to be coextensive. In and after the last decade of Augustus it is unlikely that any fresh grant of Roman franchise conferred automatic immunity of any sort, and previous grants were circumscribed to some extent. Hence the enfranchised *politos* of a Hellenistic city remained a *politos*.

It remains to inquire, at what date did such men begin to hold magistracies as a matter of course in their native cities. The probable answer is that they never altogether left off despite the nominal rule—they would make the most of both citizenships, enjoy the honours of their cities as native citizens and escape its burdens as Romans. There is a dearth of evidence about Roman citizens in Hellenistic cities in the early Julio-Claudian period. However, two Romans appear holding city priesthoods at Ephesus in an inscription of A.D. 19-23¹. In the documents collected in the *Sylloge Epigraphica* and subsequent volumes of the *Supplementum Epigraphicum*, which are representative, though not exhaustive, it is not till the period after Tiberius that Hellenistic Romans appear to be holding city magistracies with any regularity,

² Pliny, *Ep.* vi. 31. 3

³ Cicero, *Pro Balbo*, 28-31, gives the prevailing rule—'duarum civitatum civis noster esse jure civili nema potest', and notes certain violations of it. Cf. Nepos, *Atticus* 3. 1. The italicized words indicate the difficulty that a Roman's property depends on the Roman law, and confusion would arise if it became subject to different legal systems.

⁴ Pliny, *Ep.* x. 114. 1, noted originally by Hardy, ad loc. The rule was modified slightly to fit Hellenistic conditions. Cities might grant their franchise only to members of communities outside Bithynia; i.e. a Bithynian might not hold active citizenship in two Bithynian cities, but might hold the honorary citizenship of more distant cities in other provinces. The rule was neglected in the time of Pliny and Dio Prusensis.

⁵ Above, p. 181 n. 3. Cf. the third edict of Augustus from Cyrene (E-J, 311. iii) and the Volubilis inscription, which shows the abnormality of *immunitas* in a provincial municipality by the time of Claudius (*Inscr. Lat. Afr.* 634 or Charlesworth, i. 36)

¹ *SEG*, iv. 515.

and even then they are not very frequent² The long document known as the genealogical tree of Oenoanda, which gives the complete civic history of a Lycian family over a very long period, shows that the highest civic dignitaries were already apt to be Roman citizens in the early Julio-Claudian period³.

It would seem that the compatibility of Roman and non-Roman citizenship became an established practice before the *floruit* of Paul and the dramatic date of Acts. There is one development of the dual citizenship which plays a large part in the political thought of the second and third centuries but leaves no trace in Acts. This is the doctrine summed up as *communis patria Roma*, which the orator Aristides elaborated in his famous panegyric of Rome. The doctrine itself has a respectable ancestry in a text of Cicero. Thinking in terms of the unification of Italy after the Social War, he formulated the doctrine that within the Roman State each man has two *patria*e, that of his local city or *municipium* and the Roman State itself⁴ This notion was applied in later times to the relationship between Rome and the civic communities of the whole empire. There is no trace of this in the Acts, very much the reverse. Rightly. It should not be there. The idea in its Greek form took shape in the age of the Antonines. It is barely foreshadowed in Dio of Prusa's speech to the Senate of Apamea, when he speaks of Apamea, the Roman colony, in terms suitable to Rome herself, sharing her citizenship and laws and benefits with all peoples, and taking to herself anything external that was worthy, and so forth⁵.

Cadbury was tempted to find an echo of the theme of *communis patria* in the well-known phrase of Philippians iii. 20: 'Our community is in heaven.' This will not do. *Politevna* is not *pólis* or *politéia*: it is community not citizenship. Tertullian alluding to this passage uses the term *municipatus*. The metaphor is in terms of the city-state, but no wider. Paul is contrasting Christians with the men of this world: οἱ τὰ ἐπίγεια ἐπονούυτες ὡς θεοῦ καὶ οὐκ οὐρανόθεν. Technically the term *politevna* was used in connexion with the great cities, metropolitan in size, such as Alexandria and Seleucia on Tigris, to denote self-sufficient and self-governing communities of non-citizens, especially of Jews, who form a city within a city. Josephus uses the term - in a verbal form - of the subordinate element of Syrians at Seleucia, who were under the general authority of the citizen body, but organized their own internal affairs¹. The Jewish synagogues and Sanhedrins were such *politeumata* in some cities.² The metaphor would come naturally to the mind of a travelled Jew, who had seen the Jewish *politeumata* of half Asia. The point of the metaphor in Philippians is that the Christians are not citizens but resident aliens in the cities of the world, and their colony has special rules. The idea of Roman status - or a unitary status - as the general condition of mankind fails to occur in few very passages where one would most expect it. One notes the great passage in Colossians: 'where there is neither Hellene nor Jew . . . neither barbarian nor Scythian, neither free nor slave'. The category 'Roman' is absent³. At this date and in this context, of Paul to men of Colossae, this absence is not astonishing. The characters of Acts and Epistles lived in a world that was Greek

² Cf. *DS*, ii. 796-7 (A.D. 35 and 37), 802, 804-5

³ *IGRR*, iii. 500

⁴ *Cic. De legibus*, ii. 2. 5. Cf. *RC*, 134 f.

⁵ Dio Chrys. 41. 9. This echoes the thought of the Tacitean version of Claudius' *Oratio Lugdunensis*: 'transferencia huc quod usquam egregium fuit', &c. *Ann.* xi. 24. Cf. *ILS*, 212, c. ii

¹ *Jos. Ant.* xviii. 9. 8-9.

² Cf. *L-S9*, s.v. iv. 2. It is used of the Jews at Berenice, in *SEG*, xvi. 931 (*CIC*, iii. 5361. 21), which shows the organization of this organ.

³ *Col.* iii. II.

not Roman, and where the persistent contrast, as in both sets of writings, is between *Jew* and *Hellene*.

THE HISTORICITY OF THE GOSPELS AND GRAECO-ROMAN HISTORIOGRAPHY

So much for the detailed study of the Graeco-Roman setting of Acts and Gospels. But it is fitting for a professional Graeco-Roman historian to consider the whole topic of historicity briefly and very generally, and boldly to state a case. Though for two short periods of our history we are lucky enough to have two major contemporary historians of remarkably objective character in Thucydides and Polybius, we are generally dealing with derivative sources of marked bias and prejudice composed at least one or two generations after the events which they describe, but much more often, as with the *Lives* of Plutarch or the central decades of Livy, from two to five *centuries* later. Though connecting links are provided backwards in time by series of lost intermediate sources, we are seldom in the happy position of dealing at only one remove with a contemporary source. Yet not for that do we despair of reconstructing the story of the tyranny of Pisistratus or of the tribunes of the Gracchi.

Subtle techniques of source-criticism have been evolved for the detection and elimination of various types of bias and anachronism, whether of the intermediate or of the original source, or of the writer who actually survives and transmits his work to us. To judge by what is so freely published, we are satisfied with our methods, and believe that a hard core or basic layer of historical truth can be recovered even from the most deplorable of our tertiary sources - be it Diodorus or Florus or even the *Epitome de Caesaribus*. The refinement of source-criticism has not led to the notion that knowledge in ancient history is unattainable, or that the serious study of ancient politics is nothing but the history of rival propaganda. The basic reason for this confidence is, if put summarily, the existence of external confirmations, and the working of the synoptic principle. From time to time external contemporary evidence of a sort less warped by the bias of personalities -e.g. the texts of laws and public accounts- confirms the conclusions drawn from the critical study of literary sources. Hence we are bold to trust our results in the larger fields where there is no such confirmation. Equally the criticism of sources tends to reveal the existence of a basic unitary tradition beneath the manifold divergences of detail in rival narratives, which is often the product of their particular bias.

So, it is astonishing that while Graeco-Roman historians have been growing in confidence, the twentieth-century study of the Gospel narratives, starting from no less promising material, has taken so gloomy a turn in the development of form-criticism that the more advanced exponents of it apparently maintain -so far as an amateur can understand the matter- that the historical Christ is unknowable and the history of his mission cannot be written. This seems very curious when one compares the case for the best-known contemporary of Christ, who like Christ is a well-documented figure -Tiberius Caesar. The story of his reign is known from four sources, the *Annals* of Tacitus and the biography of Suetonius, written some eighty or ninety years later, the brief contemporary record of Velleius Paterculus, and the third-century history of Cassius Dio. These disagree amongst themselves in the wildest possible fashion, both in major matters of political action or motive and in specific details of minor events. Everyone would admit that Tacitus is the best of all the sources, and yet no serious modern historian would accept at face value the majority of the statements of Tacitus about the motives of

Tiberius¹ But this does not prevent the belief that the material of Tacitus can be used to write a history of Tiberius. The divergences between the synoptic gospels, or between them and the Fourth Gospel, are no worse than the contradictions in the Tiberius material.

Another example. The internal synoptic divergences, such as arise in the narratives of the trial of Christ, are very similar to those that Roman historians meet in the study of the tribunate of Gaius Gracchus. We have two or even three contradictory versions, for instance, of the content of the most important of the legislative proposals—a central point in the story — and there are three divergent versions of the way in which the riot began in which Gaius lost his life. The four accounts of the trial of Christ are not more troublesome. The two cases are rather similar in terms of analysis. The three versions of the death of Gaius aim at attributing the blame for the great riot to different persons or groups². So, too, the mildly divergent versions of the scene before Pilate and the Sanhedrin may aim, as has often been suggested, at transferring the blame for the condemnation of Christ, in varying degrees, from the Romans to the Jews.

The objection will be raised to this line of argument that the Roman historical writers and the Gospels belong to different kinds of literature. Whatever the defects of our sources, their authors were trying to write history, but the authors of the Gospels had a different aim. Yet however one accepts form-criticism, its principles do not inevitably contradict the notion of the basic historicity of the particular stories of which the Gospel narratives are composed, even if these were not shored up and confirmed by the external guarantee of their fabric and setting. That the degree of confirmation in Graeco-Roman terms is less for the Gospels than for Acts is due, as these lectures have tried to show, to the differences in their regional setting. As soon as Christ enters the Roman orbit at Jerusalem, the confirmation begins. For Acts the confirmation of historicity is overwhelming. Yet Acts is, in simple terms and judged externally, no less of a propaganda narrative than the Gospels, liable to similar distortions. But any attempt to reject its basic historicity even in matters of detail must now appear absurd, Roman historians have long taken it for granted.

What to an ancient historian is most surprising in the basic assumptions of form-criticism of the extremer sort, is the presumed tempo of the development of the didactic myths —if one may use that term to sum up the matter. We are not unacquainted with this type of writing in ancient historiography, as will shortly appear. The agnostic type of form-criticism would be much more credible if the compilation of the Gospels were much later in time, much more remote from the events themselves, than can be the case. Certainly a deal of distortion can affect a story that is given literary form a generation or two after the event, whether for national glorification or political grite, or for the didactic or symbolic exposition of ideas. But in the material of ancient history the historical content is not hopelessly lost.

Herodotus particularly comes to mind. In his history, written in mid-fifth century B.C., we have a fund of comparable material in the tales of the period of the Persian Wars and the

¹ Save perhaps Professor Syme, whose great book, *Tacitus*, aims at a very general rehabilitation not only of the factual but of the ideological accuracy of Tacitus. But, e.g., F. B. Marsh, *The Reign of Tiberius* (London, 1931), is more characteristic, or G. Walser, *Rom, das Reich*, &c. (Baden-Baden, 1951).

² For a detailed narrative of the rival sources for the tribunes of Caius Gracchus on these lines see J. Carcopino, *Autour des Gracques* (Paris, 1928), ch. iv. For the three versions of the riot see Appian, *B.C. i.* 25.4; Diod. 34, fr. 28 A; Plut. *Gaius*, 13. 3-4.

preceding generation. These are retold by Herodotus from forty to seventy years later, after they had been remodelled by at least one generation of oral transmission. The parallel with the authors of the Gospels is by no means so far-fetched as it might seem. Both regard their material with enthusiasm rather than detached criticism. Both are the first to produce a written narrative of great events which they regard as a mighty saga, national or ecclesiastical and esoteric as the case may be. For both their story is the vehicle of a moral or a religious idea which shapes the narrative. For Herodotus the classical concept of 'koros-hubris-até' is no less basically influential than the notion of, for example, oblation in the pattern of the Gospels, affecting both the parts and the whole of the narrative. Yet the material of Herodotus presents no intractable difficulty to a critical historian. The material has not been transformed out of all recognition under the influence of moral and patriotic fervour, in a period of time as long, if not longer, than can be allowed for the gestation of the form myths of the synoptic gospels.

Herodotus enables us to test the tempo of myth-making, and the tests suggest that even two generations are too short a span to allow the mythical tendency to prevail over the hard historic core of the oral tradition. A revealing example is provided by the story of the murder of the Athenian tyrant Hipparchus at the hands of Harmodius and Aristogeiton, who became the pattern of all tyrannicides. The true story was that they assassinated Hipparchus in 514 B.C., but the tyranny lasted another four years before the establishment of the Athenian democracy. Popular opinion created a myth to the effect that Harmodius and Aristogeiton destroyed the tyranny and freed Athens. This was current in the mid-fifth century. Yet Herodotus, writing at that time, and generally taking the popular view of the establishment of the democracy, gives the true version and not the myth about the death of Hipparchus. A generation later the more critical Thucydides was able to uncover a detailed account of exactly what happened on the fatal day in 514 B.C. It would have been natural and easy for Herodotus to give the mythical version. He does not do so because he had a particular interest in a greater figure than Harmodius or Aristogeiton, that is, Cleisthenes, the central person in the establishment of the democracy¹.

All this suggests that, however strong the myth-forming tendency, the falsification does not automatically and absolutely prevail even with a writer like Herodotus, who was naturally predisposed in favour of certain political myths, and whose ethical and literary interests were stronger than his critical faculty. The Thucydidean version is a salutary warning that even a century after a major event it is possible in a relatively small or closed community for a determined inquirer to establish a remarkably detailed account of a major event, by inquiry within the inner circle of the descendants of those concerned with the event itself. Not that one imagines that the authors of the Gospels set to work precisely like either Herodotus or Thucydides. But it can be maintained that those who had a passionate interest in the story of Christ, even if their interest in events was parabolic and didactic rather than historical, would not be led by that very fact to pervert and utterly destroy the historical kernel of their material. It can also be suggested that it would be no harder for the disciples and their immediate successors to uncover detailed narratives of the actions and sayings of Christ within their closed community, than it was for Herodotus and Thucydides to establish the story of the great events of 520-480 B.C. For this purpose it matters little whether you accept the attribution of the Gospels to eyewitnesses or not.

The impression of a historical tradition is nowhere more strongly felt than in the various accounts of the trial of Christ, analysed in Roman terms in the second lecture. Consider the

¹ Herod. vi. 123; cf. *ibid.* 109, 3; Thuc. vi. 53, 3.

close interdependence of Mark and Matthew, supplementing each other even in particular phrases, yet each with his particular contribution, then Luke with his more coherent and explicit account of the charges and less clear version of the activity of the Sanhedrin, finally John, who despite many improbabilities and obscurities yet gives a convincingly contemporary version of the political pressure on Pilate in the age of Tiberius.

Taking the synoptic writers quite generally as primitive historians, there is a remarkable parallel between their technique and that of Herodotus, the father of history, in their anecdotal conception of a narrative. Consider the great episodes of Herodotus such as the campaign of Salamis or the story of the rise of Athens and Sparta, before the Persian invasion, each of which is comparable to one of the Gospels in length. Each is composed of a series of small and disconnected but significant incidents or anecdotes². It is notorious that Herodotus discarded even as a framework the famous account of Salamis provided by the eye-witness Aeschylus in his play, the *Persae*, and replaced it by what appears to be a hotch-potch of incidents. These turn out when carefully considered to be the great actions of the major personalities -Cleomenes, Themistocles- whose activity decided the event. The parallel with the technique of the synoptic writers is apparent. It is as though this was the natural manner in which a primary innovator, with no models to follow, instinctively wrote history, especially when the narrative of events was controlled by an idea rather than the mere desire to explain what happened. The notions of form-criticism have not been applied systematically to Herodotus. His stories are obviously open to treatment of this kind. The investigation would cast much light on his literary method, but would not affect seriously the basic historicity of his material, which is sufficiently established¹.

² Herod. v. 39-54, 66-98, vi. 48-84, for Sparta under Cleomenes; viii. 1-95, for the Salamis campaign.

¹ Mr. P. A. Brunt has suggested in private correspondence that a study of the Alexander sources is less encouraging for my thesis. There was a remarkable growth of myth around his person and deeds within the lifetime of contemporaries, and the historical embroidery was often deliberate. But the hard core still remains, and an alternative but neglected source or pair of sources-survived for the serious inquirer Arrian to utilize in the second century A.D. This seems to me encouraging rather than the reverse. The point of my argument is not to suggest the literal accuracy of ancient sources, secular or ecclesiastical, but to offset the extreme scepticism with which the New Testament narratives are treated in some quarters. One might compare the comparative excellence of certain early martyrologies, such as the Scillitan *Acta*, or the historical element in the documents known as the Acts of the Pagan Martyrs.