

David W. Chapman

Ancient Jewish and Christian Perceptions of Crucifixion



Baker Academic

a division of Baker Publishing Group

Grand Rapids, Michigan

David W. Chapman, born 1966; 2000 PhD at the University of Cambridge; Associate Professor of New Testament and Archaeology, Covenant Theological Seminary, Saint Louis, USA.

© 2008 by Mohr Siebeck, Tübingen, Germany

Paperback edition published in North America in 2010 by Baker Academic
a division of Baker Publishing Group
P.O. Box 6287, Grand Rapids, MI 49516-6287
www.bakeracademic.com

ISBN 978-0-8010-3905-8

Originally published in 2008 in Tübingen, Germany, by Mohr Siebeck GmbH & C. KG Tübingen as *Ancient Jewish and Christian Perceptions of Crucifixion*, Wissenschaftliche Untersuchungen zum Neuen Testament, 2. Reihe 244.

Printed in the United States of America

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means—for example, electronic, photocopy, recording—without the prior written permission of the publisher. The only exception is brief quotations in printed reviews.

Library of Congress Cataloging-in-Publication Data is on file at the Library of Congress, Washington, DC

In keeping with biblical principles of creation stewardship, Baker Publishing Group advocates the responsible use of our natural resources. As a member of the Green Press Initiative, our company uses recycled paper when possible. The text paper of this book is comprised of 30% post-consumer waste.



David W. Chapman,
Ancient Jewish and Christian Perceptions of Crucifixion,
Baker Academic, a division of Baker Publishing Group, © 2010. Used by permission.

Preface

This book sets out to accomplish two goals. The first part aims to provide a full accounting of ancient Jewish perceptions of crucifixion through the talmudic era based on currently-extant Jewish literary and material remains. The second part (consisting of the final chapter) seeks to suggest some ways that those perceptions affected both Jewish and Christian understandings of Jesus' crucifixion. Both sections are inductive, working from sources to syntheses. However, the first section aims to be comprehensive, the second merely seeks to be suggestive. My hope is that the final chapter spurs scholarly interest in further pursuing ways that Jewish perceptions of crucifixion affected views of Jesus' death in both Judaism and Christianity.

At least three audiences should benefit from this work. First, scholars of Judaism in antiquity could make substantial use of the sources on crucifixion gathered and analysed in chapters two through six. While there has been some intense interest in crucifixion in early Judaism, researchers have not previously interacted comprehensively with all pertinent sources. Second, students of early Jewish and Christian interactions may find the final chapter helpful in illuminating ways that Jewish perceptions of crucifixion impacted Jewish and Christian polemic and dialogue. Third, scholars of the New Testament and early Christianity may consider the whole thesis as a charge to further consider how Jewish perceptions of the cross influenced Christian thought.

Translations below are generally my own unless otherwise noted. The major exception involves the regular use of the Josephus volumes in the Loeb Classical Library, upon which I consistently found it difficult to improve. My translations here tend toward a high degree of formal equivalence. Though at times sounding stilted, hopefully such renderings should benefit the reader's interaction with comments on the literary, grammatical and idiomatic features of the original texts.

This study constitutes a substantial revision of my doctoral thesis written at the University of Cambridge. Without the space constraints of the university protocols, it was possible to expand substantially all chapters, to update some secondary literature, and to add a chapter on crucifixion in symbology and magic.

I would like to express profound gratitude to Prof. William Horbury, my doctoral supervisor, whose depth of knowledge is only equaled by his charity and good will toward his students. Also I wish to thank Drs. Markus Bockmuehl and Andrew Chester, each of whom supervised me for a term. Part of this book was written while for several months I was a guest of the

Institut für antikes Judentum und hellenistische Religionsgeschichte at the Universität Tübingen. For that time I have primarily to thank Prof. Hermann Lichtenberger, who kindly arranged all aspects of our stay. While we were there, Profs. Hermann Lichtenberger, Martin Hengel and Otto Betz, as well as Drs. Anna Maria Schwemer and Gil Hüttenmeister, all thoughtfully read portions of my work. The thesis was examined by both Prof. Graham Stanton and Dr. Catrin Williams, who each made helpful suggestions for revision.

For funding, my appreciation goes to the directors of the Overseas Research Student Award scheme. Also, St. Edmund's College provided me assistance to attend the British New Testament Conference in Glasgow and the Evangelical Theological Society conference in Orlando – in both venues I read a paper related to material in this thesis.

Subsequent papers have been read at the annual meeting of the Society of Biblical Literature, and at Wheaton College. The interaction with colleagues at these conferences has been most appreciated. Tyndale House, wisely governed at the time by Bruce Winter and well staffed by David Instone Brewer and Fiona Craig, provided us with needed accommodation and assistance during doctoral studies, as well as with a wonderful working environment with many good comrades. Among these, Larry Lahey and John Lierman especially should be named for their friendship and for their willingness to interact frequently with me about this material.

I wish to convey my gratitude to Prof. Jörg Frey for accepting this book into the WUNT series. I am also thankful for the diligence and patience of the good people at Mohr-Siebeck, especially for the assistance of Dr. Henning Ziebritzki, Tanja Mix and Lisa Laux. They have been most long-suffering with me as several other projects, archaeological excavations, and life issues have delayed the publication of this volume until long after it was due. My hope here is that the time spent in revision and typesetting will be worthwhile for the reader. In this regard some students at Covenant Theological Seminary willingly assisted in copyediting – especially Rick Matt, David Rapp, and Cheryl Eaton. Richard Hiers assisted in recovery of data from various computer malfunctions. Other colleagues at Covenant have encouraged me along the way, among whom I should mention Drs. Hans Bayer, Donald Guthrie, Sean Lucas, Jay Sklar, Greg Perry and Jimmy Agan. In expressing my great appreciation to these many people in this preface, I am quite aware that the contents (especially any errors) are indeed my own responsibility.

Most of all, my wife, Tasha, and our daughters, Leela and Karis, have been a constant source of joy and encouragement. Our parents, Cecil and Mabelann Chapman and Donald and Carolyn Neepner, have also always provided their characteristic unceasing support and care for us.

Saint Louis, Missouri
May 2008

David W. Chapman
SDG

Table of Contents

Preface	VII
List of Abbreviations	XIII
<i>Chapter One: Introduction</i>	1
1. Crucifixion and Judaism in Contemporary Research	2
2. Crucifixion Terminology	7
2.1 Latin Terminology.....	8
2.2 Greek Terminology	9
2.3 Hebrew, Aramaic and Syriac Terminology	13
2.3.1 <i>TLH</i> and <i>ṢLB</i>	14
2.3.2 Aramaic <i>ZQP</i>	26
2.3.3 Notes on the Hebrew <i>YQʿ</i>	27
2.4 Summary: Crucifixion Terminology and Suspension	30
3. Suspension and the Death Penalty in Jewish Law and Practice	33
4. Methodology in this Study	38

Part One: Ancient Jewish Perceptions of Crucifixion

<i>Chapter Two: Crucifixion and Suspension in Extra-Biblical Jewish Historical Narratives</i>	43
1. Suspension in the Graeco-Roman World	43
2. Crucifixion and Suspension in the Hellenistic Age	46
2.1 Persecution under Antiochus Epiphanes.....	47
2.2 Jose ben Joʿezer and his Nephew	49
2.3 The 800 Crucified by Alexander Jannaeus	52
2.4 Crucifixion and the Nahum Peshet	57
2.5 Simeon b. Shetach and the Witches of Askelon.....	66
3. Crucifixion in the Roman Period	69
3.1 Crucifixion in the Time of Varus	70
3.2 Crucifixion in the Assumption of Moses	71
3.3 Crucifixion in Alexandria.....	75
3.4 Crucifixion in Palestine under the Procurators.....	78
3.5 Crucifixion in the Jewish War.....	83
3.6 The Crucified Man from Givʿat ha-Mivtar	86
3.7 Crucifixion in Rabbinic Law and Anecdote	89
3.7.1 Rabbi Nathan and the Persecuted	90
3.7.2 Rabbi Eleazar and the Thieves	93
4. Summary	94

<i>Chapter Three: Biblical Suspension Texts and Tradition</i>	97
1. Suspension in the Ancient Near East	99
2. Joseph and the Baker (Genesis 40–41)	101
2.1 Philo and the Chief Baker	104
2.2 Josephus and the Chief Baker	107
2.3 Targumim and the Chief Baker	108
2.4 Summary	109
3. Moses and the Leaders (Numbers 25:4)	109
3.1 Targumim and Numbers 25:4	112
3.2 Rabbinic Writings and Numbers 25:4	114
3.3 Summary	116
4. The Law of Hanging and Burial (Deuteronomy 21:22–23)	117
4.1 Greek and Latin Traditions on Deuteronomy 21:22–23	120
4.2 The Peshiṭta on Deuteronomy 21:22–23	124
4.3 The Temple Scroll and Deuteronomy 21:22–23	125
4.4 Philo and Deuteronomy 21:22–23	132
4.5 Josephus and Deuteronomy 21:22–23	135
4.6 Targumim on Deuteronomy 21:22–23	138
4.7 Rabbinic Writings and Deuteronomy 21:22–23	141
4.8 Summary	147
5. “Hanging on the Tree” in the Deuteronomic History	149
5.1 Josephus and Hanging in the Deuteronomic History	151
5.2 Targum and Hanging in the Deuteronomic History	153
5.3 Summary	153
6. The Death of Saul’s Seven Sons (2 Samuel 21)	154
6.1 Targum and the Sons of Saul	155
6.2 Rabbinic Writings and the Sons of Saul	156
7. The Princes are Hung (Lamentations 5:12)	157
7.1 The Targum and the Lament	159
7.2 Rabbinic Writings and the Lament	160
8. The Hanging of Mordecai and Haman (Esther)	162
8.1 The Greek Traditions and Haman	163
8.2 Josephus and Haman	165
8.3 Targumim and Haman	166
8.4 Rabbinic Writings and Haman	168
8.5 Summary	169
9. A King’s Decree (Ezra 6:11)	170
9.1 Josephus and the Darius/Cyrus Decree	171
9.2 Rabbinic Writings and the King’s Decree	171
10. Expansions of Other Biblical Passages	172
11. Chapter Summary	174
 <i>Chapter Four: Crucifixion in Symbology and Magic</i>	 178
1. The Sign of the Cross-mark	178
2. The Crucifixion Nail	182
3. Summary	184

<i>Chapter Five: Crucifixion in Imagery, Proverb, and Case Law</i>	186
1. Philonic Allegory	186
2. The Crucified Brigand	188
3. Rabbinic Case Law	195
4. Latent Imagery and Crucifixion	202
4.1 The Binding of Isaac	203
4.2 The Paschal Lamb	207
4.3 Summary: Latent Imagery	208
 <i>Chapter Six: Perceptions of Crucifixion in Ancient Jewish Communities: A Summary</i>	 210
1. Literary Sources	210
2. Themes	213
3. Crucifixion in Jewish Literature and the Roman World	218

Part Two: Ancient Jewish Perceptions of Crucifixion and the Cross of Christ

<i>Chapter Seven: Jewish Perceptions of Jesus' Crucifixion and the Early Church</i>	223
1. The Crucified Brigand	224
2. The Crucified Magician	228
3. The Crucified Blasphemer	233
4. Biblical Exemplars and the Crucified Jesus	234
5. The Curse of the Cross	241
6. Shame, Horror and the Cross	252
7. The Innocent Sufferer	253
8. Crucifixion and Martyrdom	254
9. Latent Imagery: The Crucified Sacrifice	256
10. Conclusion	259
 Appendix: <i>Two Fragmentary Qumran Texts</i>	 263
 Bibliography	 269
 Citation Index	 293
 Author Index	 312
 Subject Index	 317

Chapter One

Introduction

Given the mode of death of its central figure, crucifixion has been a topic of profound interest to Christians throughout the centuries. Christianity, of course, did not spread in a vacuum; rather, it was constantly in contact with the cultural pre-conceptions of the day. Hence, early Christians, proclaiming a crucified Messiah, necessarily interacted with the various perceptions of crucifixion in the ancient world.

For the contemporary scholar of early Christianity, the study of the views concerning crucifixion in antiquity can thus potentially illumine the ways in which Christianity itself developed in its understanding of the death of its central figure. Moreover, given the importance of ancient Jewish thought in the formation of early Christianity, the study of Jewish perceptions of the cross forms a necessary, if perhaps sometimes neglected, context in which to view early Christian references to the cross of Christ.

Jewish people in antiquity were frequently in contact with acts of crucifixion. For example, Josephus, in some nineteen separate accounts,¹ numbers several thousand victims as suspended on the σταυρός (Gr. “cross”) – most of these in Judaea.² Frequent references to crucifixion in rabbinic texts demonstrate this gruesome penalty to be a matter the rabbis considered a common part of life.³ And the rabbis sometimes defined their own teachings

¹ The figure “nineteen” treats as single events parallel narratives in the *Antiquities* and in the *War*. This includes the *Testimonium Flavianum*, despite the intense debates over its authenticity. “Nineteen” also includes those events, described with σταυρός terminology, which speak of the suspension of a dead body (e.g., *Ant.* vi.374). For more on the semantic range of σταυρός see §2.2 below.

² For example, in *Ant.* xvii.295 Josephus states that two thousand were executed by crucifixion; and he speaks of “incalculable numbers” being executed in this fashion in *Bell.* ii.253. Even given the famous tendency of Josephus to exaggerate numbers, one can nonetheless infer from his accounts of the Second Temple period that this form of execution was quite evident in Palestine in the first century.

³ E.g., note the way crucifixion terminology creeps into aphoristic sayings such as לְקִישׁ לְסָטִים בְּכִידֵי לְצַלּוּבִים (“the last of the robbers is the first of the hanged,” in *Eccl. Rab.* vii.37). Similarly, H. Cohn notes, “The extent of such crucifixions [in Judaea] is demonstrated by the legal rules which had to be elaborated to meet contingencies.” Cohn cites passages such as *m. Yebam.* xvi.3; *m. Ohol.* iii.5; and *m. Šabb.* vi.10; also note *t. Giṭ.* vii.1; see Haim Hermann Cohn, “Crucifixion,” in *Encyclopaedia Judaica*, vol. 5 (Jerusalem: Keter, 1972), 1134; and chapter 2, §3.7 below.

over against the frequent crucifixions that were so much a part of the Roman world.⁴ In this light, the study of crucifixion in the numerous references from ancient Jewish sources can help amplify themes that are important for the student of Judaism itself. Thus such an analysis of Jewish perceptions of crucifixion can also rightly be justified as helpful for the scholar of Jewish, as well as Christian, antiquity.

The first part of this book seeks inductively to draw out ancient Jewish views concerning the penalty of crucifixion through the period of the completion of the Talmuds. This work indicates that the numerous references to crucifixion in ancient Jewish literature manifest a variety of perceptions of the cross. These perceptions are often overtly negative both toward the punishment and toward the person so executed. Yet, more positive views can also be found. The second part of the book then briefly suggests how such understandings may have influenced early Christianity.

While other scholarly works have provided helpful insight into the history of crucifixion in the ancient world (and even in Palestine), the emphasis throughout this book is on *perceptions* of crucifixion. In what ways did Jewish people in this period perceive of crucifixion and of a crucified person? Such perceptions can include both well-developed concepts as well as the less tangible “gut-reactions”. In short, what would immediately have sprung to mind if someone learned of a person being crucified? And how did those understandings affect Christianity?

This first chapter discusses introductory matters, beginning with a brief summary of the previous scholarship on the subject. Then follows a short study of ancient crucifixion terminology. Next an overview of Jewish law and practice concerning death penalties provides necessary background for future discussion. Finally, a working methodology for this study is suggested.

1. Crucifixion and Judaism in Contemporary Research

Most extended works on crucifixion written by contemporary scholars focus on the Graeco-Roman world at large. Hence, previously there has not been a comprehensive analysis of the many crucifixion and suspension passages found within ancient Jewish literature – especially an analysis that has focused on the variety of ancient Jewish perceptions concerning this penalty.

For example, when one examines Martin Hengel’s treatise *Crucifixion*, perhaps the best-known book on the subject available in the English language, one notes that Professor Hengel devotes only two powerful, but all too brief,

⁴ Thus תולדים אורו חי (“hanging him alive”) is specifically ruled out as a form of Jewish death penalty *vis-à-vis* its connection with the Roman government in *Sifre Deut.* 221; cf. *b. Sanh.* 46b; *Midr. Tannaim* (Hoffman p. 132, line 7).

pages to “Crucifixion among the Jews.”⁵ Hengel, explaining his emphasis on Gentile sources throughout this book, states: “The history of crucifixion in Judaea and in the Jewish tradition really needs a separate investigation...” (p. 84). In this regard, Hengel continues the focus on Graeco-Roman analysis that is evident previously in the classic studies of crucifixion by Lipsius and Fulda.⁶ Even the important later survey by H. W. Kuhn only provides a few pages more of discussion on Jewish materials.⁷

Many previous studies on the cross in ancient Jewish literature do not focus on the perceptions of Jews toward the penalty; rather, they tend to ask whether ancient Jewish leaders practiced crucifixion. Thus, the modern study of crucifixion in Judaism significantly advanced with the work of Ethelbert Stauffer, but Stauffer was clearly concerned about when crucifixion was first practiced by Jews in Palestine (Stauffer believed the priest Alcimus was the first to crucify fellow Jews).⁸ Later, in a carefully argued study, Stauffer’s student Ernst Bammel contended that some Jewish people would have regarded crucifixion as a legitimate method of execution.⁹ There were, however, also important voices that insisted crucifixion was never a sanctioned practice within Judaism.¹⁰

In the last few decades, a significant portion of the work on crucifixion within Judaism has focused on two short passages from Qumran (4QpNah 3–

⁵ Martin Hengel, *Crucifixion in the Ancient World and the Folly of the Message of the Cross*, trans. John Bowden (London & Philadelphia: SCM Press & Fortress Press, 1977), 84–85; reprinted in Martin Hengel, *The Cross of the Son of God*, trans. John Bowden (London: SCM Press, 1986), 176–77. It should be noted that Hengel does make multiple references to Philo and Josephus throughout this work. This book forms an expansion of Martin Hengel, “Mors turpissima crucis: Die Kreuzigung in der antiken Welt und die ‘Torheit’ des ‘Wortes vom Kreuz’,” in *Rechtfertigung*, ed. Johannes Friedrich et al. (Tübingen: J. C. B. Mohr [Paul Siebeck]/Göttingen: Vandenhoeck & Ruprecht, 1976), 125–84. The French version has material not found in the English; see Martin Hengel, *La crucifixion dans l’antiquité et la folie du message de la croix*, trans. Albert Chazelle, *Lectio divina* 105 (Paris: Cerf, 1981), 1–113.

⁶ Hermann Fulda, *Das Kreuz und die Kreuzigung: Eine antiquarische Untersuchung* (Breslau: Wilhelm Koebner, 1878). J. Lipsius, *De Cruce libri tres* (Amsterdam, 1670).

⁷ Heinz Wolfgang Kuhn, “Die Kreuzesstrafe während der frühen Kaiserzeit: Ihre Wirklichkeit und Wertung in der Umwelt des Urchristentums,” in *Aufstieg und Niedergang der Römischen Welt*, ed. Wolfgang Haase, vol. II.25.1 (Berlin/New York: Walter de Gruyter, 1982), 665–69, 706–18, 724–27.

⁸ Ethelbert Stauffer, *Jerusalem und Rom im Zeitalter Jesu Christi* (Bern: Francke, 1957), 123–27.

⁹ Ernst Bammel, “Crucifixion as a Punishment in Palestine,” in *Judaica: Kleine Schriften I*, WUNT I.37 (Tübingen: J. C. B. Mohr [Paul Siebeck], 1986), 76–8; originally published in *The Trial of Jesus*, ed. Ernst Bammel (London: SCM Press, 1970), 162–165.

¹⁰ This claim is made as early as Emil G. Hirsch, “Crucifixion,” in *The Jewish Encyclopedia*, vol. 4 (New York/London: Funk and Wagnalls, 1903), 373–74; also see Paul Winter, *On the Trial of Jesus*, ed. T. A. Burkill and Geza Vermes, 2nd rev. ed., SJ 1 (Berlin: Walter de Gruyter, 1974), 90–96 (posthumous revision of the 1961 edition, in which see pp. 62–66).

4 i 6–8; 11QTemple 64:6–13). The Nahum Peshier was released first.¹¹ Its intriguing line about the Lion of Wrath who “hangs men alive” led to an initial appraisal of this phrase as a reference to crucifixion. Though some discussion ensued, an appeal to *Sifre Deut* 221, which contains a similar phrase, appears to confirm this as a reference to crucifixion.¹² Later, Yigael Yadin caused a sensation by suggesting that the Temple Scroll indicates that Qumran halakhah (based on Deut 21:22–23) mandated suspension as a form of execution. Based on this evidence, he asserted that the Qumranites in the Nahum Peshier actually commended the Lion of Wrath (= Alexander Jannaeus) for his use of crucifixion in opposition to the Seekers-after-Smooth-Things.¹³

The Temple Scroll passage has naturally fascinated NT scholars, especially given Paul’s application of Deuteronomy 21:22–23 to the crucified Christ in Galatians 3:13.¹⁴ And Yadin’s striking interpretation of the Nahum Peshier has helped provoke even more interest in how various Jewish sects viewed crucifixion.

Many have since penned articles either agreeing or disagreeing with Yadin’s proposal.¹⁵ They frequently appeal to the inclusion in *Targum Ruth* 1:17 of צְלִיבַת קִיסָא (often translated as “hanging on a tree”) among the four accepted Jewish death penalties, taking the place of strangulation (הַנֶּקֶף) in the standard rabbinic list (cf. *m. Sanh.* 7:1).

Many studies also note the 1968 discovery at Giv’at ha-Mivtar in the vicinity of Jerusalem of a crucified man from the first century. This discovery has been cited as evidence of crucifixion in first-century Judea, and it has also

¹¹ Prior to its inclusion in *DJD* 5 (pp. 37–42), the text was first released in J. M. Allegro, “Further Light on the History of the Qumran Sect,” *Journal of Biblical Literature* 75 (1956): 89–95.

¹² N. Wieder, “Notes on the New Documents from the Fourth Cave of Qumran,” *Journal of Jewish Studies* 7 (1956): 71–72; see the next section in this chapter for further discussion.

¹³ Y. Yadin, “Peshier Nahum (4Q pNahum) Reconsidered,” *Israel Exploration Journal* 21 (1971): 1–12 (on 11QTemple lxiv.6–13). Though clearly indebted to Josephus’ account of Alexander’s crucifixion of 800 Jews (*Bell.* i.97; *Ant.* xiii.380) in his historical reconstruction of 4QpNah (see p. 2), Yadin himself uses the terminology “hanging alive” and not explicitly “crucifixion.” But he does in a later comment state that he doubts Baumgarten’s contention that the sectarians would have differentiated between “hanging alive” and “crucifixion”; see Yigael Yadin, *The Temple Scroll*, 3 + suppl. vols. (Jerusalem: Israel Exploration Society, 1977–1983), 1:378n.

¹⁴ On Paul’s usage cf. Max Wilcox, “‘Upon the Tree’ – Deut 21:22–23 in the New Testament,” *Journal of Biblical Literature* 96 (1977): 85–90; Ardel Caneday, “Redeemed from the Curse of the Law: The Use of Deut 21:22–23 in Gal 3:13,” *Trinity Journal* 10 (1989): 196–99.

¹⁵ E.g., Daniel R. Schwartz, “‘The Contemners of Judges and Men’ (11Q Temple 64:12),” in *Studies in the Jewish Background of Christianity*, WUNT 60 (Tübingen: J. C. B. Mohr [Paul Siebeck], 1992), 81–88. See further chapter three §4.3 below.

led to multiple studies on the exact methods employed during crucifixion (i.e., how would a person be positioned on the cross).¹⁶

Drawing on this material, the one work that has presented the most methodical and comprehensive study of crucifixion in Jewish literature, an article by Luis Díez Merino,¹⁷ seeks to prove that there is pre-Mishnaic evidence that crucifixion *ante-mortem* was an acceptable penalty for some Jewish groups (Sadducees and Essenes), but not for others (Pharisees). Díez Merino contends that the Qumran sectarian literature (Essene documents) contains two texts applauding crucifixion in certain cases (11QTemple 64:6–13 and 4QpNah 3–4 i 6–8). And, after an extensive analysis of targumic evidence, he holds (based on the principle that “what is anti-Mishnaic must be pre-Mishnaic”) that the targumim contain pre-Mishnaic strands of legislation that favour crucifixion (especially Targum Neofiti on Num 25:4; all the targumim on Deut 21:22–23; *Tg. Ruth* 1:17; and *Tg. Esth II* 9:24). Hence the tensions between Luke 24:20 and John 18:31 can be resolved when one realizes that they deal with different Jewish sects (Sadducees and Pharisees respectively). However, Díez Merino’s analysis has not gone unquestioned, with attention being paid to whether the targumic material is truly anti-Mishnaic and to whether the Qumran texts bear out his Yadin-influenced interpretation.¹⁸

In contrast, Hengel has proposed that there was a time when even Pharisees crucified. He argues that the famous account of Simeon ben Shetaḥ hanging eighty witches in Ashkelon (*m. Sanh.* 6:4; as developed in *y. Hag* 2:2 [77d–78a]; *y. Sanh.* 6:9 [23c]) is actually an encoded narrative describing the Pharisaic backlash against the leadership who supported Alexander Jannaeus, who had crucified eight hundred of the Pharisees’ countrymen.¹⁹

Roughly speaking, among modern scholars addressing these issues there are three sets of opinions concerning the legality of crucifixion within ancient

¹⁶ Cf. Joseph A. Fitzmyer, “Crucifixion in Ancient Palestine, Qumran Literature, and the New Testament,” *Catholic Biblical Quarterly* 40 (1978): 493–513. For bibliography, see chapter two (§3.6) below.

¹⁷ Luis Díez Merino, “El suplicio de la cruz en la literatura Judía intertestamental,” *Studii Bibliici Franciscani Liber Annuus* 26 (1976): 31–120. He has also provided two succinct versions of the same argument in Luis Díez Merino, “La crucifixión en la antigua literatura judía (Periodo intertestamental),” *Estudios Eclesiásticos* 51 (1976): 5–27; and Luis Díez Merino, “La crocifissione nella letteratura ebrea antica (Periodo intertestamentale),” in *La Sapienza Della Croce Oggi: Atti del Congresso internazionale Roma, 13–18 ottobre 1975*, vol. 1: *La Sapienza Della Croce Nella Rivelazione e Nell’Ecumenismo* (Torino: Leumann, 1976), 61–68.

¹⁸ See especially Joseph M. Baumgarten, “Hanging and Treason in Qumran and Roman Law,” *Eretz Israel* 16 (1982): 7*–16*.

¹⁹ Martin Hengel, *Rabbinische Legende und frühpharisäische Geschichte: Schimeon b. Schetach und die achtzig Hexen von Askalon*, AHAW.PH 1984,2 (Heidelberg: Carl Winter, 1984). See discussion below in chapter 2.

Jewish law: (1) crucifixion was upheld as a viable means of execution by certain Jewish sects (i.e., Essenes, possibly Sadducees) and rejected by others (esp. Pharisees)²⁰; (2) crucifixion was universally rejected by all major Jewish sects – the Qumran and targumic passages either speaking to a different time,²¹ or to a different mode of punishment²²; (3) crucifixion was accepted within ancient Jewish law at some early stage only later to be rejected by the formative rabbinic movement.²³

At times the ensuing debate was entangled with emotional issues sensitive to both Christians and Jewish people. Some articles strongly questioned the veracity of the Gospel accounts of Jewish participation in the crucifixion of Jesus.²⁴ Other authors feared the looming spectre of anti-Semitism, so often rationalized throughout Western history by claims of Jewish participation in Jesus' death.²⁵ However, while the present-day social consequences of historical analysis cannot be blithely ignored, and the pure objectivity of any interpreter is philosophically dubious, one must appreciate the historiographic contribution of those who, like J. Baumgarten of Baltimore Hebrew College,

²⁰ Yadin apparently held this position; see esp. *Temple Scroll*, 1:375. Among others, also note: J. Massyngberde Ford, "'Crucify him, crucify him' and the Temple Scroll," *Expository Times* 87 (1975–1976): 275–78; Fitzmyer, "Crucifixion," 498–507; Torleif Elgvin, "The Messiah who was Cursed on the Tree," *Themelios* 22 (1997): 14–16. And recall the work of Díez Merino mentioned above.

²¹ Zeitlin repeatedly argued a later date for the Qumran finds, and especially for 4QpNah; e.g., Solomon Zeitlin, "The Dead Sea Scrolls: A Travesty on Scholarship," *Jewish Quarterly Review* 47 (1956–1957): 31–36 (though not directly addressing the issue of crucifixion).

²² Especially Joseph M. Baumgarten, "Does *TLH* in the Temple Scroll Refer to Crucifixion?" *Journal of Biblical Literature* 91 (1972): 472–81; also *idem*, "Hanging," 7*–16*. Baumgarten argues that תלה at Qumran and צלה in the Targumim refer to execution by hanging on a noose.

²³ See esp. David J. Halperin, "Crucifixion, the Nahum Peshier, and the Rabbinic Penalty of Strangulation," *Journal of Jewish Studies* 32 (1981): 32–46.

²⁴ In a well known article published in the same year as the Nahum Peshier, Samuel Rosenblatt argued that it was impossible that Pharisees could have been involved in the call for Jesus' crucifixion. One of Rosenblatt's primary arguments was that death by hanging was not an authorized form of capital punishment in Pharisaic legal practice. See Samuel Rosenblatt, "The Crucifixion of Jesus from the Standpoint of Pharisaic Law," *Journal of Biblical Literature* 75 (1956): 315–321, esp. 318–20.

²⁵ Note, for example, the opening paragraph of Solomon Zeitlin, "The Crucifixion of Jesus Re-examined," *Jewish Quarterly Review* n.s., 31 (1941): 327. The danger of anti-Semitism in historical scholarship on crucifixion can also be seen against the backdrop of the Medieval and modern history of Christian accounts of Jewish ritual murder of Christians by crucifixion; e.g., see Haim Hillel Ben-Sasson, "Blood Libel," in *Encyclopaedia Judaica*, vol. 4 (Jerusalem: Keter Publishing House, 1972), 1121–22; Gavin I. Langmuir, "Historiographic Crucifixion," in *Les Juifs au Regard de L'Histoire*, ed. Gilbert Dahan (Paris: Picard, 1985), 109–27; Samuel Krauss, *The Jewish-Christian Controversy from the Earliest Times to 1789*, ed. William Horbury, vol. 1, TSAJ 56 (Tübingen: J. C. B. Mohr, 1995), 74, 76, etc.

seek primarily to argue positions based on the indications inherent within the primary sources.²⁶

In any case, noticeably lacking among all the works surveyed above is a thoroughgoing attempt to provide a broad-based study of the many perceptions of crucifixion in the various ancient Jewish corpora. These studies have almost invariably focused on the historical issue of whether Jewish people in the time of Christ practiced crucifixion.²⁷ Certainly any study of the perceptions within ancient Judaism with regard to crucifixion necessarily includes whether or not it was viewed as an acceptable Jewish penalty. Thus, this issue will occasionally be in the background of the present work (see esp. §3 below). However, this study concentrates on what Jewish people in the Second Temple and early rabbinic periods would have thought when they saw, or heard about, a crucified person. A sustained treatment of all facets of the evidence directed toward this particular issue has yet to appear.

2. Crucifixion Terminology

This section offers some preliminary comments concerning the terminology most often used to designate crucifixion events. Probably in large part due to the impact of centuries of Christian art and symbols, the English term “crucifixion” typically designates the execution of a living person on a cross (particularly one shaped like †).²⁸ “Crucifixion” has become a technical term for a very specific and gruesome form of capital punishment. Similar connotations are seen in the German *Kreuzigung*, the French *crucifixion* and *crucifiement*, and the Spanish *crucifixión*. This is significant to recognize here because these are the languages in which, along with English, appear the most important recent writings on ancient Jewish views of crucifixion. However, ancient Hebrew, Greek, and Latin terminology is, to varying degrees, more flexible. This section elaborates this point, along with noting some pertinent lexical debates for the study of Jewish sources on crucifixion.

²⁶ So Baumgarten carefully states, “... I do not take *tlh* to mean ‘to hang’ [as opposed to ‘to crucify’] because I find crucifixion repugnant to Jewish law, but rather because crucifixion, in my view, does not harmonize with the indications of the Qumran texts and the other pertinent sources.” See Baumgarten, “Hanging,” 15*n10.

²⁷ A rare exception is Thornton’s brief essay treating the impact of Jewish conceptions of crucifixion associated with the book of Esther on later Christian writers; T. C. G. Thornton, “The Crucifixion of Haman and the Scandal of the Cross,” *Journal of Theological Studies* n.s., 37 (1986): 419–26.

²⁸ E.g., cf. *Oxford English Dictionary*, vol. 2, (1933), s.v.; by extension the term can also refer metaphorically to torture or anguish, and to the mortification of sin, desires, etc.

2.1 Latin Terminology

The English terminology has roots in the Latin verb *crucifigo* (the dative of *crux* with the verb *figo*, often written separately; cf. also *cruci affigo*) – “to fasten to a *crux*.” A *crux* was a wooden instrument of execution upon which a person was suspended.²⁹ Other terms may be used to refer to the victim (e.g., *cruciaris*)³⁰ or to indicate verbally the action of crucifixion (e.g., *crucio* in ecclesiastical Latin).³¹ It is common for modern authors to distinguish four shapes of crosses: *crux immissa* (shaped like †), *crux commissa* (T), the Greek cross (+), and the *crux decussata* or St. Andrew’s cross (X).³² The crossbar of the *crux*, a kind of yoke, is sometimes designated a *patibulum*.³³ Criminals can also be spoken of as being fixed to a pole/stake (*palus, sudis*) or to a piece of wood (*lignum*)³⁴.

However, even the so-called technical terminology could give the misleading impression that execution via the *crux* had only a limited range of shapes and practices. A well-known quote from Seneca indicates otherwise: “*Video istic cruces non unius quidem generis sed aliter ab aliis fabricatas: capite quidam conversos in terram suspendere, alii per obscena stipitem egerunt, alii brachia patibulo explicuerunt.*” (“I see there crosses, not merely of one kind, but fashioned differently by others: a certain one suspends [a

²⁹ For the following Latin terminological discussion, see Charlton T. Lewis and Charles Short, *A Latin Dictionary* (Oxford: Clarendon Press, 1896), s.v.; and P. G. W. Glare, ed., *Oxford Latin Dictionary* (Oxford: Oxford University Press, 1968–1982), s.v. Idiomatic extensions of *crux* can designate “torture, trouble, misery, destruction”; the term can also be used in reproaches such as “gallows bird,” “go and be hanged” (cf. *diirectus*). Of course, verbs other than *figo* can be used with *crux*: e.g., *sustollo* “to raise on high”; cf. Plautus, *Mil.* Act II, scene 3; see Paul Nixon, *Plautus*, 5 vols., LCL (Cambridge: Harvard University Press, 1916–1938), 3:154.

³⁰ *Cruciaris* can also be used adjectivally in reference to “tortured.” Ecclesiastical Latin could employ *crucifer* for the victim and *crucifxor* for the executioner.

³¹ “Only in eccl. Latin” according to Lewis & Short, *Latin Dictionary*, s.v. The semantic range of *crucio* also encompasses “to torment, torture.”

³² So Hirsch, “Crucifixion,” 373; D. G. Burke and H. E. Dosker, “Cross; Crucify,” in *The International Standard Bible Encyclopedia*, ed. Geoffrey W. Bromiley, Fully rev. ed., vol. 1 (Grand Rapids: Eerdmans, 1979), 826. Others have fewer categories; for example, Gerald G. O’Collins, “Crucifixion,” in *The Anchor Bible Dictionary*, ed. David Noel Freedman, vol. 1 (New York: Doubleday, 1992), 1208. The four-fold distinction also appears in E. A. Wallis Budge, *Amulets and Talismans* (New York: University Books, 1961), 342. However, Budge examines these in the context of a much fuller discussion of various cross symbols, rightly implying that these four shapes used in Christian art may not correspond to actual Roman executionary forms.

³³ However, note that *patibulum*, at least by the seventh century CE, can designate a “gallows” for hanging as opposed to a “cross-bar” (Isidore, *Etymologia* v.27.34). The term can also indicate a forked prop for vines, or a bar for fastening a door. Related adjectives are *patibulatus*, and *patibulus*.

³⁴ Cf. Seneca, *Ep.* 101.14.

person] with his head upside down towards the ground, others impale a stake through the sexual organs, others extend the arms by a yoke [*patibulum*].”)³⁵ Understanding the three clauses beginning with *capite* as explications of “*video istic cruces...*”, then even impaling of the genitals on a *stipes* (“tree, branch”) can be considered affixing to a *crux*. That Seneca distinguished what he “saw” from any possible expectations to a unity of appearances of the cross (“*non unius quidem generis*”) may show both (1) that under the Romans in this time execution on the cross tended to follow a fairly common routine, and (2) that there could be significant exceptions that are designated by the same terminology.³⁶ Indeed the affixing of a dead body to a *crux* could also be described as crucifixion in Latin (cf. Pliny, *Nat. Hist.* xxxvi.107).³⁷

Thus a variety of words could be used to speak of crucifixion, and even the most technical Latin terms could refer to the suspension of humans in ways only vaguely resembling execution on a *crux immissa* (†). This relative flexibility in terminology is all the more obvious in the extant Greek sources.

2.2 Greek Terminology

The familiar New Testament terms for the crucifixion of Jesus include the verbs σταυρώ (46 times, though not all of Jesus), συσταυρώ (5 times),³⁸ and ἀνασταυρώ (in Heb 6:6), as well as the noun σταυρός. Also NT authors speak of the event with προσπήγνυμι (“to affix”; in Acts 2:23)³⁹ or with the passive of κρεμάννυμι and ἐπὶ ξύλου (“to hang upon a tree”; cf. Acts 5:30; 10:39; Gal 3:13).⁴⁰ Combining this terminology with that in

³⁵ Seneca, *De Consolatione ad Marciam* xx.3. Text from John W. Basore, *Seneca Moral Essays*, 3 vols., LCL (Cambridge, Mass.: Harvard, 1965), 2:68. The translation here is mine. Basore translates *cruces* as “instruments of torture” (*Moral Essays*, 2:69); however, although this is a possible translation of *crux* in some circumstances, note that here the three postures Seneca lists all indicate a death by suspension, and note that Seneca distinguishes these three from the expectation that the *cruces* he sees are not of a single kind (implying that a *crux* was normally in his reader’s mind associated with a particular form of execution, rather than a more generic term for an “instrument of torture”). Cf. Hengel, *Crucifixion*, 25.

³⁶ Note also in this regard: Tacitus, *Annals* xv.44.4 (the Christians are pinned to crosses and set on fire – though the textual issues here are significant); see Erich Koestermann et al., eds., *Cornellii Taciti libri qui supersunt*, 2 vols., Bibliotheca scriptorum Graecorum et Romanorum Teubneriana (Leipzig: Teubner, 1965–1986).

³⁷ Pliny describes this situation as unique, but that may well refer to post-mortem suspension in cases of suicide.

³⁸ This term may be a NT neologism, since a search of *TLG* and *PHI* 7 only surfaced 136 uses – all NT or post-NT Christian authors.

³⁹ Also προσηλώσας αὐτὸ τῷ σταυρῷ (“nailing it [the χειρόγραφον] to the cross”) in Col 2:14.

⁴⁰ Depending on the context, κρεμάννυμι alone can refer to a crucified person (see Luke 23:39). Also note the use of ξύλου by itself in Acts 13:29 and in 1 Pet 2:24 to designate the cross; this usage may be relevant to Luke 23:31 as well. Wilcox has suggested a Christian

Lucian's *Prometheus*⁴¹ and in other works of Greek antiquity, several more words surface that, in context, can designate a crucifixion event: particularly ἀνασκολοπίζω (verb) and σκόλωψ (noun),⁴² and including verbs such as ἀνακρεμάννυμι, κατακλείω, καταπήγνυμι, πήγνυμι, προσηλώω, and προσπατταλεύω (= προσπασσαλεύω).

Nevertheless, in Greek it is rare for the semantic range of any single term to be confined to “crucifixion.” For example, a σταυρός appears originally to have referred to an upright pole. Thus a σταυρός can be a stake in a σταύρωμα (“palisade”; e.g., Thucydides, *Hist.* vi.100)⁴³ as well as a pole on which a person is impaled or crucified. Hence it naturally follows that both ἀνασταυρώω and σταυρώω can refer to the building of stockades as well as to the setting up of poles (especially for the purpose of suspending people on σταυροί).⁴⁴ Elsewhere a σταυρός can be used as a place of scourging, with the death following from some other method.⁴⁵

A σκόλωψ likewise generally refers to “anything pointed” (Liddell & Scott, s.v.), including pales, stakes, thorns, a point of a fishhook, and (in the plural) a palisade. And similarly, the cognate verb ἀνασκολοπίζω need not exclusively refer to “fix on a pole or a stake, impale.”⁴⁶

dependence on Deut 21:22–23 in the application of ξύλον to the cross of Jesus (see below chapter 7, §6); cf. Wilcox, “Upon the Tree,” 85–99.

⁴¹ See Hengel, *Crucifixion*, 11 (repr., 103). Add to Lucian's vocabulary the use of σκόλωψ as a term for “stake” on which one is impaled (cf. Euripides, *IT* 1430) and the verbs such as ἀνακρεμάννυμι, ἀναπήγνυμι, and πήγνυμι, which are often used for affixing a person to a σκόλωψ or σταυρός.

⁴² Possibly also ἀνασχιנדυλευθήσεται in Plato, *Rep.* 362a; see Henry George Liddell and Robert Scott, *A Greek-English Lexicon*, Revised by Henry Stuart Jones and Roderick McKenzie. 9th ed. (Oxford: Clarendon Press, 1996), 120, 122. Also cf. ἀνασχιנדυλεύεσθαι (specifically related to ἀνασκολοπίζω) in Hesychius 4583.

⁴³ Other palisade terminology is likewise related to the σταυρ- root (e.g., ἀποσταυρόω, διασταυρόω, περισταυρόω, προσσταυρόω, προσταυρόω, σταύρωσις) – most terms can be conveniently witnessed in Thucydides, some also occurring in later historians such as Polybius and Dionysius of Halicarnasus.

⁴⁴ Nairne has briefly contended that “ἀνασταυροῦν is good Greek for ‘crucify,’ ‘impale,’ whereas σταυροῦν, which is always used elsewhere in the N.T. [i.e., outside Hebrews], meant in the classical period ‘make a palisade’”; see A. Nairne, *The Epistle to the Hebrews*, CGTC (Cambridge: Cambridge University Press, 1922), 67. In fact, σταυρόω in the Hellenistic period was widely used for “crucify”; see, for example, Polybius (*Hist.* i.86.4), Strabo (*Geog.* xiv.1.39), Lucian (*Prom.* 1, 10 – parallel w/ ἀνασταυρόω and ἀνασκολοπίζω) and Josephus (*Ant.* xvii.295; xix.94; cf. ii.77, which is parallel with ἀνασταυρόω in ii.73).

⁴⁵ See Dio Cassius (*Roman History* xlix.22.6), where the Jewish king Antigonus is flogged by the Romans while tied to a σταυρός, and is later slain.

⁴⁶ This is the only definition given in Liddell and Scott, s.v. In fact, it does cover the majority of instances in Greek literature. However, compare ἀνασκολοπίζω in Aquila's translation of Isa 36:2 and 40:3; see Joseph Ziegler, *Isaias*, Septuaginta (Göttingen: Vand-

However, the “fundamental” references to an upright pole in *σταυρός* and its cognates, and to pointy objects in *σκόλωψ* and its cognates, does *not* rightly imply such that terminology in antiquity, when applied to crucifixion, invariably referred to a single upright beam. This is a common word study fallacy in some populist literature.⁴⁷ In fact, such terminology often referred in antiquity to cross-shaped crucifixion devices. For example, Lucian, in a brief dialogue that employs most Greek crucifixion vocabulary, refers to the “crucifixion” of Prometheus, whose arms are pinned while stretched from one rock to another.⁴⁸ Such a cross-shaped crucifixion position in the Roman era may actually have been the norm; nevertheless, the point to be sustained at this stage is that this position was not the only one to be designated with these Greek terms.

In addition to recognizing the broader semantic ranges of these terms, it is helpful to note that different authors prefer certain terminology. Thus, while Philo knows *σταυρός* as a “cross” (see *Flacc.* 72, 84; contrast *σταυροί* as fortifications in *Agr.* 11; *Spec. Leg.* iv.229), he does not use the cognate verb *ἀνασταυρόω*, preferring instead *ἀνασκολοπιζώ*.⁴⁹ Josephus, on the other hand, employs only *ἀνασταυρόω* and *σταυρόω* but never *ἀνασκολοπιζώ*.⁵⁰ Hengel contends that in the Classical period Herodotus utilized *ἀνασταυρόω* and *ἀνασκολοπιζώ* with different nuances from one another (*ἀνασκολοπιζώ* of the suspension of living men and *ἀνασταυρόω* of dead men), but that after Herodotus these two verbs become synonymous. Such a picture may require some more nuance,⁵¹ but it is certainly the case that after Herodotus some

hoeck & Ruprecht, 1939), 249, 266. Also note that Field (*Origenis Hexaplorum*, 2:500) indicates a use of *ἀνεσκολοπισμένη* in Symmachus (as well as Aquila) on Isa 36:2.

⁴⁷ Thus, falling prey to the etymological fallacy, some assume that *σταυρός* can *only* designate a single upright pole, as does W. E. Vine, *An Expository Dictionary of New Testament Words*, 4 vols. (London: Oliphants, 1939), s.v. This error is often found in Jehovah’s Witnesses literature. The diachronic study of these terms likely might sustain the possibility that the earliest means of penal bodily suspension involved single pointed poles, and hence was associated with the *σταυρ-* and the *σκολοπ-* stems. However, later (at least by the time of early Roman military incursions into Anatolia) suspension devices developed other shapes, while the terminology remained attached to all such bodily suspensions.

⁴⁸ Lucian, *Prom.* 1: *ἀνεσταυρώσθω ἐκπετασθεις τῷ χεῖρε ἀπὸ τουτουὶ τοῦ κρημοῦ πρὸς τὸν ἐναντίον*. Text in A. M. Harmon et al., *Lucian*, 8 vols., LCL (London: William Heinemann/Cambridge, Mass.: Harvard University Press, 1913–1967), 2:242. See also (Pseudo-) Lucian, *Jud. Voc.* 12 (where the *σταυρός* is shaped like a Tau).

⁴⁹ Most often Philo employs *ἀνασκολοπιζώ* to clearly refer to a means of death: e.g., *Post.* 61 (*οἱ ἀνασκολοπισθέντες ἄχρι θανάτου*); and also *Flacc.* 84 (*ζῶντας δ’ ἀνασκολοπιζέσθαι προσέταττεν*). See also Dio Chrysostom, *Orationes* xvii.15; and multiple references in Lucian (esp. *Prom.* 2, 7, 10; *Pisc.* 2; *Philops.* 29). Also likely Polybius *Hist.* x.33.8; Dionysius of Halicarnasus, *Antiq. Rom.* v.51.3.

⁵⁰ This phenomena was already noticed by Hengel, *Crucifixion*, 24 [repr. 116].

⁵¹ Concerning Herodotus, the instance in *Hist.* vi.30 (*τὸ μὲν αὐτοῦ σῶμα αὐτοῦ ταύτη ἀνεσταύρωσαν*) is at least ambiguous (similarly with many of Herodotus’ uses of

authors use the terms interchangeably and that both verbs can designate acts of crucifixion (even in the narrow English sense of the word).⁵²

The sources testify at times to a variety of means of suspending a person from a σταυρός. For example, Josephus reports the monstrous incident of the Roman soldiers who “out of rage and hatred amused themselves by nailing their prisoners in different postures,” affixing them to σταυροί.⁵³ Roughly contemporary to Josephus is the use of σταυρός in the account by Plutarch concerning Parysatis (mother of Artaxerxes): “ἐγχειρίσασα τοῖς ἐπὶ τῶν τιμωριῶν προσέταξεν ἐκδεῖραι ζῶντα, καὶ τὸ μὲν σῶμα πλάγιον διὰ τριῶν σταυρῶν ἀναπήξει, τὸ δὲ δέρμα χωρὶς διαπαταλεῦσαι.” (*Art.* xvii.5).⁵⁴

Perhaps most importantly, there is often ambiguity in crucifixion and suspension accounts as to whether the person is being suspended before or after death. So Josephus, while most often utilizing ἀνασταυρόω to indicate a means of execution,⁵⁵ can also say that the Philistines “crucified” the *dead* bodies of Saul and his sons “to the walls of the city of Bethsan” (*Ant.* vi.374; τὰ δὲ σώματα ἀνεσταύρωσαν πρὸς τὰ τείχη τῆς Βηθσάν πόλεως). Thus

ἀνασκολοπίζω), if not actually implying that the means of death was through ἀνασταυρόω, since the use of the term is not preceded by the death of Histiaeus. In the later period it is possible that Plutarch distinguished crucifixion on a σταυρός from impalement on a σκόλοψ (cf. “ἀλλ’ εἰς σταυρὸν καθηλώσεις ἢ σκόλοπι πήξεις;” – “but will you nail him to a cross or impale him on a stake?” in *An vitiositas ad infelicitatem sufficiat* 499D; see text and translation in Frank C. Babbitt, et al., *Plutarch’s Moralia*, 16 vols., LCL (Cambridge, Mass.: Harvard University Press, 1927–1969), 6:498–99). Schneider calls ἀνασταυρόω and ἀνασκολοπίζω “identical,” which may be too strong; see J. Schneider, “σταυρός, σταυρόω, ἀνασταυρόω,” in *Theological Dictionary of the New Testament*, ed. Gerhard Kittel and Gerhard Friedrich, trans. Geoffrey Bromiley, vol. 7 (Grand Rapids: Eerdmans, 1971), 7:583.

⁵² E.g., Lucian (second century CE) uses ἀνασκολοπίζω, ἀνασταυρόω and σταυρόω interchangeably to refer to the crucifixion of Prometheus (*Prom.* 1, 2, 4, 7, 10, 15, 17).

⁵³ προσήλουν δὲ οἱ στρατιῶται δι’ ὀργὴν καὶ μῖσος τοὺς ἀλόντας ἄλλον ἄλλω σχήματι πρὸς χλεῦν... (*Bell.* v.451). See analysis below in chapter 2, §3.5. Throughout this book texts from Josephus are cited from Benedictus Niese, *Flavii Iosephi Opera*, 7 vols. (Berlin: Weidmann, 1887–1895) (here vol. 6, p. 496). Translations of Josephus are from H. St. J. Thackeray et al., *Josephus*, 10 vols., LCL (Cambridge, Mass.: Harvard University Press/London: William Heinemann, 1926–1965).

⁵⁴ “...she put the eunuch in the hands of the executioners, who were ordered to flay him alive, to set up his body slantwise on three stakes [τριῶν σταυρῶν], and to nail up his skin to a fourth.” Text and translation from Bernadotte Perrin, *Plutarch’s Lives*, 11 vols., LCL (Cambridge, Mass.: Harvard University Press, 1914–1926), 11:167.

⁵⁵ Note especially *Vita* 420–21, where the three crucified individuals are removed from the cross at Josephus’ request (one of them survives). Also see *Ant.* xi.267 (καὶ κελεύει παραχρῆμα αὐτὸν ἐξ ἐκείνου τοῦ σταυροῦ κρεμασθέντα ἀποθανεῖν); xii.256 (ζῶντες ἔτι καὶ ἐμπνέοντες ἀνεσταυροῦντο); and xiii.380 (= *Bell.* i.97); most likely also *Ant.* xix.94; *Bell.* iii.321. In other situations in Josephus the context is not necessarily determinative as to whether the σταυρός was the means of death, though often it is possible to assume so.

hanging a dead body on a pole (or, in the case above, in a similar fashion to a wall) may be associated terminologically for Josephus with the hanging of a live person for the purpose of execution. This fluidity of σταυρός terminology also appears in other Greek authors (especially in Polybius and Plutarch).⁵⁶ In fact, most often our sources do not present us with clear contextual indicators that would allow us to decide in any one text which manner of penalty is projected. For example, are the criminals' dead bodies being impaled, or are they being nailed alive to a cross in Philo *Spec. Leg.* iii.151–52?

In part, this calls for the interpreter to be sensitive to matters of personal and regional lexical style. But it is quite conceivable, especially when considering the ἀνασταυρώω word group, that the fundamental distinction within the terms is not “crucifixion vs. other post-mortem suspensions,” but rather “suspension of persons vs. suspension of other objects.” Crucifixion represents a subset of the larger conceptuality of human bodily suspension. In fact, many (if not most) of the concepts in a Greek-speaking audience concerning human suspension (both as a means to and as a subsequent penalty after death) may come into play when that same audience hears of an act of crucifixion.

2.3 Hebrew, Aramaic, and Syriac Terminology

While Hebrew and Aramaic are distinct languages, it is still reasonable to treat them together in our discussion of terminology. Naturally, both are part of the larger family of Semitic languages. More importantly, there appear significant similarities in usage between Hebrew and Aramaic in words from roots such as *tlh* (cf. Aramaic *tly* and *tlʿ*) and *šlb*. Further, Syriac terminology originated from Aramaic. Thus the following section analyzes crucifixion terminology from these three languages – noting both continuities and discontinuities between them.

⁵⁶ In his Polycrates account, Herodotus certainly represents ἀνασταυρώω as a penalty *post mortem* (*Hist.* iii.125), though later authors understood this same event as death by crucifixion; see Hengel, *Crucifixion*, 24n. (repr. 116n.). Note the mention in Philo, *Prov.* ii.24–25 = Eusebius, *Praep.* viii.14.24–25; see Karl Mras, *Eusebius Werke Achter Band: Die Praeparatio Evangelica*, 2 vols., GCS 43,1 (Berlin: Akademie-Verlag, 1954), 1:468–69. However, the Armenian version varies here; cf. F. H. Colson et al., *Philo*, 10 (+ 2 suppl.) vols., LCL (Cambridge, Mass.: Harvard University Press, 1929–1962), 9:543–44. Polybius clearly reports the crucifixion of both the living (*Hist.* i.86.6, employing σταυρόν with ἀνέθεσαν ζῶντα; cf. σταυρώω in *Hist.* i.86.4) and the dead (*Hist.* v.54.6–7; viii.21.3 – both ἀνασταυρώω). Most notable is how Plutarch can use ἀνασταυρώω both for the suspension of a dead body (*Tim.* xxii.8; *Cleom.* xxxix.1 [cf. xxxviii.2]) and for a means of execution (*Caes.* ii.7; cf. σταυρός in *De sera numinis vindicta* 554B; also note, since listing no other mode of death, the uses of ἀνασταυρώω in *Fab.* vi.3; *Alex.* lxxii.3; *Ant.* lxxxi.1; *De Garrulitate* 508F–509A).

2.3.1 TLH and ṢLB

Ancient Hebrew and Aramaic literature often denotes bodily suspension of a person after (and sometimes before) death with the Hebrew phrase עָן עַל [אָתוֹ] תְּלָה (in Aramaic with the corresponding תְּלָה or תְּלָא)⁵⁷ and with the Hebrew and Aramaic verbal root צָלַב.⁵⁸ Jastrow notes that the device on which a person is suspended is designated by the nominal cognates of צָלַב in Hebrew (צָלוּב) and Aramaic (צָלִיבָא), and that the suspension itself may be signified by Hebrew צָלִיבָה and Aramaic צָלִיבָתָא.⁵⁹ However scholars debate whether these terms and phrases by themselves can typically designate, beyond mere bodily suspension, an act of “crucifixion” in the limited sense of the English word.

For example, when the Qumran Nahum Peshar was published, there was some discussion as to whether אֲשֶׁר יִתְּלָה אֲנָשִׁים חַיִּים (“who hangs men alive”) in 4QpNah 3–4 i 7 was a reference to crucifixion.⁶⁰ However, most

⁵⁷ E.g., the phrase עָן עַל [אָתוֹ] תְּלָה appears for bodily suspension of humans in the MT in Gen 40:19; Deut 21:22; Josh 8:29; 10:26; Esth 2:23; 6:4; 7:10; 8:7; 9:13, 25 (cf. Esth 5:14; 7:9) – the Esther accounts likely indicating a means of execution. The word תְּלָה by itself functions in a similar way in Gen 40:22; 41:13; Deut 21:23; 2 Sam 4:12; 21:12; Lam 5:12; Esth 9:14. For Aramaic תְּלָה: Sokoloff lists as one of the definitions “to execute by hanging” (citing *Lam. Rab.* 5:12 [Buber 157:8]); see Michael Sokoloff, *A Dictionary of Jewish Palestinian Aramaic of the Byzantine Period*, Dictionaries of Talmud, Midrash and Targum 2 (Ramat-Gan, Israel: Bar Ilan University Press, 1990), s.v. The penal suspensory use of the Aramaic term תְּלָה appears as early as text no. 71 in A. Cowley, *Aramaic Papyri of the Fifth Century B.C.* (Oxford: Clarendon Press, 1923), pp. 180–81 (line 19).

⁵⁸ Jastrow defines the verb צָלַב in both Hebrew and Aramaic as “to hang, impale”; see Marcus Jastrow, *A Dictionary of the Targumim, the Talmud Babli and Yerushalmi, and the Midrashic Literature*, 2 vols. (New York: Pardes, 1950), s.v. However, Sokoloff more specifically understands the Aramaic term as signifying “to impale, crucify”; see Sokoloff, *Dictionary*, s.v. Cf. Modern Hebrew, which signifies “to crucify” with צָלַב and indicates the cross or a crucifix by צָלִיב; see Reuben Alcalay, *The Complete Hebrew-English Dictionary* (Tel-Aviv/Jerusalem: Massadah, 1965), s.v.

⁵⁹ Jastrow (*Dictionary*, s.v.), indicates “stake, gallows” as definitions for צָלוּב (also, in a separate entry, “impaled, hanging”). Jastrow provides similar definitions for צָלִיב, and for the Aramaic צָלִיבָתָא (variant צָלִיבָה). For צָלִיבָתָא and צָלִיבָה Jastrow lists “impaling, hanging.” However, here again Sokoloff is more specific in defining צָלִיב as the “pole for crucifixion” (*Dictionary*, p. 465).

⁶⁰ Doubts against a crucifixion understanding of the phrase אֲשֶׁר יִתְּלָה אֲנָשִׁים חַיִּים have been unfairly associated with the name of H. H. Rowley; see the remarks by Wieder, (“Notes,” 71); and Baumgarten (“TLH in the Temple Scroll,” 478n.). Actually, Rowley states that, based on the versional renderings of OT passages that use תְּלָה, this phrase may possibly be a reference to crucifixion but the lexical data alone cannot limit the term תְּלָה to this meaning. Rowley himself, however, also contends that the “...horror caused by such action suggests that it was some non-Jewish form of death, and this elevates the possibility that crucifixion is meant into a probability”; see H. H. Rowley, “4QpNahum and the Teacher of Righteousness,” *Journal of Biblical Literature* 75 (1956): 190–91.

rightly favour a crucifixion understanding of the Nahum Peshet phrase, due to the comparison of this phrase with a similar idiom also found in *Sifre Deut* 221 “כּוֹל יְהוָה תּוֹלִים אוֹתוֹ הִי” (is it possible they hung him alive?), which itself is explicated in important manuscripts by “כּוֹרֵךְ שֶׁהַמְּלֻכּוֹת עוֹשֶׂה” (“in the manner which the [Roman] government does”).⁶¹

On another matter, H. Cohn argues that, while צַלַב in Hebrew designates “to crucify,” in Aramaic צַלַב means “to hang.” He bases this on the etymologies of the two words, which he claims are different – the Hebrew is derived from the Hebrew root “*shelov*” (שָׁלַב), which he defines as “fixing or bracing wooden planks or beams together,” while the Aramaic comes from the Assyrian *dalabu* (glossed as “causing pain or distress”).⁶²

It is surprising that Cohn can argue a strong distinction between two identical consonantal terms used in such similar contexts in two languages with such a long history of intermingling. The spectre of the etymological fallacy suggests itself. Also, the etymologies he provides are striking for the improbable consonantal shifts required (צ to ש in Hebrew; and Assyrian *d* to Aramaic *ṣ*).⁶³ Rather, Baumgarten’s proposal that צַלַב is related to the

⁶¹ So Wieder, “Notes,” 71–72. Zeitlin, having erroneously stated on the basis of a “minor midrash” concerning Judith that the phrase “to hang alive” in 4QpNah was an expression “coined in the Middle Ages,” uses this as evidence for a very late date to the Nahum Peshet; see Zeitlin, “DSS: Travesty,” 33–34. Upon Wieder’s publication of the *Sifre Deut* 221 evidence to the contrary (see Wieder, “Notes,” 71–72), both Zeitlin and Wieder crossed swords concerning whether the omission of the phrase “כּוֹרֵךְ שֶׁהַמְּלֻכּוֹת עוֹשֶׂה” in the Vienna edition of the *Sifre* changes matters; see S. Zeitlin, “The Phrase אֲנָשִׁים חַיִּים הֵינִי,” *Journal of Jewish Studies* 8 (1957): 117–18; N. Wieder, “Rejoinder,” *Journal of Jewish Studies* 8 (1957): 119–21. The textual issue in the *Sifre* is discussed below in chapter 3, §4.7; but for now observe that “כּוֹל יְהוָה תּוֹלִים אוֹתוֹ הִי” occurs in all manuscripts of the *Sifre Deut* (thus undermining Zeitlin’s Medieval thesis in any event) and note that the manuscript evidence for the phrase “as the [Roman] government does” is significant.

⁶² Haim Cohn, *The Trial and Death of Jesus* (New York: Ktav, 1977), 209. The same claim is found in the earlier Hebrew version of this book; thus see Haim Cohn, *משפטו ומותו של ישו הנוצרי* (Tel Aviv: Dvir, 1968), 132–33. For the etymology from שָׁלַב Cohn relies on Elieser Ben-Yehuda and Naphtali H. Tur-Sinai, *Thesaurus Totius Hebraicitatis et Veteris et Recentioris* [= *מילון הלשון העברית*], 16 vols. (Jerusalem: Hemda, 1908–1959), 11:5482. Actually Ben-Yehuda is more cautious than Cohn (stating “אֲזַלֵּי קָרוֹב: שָׁלַב”); and, more significantly, Ben-Yehuda draws an explicit connection between the Hebrew צַלַב and its Aramaic counterpart (“מִן הָאַרְמֵי צַלַב”); see p. 5482n).

⁶³ Descriptions of typical consonantal shifts with these consonants (and their relationships to “proto-Semitic”) can be found in: Carl Brockelmann, *Grundriss der vergleichenden Grammatik der semitischen Sprachen*, 2 vols. (Berlin: Von Reuther & Reichard, 1908/1913), 1:128–36, 170–173, 234–38; or more cursorily in Sabatino Moscati et al., *An Introduction to the Comparative Grammar of the Semitic Languages: Phonology and Morphology*, ed. Sabatino Moscati, PLO, n.s. 6 (Wiesbaden: Otto Harrassowitz, 1964), 31–37. These standard works fail to support the consonantal shifts that Cohn proposes. Brockelmann notes the shift of Aramaic *ṣ’libā* to Persian *čalipā* (meaning “Kreuz”) in *Grundriss*, 1:208 (also in his *Lexicon Syriacum*, 303).

Assyrian *šilbu* (“a crosswise arrangement [of bandages or wood]”) seems more worthy of consideration.⁶⁴ Even more detrimental to Cohn’s belief is the evidence of the Aramaic sections in the midrashim where Aramaic צַלֵּב clearly designates crucifixion.⁶⁵ Further, Cohn’s subsequent discussion about צַלֵּב in the Nahum Peshar is misplaced, since the term in the Peshar is תִּלְהָה and not צַלֵּב.⁶⁶ Thus, Cohn’s strong separation between Aramaic and Hebrew צַלֵּב must be rejected.

However, in a meticulously argued article, J. Baumgarten contends that the phrase וְתִלְהָמָה אֹרְתוֹ עַל הָעֵץ וְיָמָת (“and you shall hang him on the tree and he shall die”) in the Qumran Temple Scroll does *not* refer to death by crucifixion, but to execution by hanging on a noose.⁶⁷ Baumgarten’s essay essentially combines (1) an assertion that hanging on a noose was an accepted means of execution in Second Temple Judaism (and signified by both תִּלְהָה and צַלֵּב) with (2) an argument that תִּלְהָה by itself could not designate crucifixion for the Qumran community (and hence must refer to hanging from a noose). Because Baumgarten’s thesis involves several issues of lexical semantics, his arguments are worth reviewing:

(1) Targum Ruth 1:17, which lists צַלֵּיבָה קִיסָא as a form of capital punishment, does so in the place of execution by strangulation (קִיסָא) in the standard rabbinic list, thus indicating that hanging from a noose is intended in this use of צַלֵּב (pp. 473–74).⁶⁸

⁶⁴ Baumgarten, “TLH in the Temple Scroll,” 474. The definition is from *CAD* 16, p. 187 (which Baumgarten also cites). However, other lexicons are less certain of the meaning of the term *šilbu* (cf. *AHW* 3, p. 1100). Further, etymological relationships with its more frequent relatives (cf. *šalāpu* in *CAD* 16, p. 71) would probably also need to be explored before affirming Baumgarten’s proposal. Díez Merino remarks that the known occurrence of *šlb* in the Punic dialect (see *RES*, vol. 1, no. 125) is not certain enough to contribute significantly to the etymological debate (“Supplicio,” p. 32). Z. Harris suggests the Punic term might designate “impale on a razor” – see Zellig S. Harris, *A Grammar of the Phoenician Language*, AOS 8 (New Haven: American Oriental Society, 1936), 141. Concerning the Punic word, Hoftijzer and Jongeling are even more cautious when they suggest “to impale? (highly uncert. interpret.)” on the strength of the usage of *šlb* in Hebrew and Aramaic; see J. Hoftijzer and K. Jongeling, *Dictionary of the North-West Semitic Inscriptions*, 2 vols., HdO 1.21 (Leiden: E. J. Brill, 1995), 2:967.

⁶⁵ Some Midrash Rabbah examples of overt application of Aramaic צַלֵּב and its cognates to designate crucifixion: *Eccl. Rab.* 7:37 [21c] (on *Eccl.* 7:26; of brigands); *Esth. Rab.* 10:5 (on *Esth.* 6:11 = Vilna 14d [28]; note use of nails).

⁶⁶ Cohn, “Trial,” 210–11. Cohn’s lack of awareness of the Hebrew manuscript of 4QpNah is all the more obvious in the earlier Hebrew edition of Cohn’s book (*גִּישׁוּפֵט*), p. 133) where his reference to the Peshar Nahum citation varies wildly from the actual text.

⁶⁷ Baumgarten, “TLH in the Temple Scroll,” 472–81.

⁶⁸ Also supported by an appeal to one MS of Targum Ruth, which reads הַנִּיקָה סוּדְרָא (“the strangulation of the scarf”) in the place of צַלֵּיבָה קִיסָא (MS De Rossi 31). Baumgarten seems to imply that, since צַלֵּב is the normal rendering of תִּלְהָה in the Targumim (p. 474), this Aramaic evidence may be relevant to the Hebrew expression as well.

(2) That hanging from a noose was seen as a legitimate variant of strangulation is borne out by the use of תלה in the suicide account of Jakum (=Jaḳim) of Zeroroth, who hangs himself from a pole to produce strangulation (*Gen. Rab.* 65:22; *Midr. Psa.* 11:7).⁶⁹ Baumgarten also claims similar support from Simeon b. Shetaḥ's hanging of eighty witches in Ashkelon (תלה) in *m. Sanh.* 6:4; וצלב בונן in *y. Hag* 2:2 [78a]; לצליבא in *y. Sanh.* 6:9 [23c].⁷⁰

(3) The essence of crucifixion, as practiced by the Romans, was “the deliberate protraction of torture” combined with the disgrace of leaving the body unburied. But, since this contravenes the command to bury the executed person within the day (*Deut* 21:22–23) – a command explicitly known and kept by the Qumran community (11QTemple lxiv.11–12) – the Qumranites could not have envisioned their law to execute someone by “hanging him on the tree” as involving crucifixion. Rather this Qumran legislation must have involved a more instant means of death, such as by strangulation on a noose.⁷¹

(4) Most significantly, both the Qumran community and the rabbis addressed crucifixion as the act of “hanging men alive” (יתלה אנשים חיים) in 4QpNah 3–4 i 7; also line 8 לתלוי חי על העץ; cf. *Sifre Deut* 221 (תוליים אותו חי). The need for the explication “alive” demonstrates that “...*tlh* by itself did not signify impalement on a cross, but a form of execution resulting in immediate death” (p. 478).

(5) Contrary to Yadin's contention, it is unlikely that 4QpNah 3–4 i 6–8 reflects a positive affirmation of the Lion of Wrath's crucifixion of the Seekers-after-Smooth-Things.⁷²

Although Baumgarten's article focuses on the use of תלה at Qumran, his work leaves the clear impression that תלה nowhere means “to crucify” apart from the technical phraseology produced when it is combined with “alive” (חי or חיים). He does allow that תלה in the biblical Esther narratives may be a reference to impalement on a pole, but these instances do not amount to evidence that this was a legal punishment in Jewish law (pp. 476–77).

⁶⁹ Baumgarten (p. 474) notes a similar account to that of Jaḳim in the execution of Balaam as recorded in *b. Sanh.* 106b. As indirectly acknowledged in Baumgarten's footnote 12, the major contribution to Baumgarten's argument in the Balaam traditions actually comes in Rashi's medieval commentary on the Bavli here (esp. note שתלאודה). The evidence from Ginzberg that Baumgarten cites in his footnote 12 does not help his case.

⁷⁰ Baumgarten (p. 476) also cites Büchler's references to execution by hanging in the Ben Stada accounts (*b. Sanh.* 67a – in uncensored manuscripts), and to the renderings of הוקיע (in *Num* 25:4; 2 *Sam* 21:6, 9, 13) in *Sifre Num.* 131 and *b. Sanh.* 35a.

⁷¹ Note that Baumgarten, without evidence, inferentially rules out any means of hastening the death of the victim by a *coup de grâce* such as the breaking of the legs of the victims (pp. 477–78). But, since John 19:31–33 portrays such a procedure without explaining its efficacy to the readers, such a *coup de grâce* likely was known in the Mediterranean world. Some have also pointed to such a procedure in the early reports of the archaeological evidence from Giv'at ha-Mivtar, but later assessments have not confirmed that this crucified man's legs were intentionally broken; see Joseph Zias and Eliezer Sekeles, “The Crucified Man from Giv'at ha-Mivtar: A Reappraisal,” *Israel Exploration Journal* 35 (1985): 24–25 (see chapter 2, §3.6 below).

⁷² Section 2.4 below on 4QpNah in chapter 2 examines Baumgarten's arguments for point five.

In a later article Baumgarten clarifies his understanding of the semantic range of צַלַב: he allows a few instances where צַלַב does refer to crucifixion,⁷³ but maintains that the targumic usage of צַלַב signifies hanging and not crucifixion (pp. 8*–9*). Those uses of *šlb* in Syriac, Mandaic, and Christian Palestinian Aramaic (which use the term to signify “crucifixion”) are dominated by Christian theological assertions, and are thus not relevant when examining צַלַב in targumic Aramaic (p. 8*). Furthermore, the targumic passages that use צַלַב reflect standard rabbinic interpretations of those biblical passages – thus showing that the targumim did not contravene the standard rabbinic understanding of bodily suspension (i.e., that crucifixion is not a viable means of execution; p. 9*).

An article by D. J. Halperin portrays an almost entirely opposite view from that of Baumgarten, since Halperin holds that צַלַב generally designates crucifixion.⁷⁴ Halperin emphasizes the evidence of Syriac, Mandaic, and Christian Palestinian Aramaic with regard to *šlb* (pp. 37–38). He also contends that צַלַב in the targumim is only used in reference to the penal bodily suspension of humans either living or dead (p. 38).⁷⁵ And Halperin, noting certain rabbinic Hebrew uses of צַלַב and its cognates that clearly denote crucifixion in the rabbinic writings (38n.), argues that the Esther Targumim “plainly intend” crucifixion in their use of צַלַב (p. 39). Finally, he contends that there are places in rabbinic Hebrew where תַּלְהָה actually replaces צַלַב as a term for crucifixion, thus showing that the meturgeman could very well have thought that תַּלְהָה in the biblical texts referred to a form of punishment implying “crucifixion or something resembling it” (on this basis צַלַב, a term normally designating crucifixion, was extended to include post-mortem suspension).⁷⁶ With this argumentation Halperin states:

One gathers that the primary meaning of Targumic *selab* – meaning that surfaces when the writers are composing freely and without the restrictions imposed by the Hebrew text – is crucifixion.... There is no evidence that the verb is ever used for hanging by the neck. In *Targ. Ruth* 1:17, where a form of execution is obviously designated, the burden of proof rests heavily upon the scholar who would see in *selibat qesa* anything other than crucifixion (pp. 39–40).

⁷³ See Baumgarten, “Hanging,” pp. 8* (on *t. Sanh.* 9.7) and 9* (esp. note 15, citing *m. Yebam.* 16:3).

⁷⁴ Halperin, “Crucifixion,” esp. 37–40.

⁷⁵ Halperin does allow that the Samaritan Targum, unlike the other targumic traditions, uses צַלַב to render the biblical תַּלְהָה uniformly (“Crucifixion,” 38n.), even where not speaking of human bodily suspension (he notes *Deut* 28:66). Baumgarten seizes on Halperin’s admitted exception in the Samaritan Targum, noting that thus צַלַב is used “...even where the verb does not pertain to execution” (Baumgarten, “Hanging,” 8*).

⁷⁶ Halperin, “Crucifixion,” 39–40. He cites *t. Sanh.* 9.7 (צַלַב) and “its parallel” in *b. Sanh.* 46b (תַּלְהָה) as his example of תַּלְהָה replacing צַלַב in denoting crucifixion.

How ought one arbitrate between the lexical studies of Baumgarten and Halperin? Of all modern authors Baumgarten has certainly presented the best lexical arguments so far for limiting the range of תלל and for guarding the targumim from bearing a crucifixion meaning in their usage of צלב. Yet, there are reasons to remain unconvinced of his analysis.

First, an appeal to the later Aramaic dialects remains fruitful. What is interesting about the other Aramaic traditions is not simply that they use *šlb* for “crucify” (and its nominal cognates for “crucifixion”), but that, in the semantic field of terms for crucifixion, *šlb* is distinctive in several Middle Aramaic dialects for having the exclusive meaning of “crucifixion” while other crucifixion terms have broader semantic ranges.

For example, in Syriac both ܘܫܠܒ and ܘܫܠܒܐ can designate “to crucify,” with their corresponding nominal forms (ܘܫܠܒܐ and ܘܫܠܒܐ) designating the cross itself. However, while the semantic range of ܘܫܠܒܐ appears focused on “crucify,”⁷⁷ ܘܫܠܒ can signify “erexit, suspendit, crucifixit; erexit se, horruit.”⁷⁸ Thus ܘܫܠܒ appears to be a term that includes crucifixion within its semantic range (especially in the NT Peshitta),⁷⁹ but that more broadly has to do with “lifting up” or “erecting.” In a similar way the verb ܘܫܠܒܐ, while having a basic concept of *suspendit*, can in certain contexts signify *crucifixit*.⁸⁰ In contrast, the nouns ܘܫܠܒܐ and ܘܫܠܒܐ are much closer to *termini technici* for the cross and for crucifixion, as is ܘܫܠܒ for “to crucify.”⁸¹

⁷⁷ For ܘܫܠܒ see R. Payne Smith, ed., *Thesaurus Syriacus*, 2 vols. (Oxford: Clarendon Press, 1879/1901), 2:3403–3405. The elder Payne Smith is naturally followed in J. (Mrs. Margoliouth) Payne Smith, ed., *A Compendious Syriac Dictionary* (Oxford: Clarendon Press, 1903), 478. Also Carl Brockelmann, *Lexicon Syriacum* (Edinburgh: T. & T. Clark/Berlin: Reuther & Reichard, 1895), 303. Other lexica have similar entries: Carolo Schaaf, *Lexicon Syriacum Concordantiale*, 2nd ed. (Leiden: Typis Joh. Mulleri, Joh. fil; Apud Cornelium Boutestejn & Samuelem Luchtman, 1717), 483; Louis Costaz, *Dictionnaire Syriaque-Français/Syriac-English Dictionary/Qamus Siryani `Arabi*, 2nd ed. (Beirut: Dar El-Machreq, [1986?]), 302.

⁷⁸ So R. Payne Smith, ed., *Thesaurus*, 1:1148–49 on ܘܫܠܒ (also endorsing the further meanings “*vocali Zekopho insignivit*” and “*ingruit mare, tempestas*”). To this the supplement adds “to hold oneself erect, stand erect”; see J. P. Margoliouth, *Supplement to the Thesaurus Syriacus of R. Payne Smith, S.T.P.* (Oxford: Clarendon Press, 1927), 115. Brockelmann also has “*erexit; crucifixit*; and (intransitive) *surrexit, horruit*” (*Lexicon Syriacum*, 98).

⁷⁹ So J. Payne Smith (*Dictionary*, 119) notes concerning ܘܫܠܒ “in the N. T. *crucified* but in other books ܘܫܠܒܐ is usual.”

⁸⁰ R. Payne Smith, ed., *Thesaurus*, 2:4440–44. NT influence here is quite possible, especially given the usage (and potential subsequent influence) of the Ethpe‘el in Gal 3:13 (ܘܫܠܒܐ ܘܫܠܒܐ). However, remember that תלל in Palestinian Jewish Aramaic can also be used in contexts of execution.

⁸¹ This concerns the noun ܘܫܠܒܐ, not the passive participle of the same form. It may be due to connecting the participle and the noun in the same entry that Brockelmann remarks that, in addition to “*cruci fixus*” and “*crux*,” ܘܫܠܒܐ can also function (apparently adjectivally) to mean “*erectus, altus*” (*Lexicon Syriacum*, 98; citing the Benedictus edition of

Similarly, Christian Palestinian Aramaic evidences a limited application of *šlb* and its nominal cognates to crucifixion, while *zqp* is a more general term that can designate crucifixion in certain contexts.⁸² Also, in Mandaic the central definition given for *šlb* is “to crucify,” though *tla* can likewise be legitimately used for human bodily suspension.⁸³

As these Aramaic dialects progressed, *šlb* was the Aramaic term already in use that presented itself as the most likely candidate for a technical term for crucifixion in Christian and Nasoraean literature. Other terms were also available that could mean crucifixion, but only *šlb* was the clear choice to bear such a focused meaning. Thus it is wholly possible that *šlb* may have had some proclivity to bearing crucifixion signification in other Aramaic dialects with which Syriac, Christian Palestinian Aramaic, and Mandaic were in contact, and from which they developed – including both Babylonian and Jewish Palestinian Aramaic, as well as their predecessors. It is this possibility that Baumgarten too quickly dismisses. Though the focus of this lexical analysis will be on synchronic evidence, such diachronic development might provide subsidiary support.⁸⁴

Second, it is worth re-emphasizing Halperin’s point that **צלב** is always only used in the targumim for human bodily suspension (rendering each time the Hebrew תלה). In fact, **צלב** in rabbinic literature also only designates human bodily suspension (while its cognate nouns only speak either of the device on which such suspension occurs, or of the event itself). The only example that Baumgarten adduces to the contrary is from Halperin’s own admission that the Samaritan Targum uses **צלב** uniformly to translate תלה, even in Deut 28:66. However, in Deut 28:66 a person’s “life” is in suspension before him, a metaphor that the Samaritan meturgeman could easily have sought to vividly render with bodily suspension terminology.⁸⁵ In any case,

Ephraem’s works, vol. 2, 89a) – note that R. Payne Smith (*Thesaurus*, 1149) includes this same reference under the passive participle. Naturally, other cognates of **צל** and **לב** can be used to indicate related crucifixion concepts: e.g., **צל** and **לב** (“crucifier”); **צל** and **לב** (“crucifixion”).

⁸² Fridericus Schulthess, ed., *Lexicon Syropalaestinum* (Berlin: George Reimer, 1903), pp. 170–71 for *šlb*; p. 57 for *zqp* (noting **צל** in Acts 2:23 refers to “crucifixistis”).

⁸³ See E. S. Drower and R. Macuch, *A Mandaic Dictionary* (Oxford: Clarendon, 1963), p. 395 for *šlb*, p. 387 for *šaliba*, and *tla* on p. 487. Also in Mandaic, as in Syriac, *zqp* can be used of setting up or erecting something, though Drower and Macuch do not note any uses of this term for human bodily suspension (169–70).

⁸⁴ Such diachronic evidence against Baumgarten’s position is strengthened if the original derivation of **צלב** is from Assyrian *šilbu* (“a crosswise arrangement [of bandages or wood]”) as Baumgarten himself suggests (this was mentioned above); see Baumgarten, “TLH in the Temple Scroll,” 474.

⁸⁵ Lack of good indices hampers an exhaustive search of Samaritan Aramaic and Hebrew. Some qualification may be in order to Halperin’s point, since the medieval Samaritan Aramaic-Arabic-Hebrew dictionary **צלב** lists **צלב** as equivalent in meaning to the Hebrew

the point remains that for rabbinic and Jewish targumic Aramaic, as well as for Rabbinic Hebrew, צלב always speaks of human bodily suspension. This point is not at odds with Baumgarten, but it is crucial to understanding how צלב functions.

Third, as Baumgarten himself admits (though without proper emphasis), there are many instances where צלב and its cognates are clearly used to designate an act of crucifixion. Baumgarten lists two examples: *t. Sanh.* 9.7 and *m. Yebam.* 16:3. Halperin also notes the parallels to *m. Yebam.* 16:3 in *t. Yebam.* 14:4, *b. Yebam.* 120b, and especially in *y. Yebam.* 16:3 [15c], where a matron can ransom the crucified man. Furthermore, Halperin additionally lists the following instances of Hebrew צלב: *t. Git.* 7(5):1⁸⁶; *y. Git.* 7:1 [48c]; *b. Git.* 70b (a crucified man signals for a writ of divorce); *m. Šabb.* 6:10; *y. Šabb.* 6:9 [8c]; *b. Šabb.* 67a (a nail used in crucifixion); *m. Ohol.* 3:5; *t. Ohol.* 4:11; *b. Nid.* 71b (the dripping blood of a crucified person). To these add some of the Aramaic passages cited earlier in our discussion of Cohn's work; and further passages will arise in later chapters of this book.⁸⁷

Fourth, Baumgarten unduly limits his study of the way in which ancient Jewish translations and interpreters rendered the use of תלה in the Hebrew Bible. Having confined צלב to “hanging” (by the neck), Baumgarten goes on to say that it is the normal targumic way of rendering תלה.⁸⁸ Indirectly he thus implies that the versional evidence would suggest only a “hanging” interpretation of תלה in OT texts by Jewish translators. However, the full evidence indicates that at times Jewish translators understood תלה more broadly. For example, the Septuagint of Esther uses σταυρώω to encapsulate the Hebrew תלהו עָלָיו (“hang him [Haman] on it,” i.e., on the tree; Esther 7:9).⁸⁹ Indeed, later Jewish renderings of the Esther narratives are replete with crucifixion terminology associated with the Hebrew phraseology

תלה and תלה as representing צלובה, תלה as representing תלה, as well as תלה representing תלה; see Z. Ben-Hayyim, *The Literary and Oral Tradition of Hebrew and Aramaic Amongst the Samaritans*, 5 vols. (Jerusalem: Bialik Institute, 1957–1977), 2:474, 597, 609. Also Macuch's Aramaic grammar indicates an instance where the Ethpa'al participle (תלה) signifies “wird verbrannt.”

⁸⁶ Note that the victim must still be breathing (כל זמן שיש בו נשמה); also cited with Tannaitic authority in *y. Git.* 7:1 [48c].

⁸⁷ Especially note the rabbinic works analysed in chapter five, §§2 and 3 (including *Šem.* ii.11, which assumes that the body decays until it is unrecognizable while being crucified – using צלב). Perhaps here it also should be noted that *sade* is connected with Jesus' crucifixion in the early medieval *Midrash ha-'Otiot* version B – a fact that Figueras attributes in part to the crucifixion term צלב and in part due to the shape of the letter צ; Pau Figueras, “A Midrashic Interpretation of the Cross as a Symbol,” *Studii Biblici Franciscani Liber Annuus* 30 (1980): 159–63 (dating the passage to the fourth–seventh centuries).

⁸⁸ Baumgarten, “TLH in the Temple Scroll,” 474.

⁸⁹ The B-text (=LXX) reads Σταυρωθήτω ἐπ' αὐτοῦ. Cf. both the A and B texts of the “addition” E18 (= 16:18 = Rahlfs 8:12^f = L 7:28). See below in chapter three.

of תלה אתו על העץ.⁹⁰ When the Targumim on Esther then apply צלב, a term that certainly can bear crucifixion associations, to render the Hebrew תלה, they are in good company. And a similar picture arises in reference to the suspension of the baker in Genesis 40:19 (וְתִלְּהָ אוֹתָהּ עַל-עֵץ; cf. 40:22; 41:13). Both Josephus and Philo employ clear crucifixion terminology in interpreting this incident,⁹¹ while the targumim use צלב.⁹² Thus, some ancient Jewish authors were fully comfortable designating “hanging on a tree” (and hence תלה) at certain junctures with crucifixion terminology.

Fifth, Baumgarten’s distinction between halakhic and haggadic exegesis misses the point in his discussion of *t. Sanh.* 9.7. In that passage, Rabbi Meir compares Deut 21:23 to a story of two twin brothers, one of whom is crucified.⁹³ Baumgarten, noting that this refers to a Roman crucifixion, contends that such a haggadic passage can “...hardly suffice to prove that in the legal exegesis of the time Deut. 21:22–23 was understood to refer to crucifixion.”⁹⁴ This is true. The story of R. Meir, though occurring in a legal context, does not make a legal point. However, it does associate crucifixion with the hanged person (תלוי) of Deut 21. And thus it provides evidence that the Hebrew word תלה (and especially תלה in Deut 21:22–23) can be understood to designate crucifixion.

Sixth, some of Baumgarten’s notations of execution by hanging on a noose are ambiguous at best. The accounts of Simeon b. Shetaḥ’s hanging eighty witches in Ashkelon have also been adduced as instances of crucifixion.⁹⁵ In fact there are no textual markers that would signal strangulation on a noose in

⁹⁰ E.g., Josephus, *Ant.* xi. 208, 246, 261, 266–67, 280. Two uses of צלב in *Esther Rabbah* are best explained as acts of crucifixion: Prologue 1 (note the likely Roman context); 10:5 (note the use of “ropes and nails” וְסַמְרִים וְסַמְרִים; for nails cf. *m. Šabb.* 6:10). Other occurrences of צלב and its cognates in the Midrash Rabbah refer to the Esther narratives: *Gen. Rab.* 30:8; *Exod. Rab.* 20:10; *Lev. Rab.* 28:6; *Esth. Rab.* 2:14; 3:15; 7:3, 10, 11; 9:2; 10:15.

⁹¹ So Josephus *Ant.* ii.73 (ἀνασταυρόω) and ii.77 (σταυρόω); Philo, *Jos.* 96–98 (ἀνασκοπιζώ); *Som.* ii.213 (analogous to the baker the person is described as προσηλωμένος ὡς περ οἱ ἀνασκολοπιθθέντες τῷ ξύλῳ). Naturally, Josephus and Philo could have based their understanding on a Greek version, but the point would still stand that “to hang someone on a tree” (be the phrase in Greek or Hebrew) could be rendered with crucifixion terminology by representatives of Second Temple Judaism.

⁹² So Targums Onkelos, Neofiti, and Pseudo-Jonathan on Gen 40:19, 22; 41:13; and a Cairo Geniza targumic text on Gen 41:13. Also note the Samaritan Targum on these verses (except for ms A in 40:19).

⁹³ The narrative is treated in detail below in chapter three.

⁹⁴ Baumgarten, “Hanging,” 8*. If Baumgarten’s point were conceded here (which seems unwarranted), then a similar distinction between halakhic and haggadic evidence may tell against Baumgarten’s own strategic use of the narrative of Jaḳim of Zeroroth, since the Jaḳim narrative represents a clear haggadic passage.

⁹⁵ Defended most fervently by Hengel in *Rabbinische Legende*, 27–36.

the texts referring to this event. Thus these texts, without more detailed argumentation than Baumgarten provides, do not positively contribute to his thesis that hanging on a noose, rather than crucifixion, was practiced in pre-Mishnaic Judaism.⁹⁶

Seventh, when Baumgarten follows Büchler in noting *b. Sanh.* 67a and 35a as instances of hanging on a noose, he involuntarily weakens his thesis. In the first passage, some have considered the Ben Stada narrative in *b. Sanh.* 67a to be a covert reference to the crucifixion of Jesus of Nazareth (which may explain its omission in the censored editions of the Talmud) – though this is debated.⁹⁷ In any case, the narrative sequence in the Talmudic manuscripts that contain the passage implies that stoning preceded the hanging; thus it is irrelevant to Baumgarten’s case for hanging on the noose as an early form of strangulation.

In addition, the second Talmudic passage (*b. Sanh.* 34b–35a) defines והוֹקֵט in Num 25:4 as תְּלִיָּה (“hanging”), arguing this definition in part based on the lexical connection with וְהוֹקֵעֵנוּם in 2 Sam 21:6 and the way Rizpah four verses later in 2 Sam 21:10 defends the bodies of the slain from birds. Thus the Talmud implies an extended time of “hanging” in the 2 Samuel passage (as well as presumably in Num 25:4).⁹⁸ But one of Baumgarten’s key arguments is that תְּלִיָּה in rabbinic (and Qumranic) thinking must refer to the relatively quick hanging by a noose (in keeping with Deut 21:22–23), rather than a long-term suspension (such as on a pole or cross) as we find suggested in this Talmudic passage.

Eighth, the debate over the four means of execution acknowledged in Targum Ruth 1:17 permits an alternate interpretation to that of Baumgarten. So Halperin in fact contended that the phrase צְלִיבָה קִיסָא in this Targum is a reference to crucifixion.⁹⁹ As noted above, Baumgarten makes reference to a single manuscript (MS De Rossi 31) that reads וְהַנִּיקָת סוּדָרָא (“and the strangulation of the scarf”) in agreement with the Mishnaic halakhah, thus suggesting to him that צְלִיבָה קִיסָא was just an alternative means of strangulation. However, apart from the scant support, internal criteria would suggest that this one manuscript is actually seeking to bring the Targum back into agreement with the Mishnah (or at least back into agreement with *Ruth Rabbah* 2:24 [on Ruth 1:17] which reads וְהַנִּיקָת). Perhaps this manuscript even

⁹⁶ A similar point could be made regarding the *Sifre Num.* 131 citation in Baumgarten, “*TLH in the Temple Scroll*,” 476n.

⁹⁷ Travers Herford defends the identification with Jesus in R. Travers Herford, *Christianity in Talmud and Midrash* (London: Williams & Norgate, 1903), 79–83 (cf. 37–41; 344–47).

⁹⁸ So the footnote in the Soncino *Hebrew-English Edition of the Babylonian Talmud* on *b. Sanh.* 35a infers that, since Rizpah protected the bodies from birds of prey, “They must have been hanged on trees.”

⁹⁹ Halperin, “Crucifixion,” 37.

testifies to the discomfort felt by its scribal circle in acknowledging צלב as a viable means of execution.

Baumgarten also appears to argue that the very fact that in Targum Ruth צליבת קיסא is in the place of strangulation in the standard rabbinic list implies that צליבת קיסא was a mere variant form of strangulation (via suspension from a noose), dating back to a time before the sanctioned rabbinic method (via a padded rope pulled by the two witnesses, as described in *m. Sanh.* 7:3) was universally applied. However, if the tradition in the Targum Ruth passage is earlier than the Mishnaic legislation (as Heinemann maintained),¹⁰⁰ then it is possible that it doesn't represent a mere variation on the idea of strangulation, but a completely different penalty altogether. This is not to imply that the whole of Targum Ruth is pre-Mishnaic, only certain traditions contained in it. To state this another way: If Baumgarten finds in Targum Ruth an exception to the standard *means* of rabbinic strangulation (possibly predating the later codification), then similar arguments also favour it being viewed as an exception to the standard *list* itself – the difference is a matter of degree in how great an exception *Tg. Ruth* 1:17 appears to the scholar. All this is to say that there are alternatives to Baumgarten's suggestion that he has not adequately countered, and thus *Tg. Ruth* cannot provide indisputable evidence that hanging on a noose, and *not* crucifixion, was practiced in the pre-Mishnaic period.

Ninth, the phrase “hanging *alive*” in the Nahum Peshier and in the Sifre on Deuteronomy may not be the only means of expressing crucifixion with תלה in ancient Judaism. While חי in these two texts may have been added for emphasis (the suspended victim is *alive*), it may not be required in talking about crucifixion with תלה. So in *Sifre Deut.* 221 the emphasis on suspension of the “living” person helps set off the point that the sequence in the biblical text speaks of death first and then hanging. Its use in 4QpNah likewise seems emphatic on the living status of the suspended victims. On the other hand, the author/redactor of 11QTemple may not have felt the need to emphasize that the person suspended was “alive,” since the word order alone was sufficient for this. Certainly, one cannot infer (as Baumgarten apparently does)¹⁰¹ from the adjectival use of חי an extensive time of suspension unto death as opposed to an immediate one – חי in this context does not speak of the *extent* of time one spends alive hung on a tree, but emphasizes the *fact* that one is alive when suspended.

¹⁰⁰ So Joseph Heinemann, “The Targum of Ex. XXII,4 and the Ancient Halakha,” *Tarbiz* 38 (1969): 295–96.

¹⁰¹ Thus Baumgarten says of the word “alive” in 4QpNah and *Sifre Deut* that it “demonstrates that *tlh* by itself did not signify impalement on a cross, but a form of execution resulting in *immediate death*.” Baumgarten, “*TLH* in the Temple Scroll,” 478 (italics mine).

When combined, all nine objections to Baumgarten's thesis indicate that תלה could be understood in the Second Temple period as a designation for crucifixion – even “by itself” without the emphasis added by “alive.” Also צלב bears strong crucifixion associations in both Hebrew and Aramaic.

However, listing objections to Baumgarten's argumentation does not necessitate wholehearted agreement with Halperin, who contends that the “primary meaning” of צלב is “to crucify” and that it was never used of hanging by the neck. Several cautions are worth noting.

Some targumic passages utilize צלב (and its cognates) in a word order implying that the person is already dead prior to suspension.¹⁰² And this fact is enough to call into question whether “crucifixion” (in the English sense of the word as a means of producing death) is the “primary” meaning of צלב. If צלב had inevitably referred to “crucifixion”, then why not use another Aramaic term (e.g., תלה or זקף) in passages where the person is dead before suspension?¹⁰³ Rather, it appears that the semantic range of צלב was broad enough to include both the bodily suspension of the dead and the living.

Also, the one text Halperin cites for תלה occasionally replacing צלב with the meaning “crucify” (*t. Sanh.* 9:7 to *b. Sanh.* 46b) may not be a linear passing of tradition from the Tosefta to the Bavli (with a conscious supplanting of צלב with תלה), for the traditions may have come from common stock (see chapter 3, §4.7 below). Halperin's argument is possible, but not lock tight.

Furthermore, as Baumgarten notes, the story of Jaqim of Zeroroth, who (while employing all official means of execution upon himself) hangs himself from a pole to produce strangulation (*Gen. Rab.* 65:22; *Midr. Psa.* 11:7), does seem to allow that תלה in this passage (and hanging by the neck) could be seen as the equivalent of strangulation – at least in this remarkable suicide. Also, though we have opposed Baumgarten's lexical arguments, his understanding of the Ruth Targum is well worth considering in more detail, as are his two suggested reconstructions of 4QpNah and some of the broader points he makes on 11QTemple.

In summary, although צלב does not only signify “to crucify,” it does frequently bear strong crucifixion implications. Certainly צלב is a term devoted to describing the penal suspension of the human body (either living or dead) in the context of execution. Beyond that, the actual means of suspension (and the timing of it in relation to death) may be signaled by the literary context of any one occurrence. Where not signaled, likely the ancient audience would come to its own conclusions – undoubtedly influenced by a

¹⁰² See *Tg. Onq.*, *Tg. Neof.*, and especially *Tg. Ps.-J.* on Deut 21:22; *Tg. Josh.* 10:26; possibly also *Tg. Ps.-J.* Lev. 24:23. Halperin also admits this much.

¹⁰³ That is to say, Halperin's concept (“Crucifixion,” 39) of the Hebrew Bible “restricting” the meturgeman, who is unable to “compose freely,” makes scant linguistic sense. A competent meturgeman had other Aramaic options, and thus had the power of lexical choice.

social world in which they witnessed frequent governmental employment of crucifixion.

In this regard, צלב and its cognates function semantically in some ways similar to the Greek semantic field of (ἀνα)σταυρόω and its cognates. Both terms convey a technical sense of “bodily suspension” in contexts of execution (though ἀνασταυρόω, unlike צלב, can at times be employed in other broader contexts). Both terms can convey the bodily suspension of the living (including what is usually meant by “crucifixion” in English) and of the dead. Certainly, such words can designate crucifixion in the right context. Yet, more importantly, such Greek, Hebrew and Aramaic vocabulary appear to indicate that “crucifixion” was terminologically associated in antiquity with a broader field of penalties that involved penal bodily suspension.

Concerning תלה, the basic meaning of the term is clearly “to hang,” but in certain contexts it can speak of the suspension of humans (both before and after death). It is unwarranted to claim that תלה cannot be used of crucifixion unless it is joined with חי. Rather, some of the examples cited above show that, at least by the Second Temple period, biblical passages using תלה could be understood to refer to crucifixion. Thus תלה by itself may be understood in certain contexts (and possibly in certain communities) to bear crucifixion associations.

2.3.2 Aramaic ZQP

An important passage in the Babylonian Talmud records that Rabbi Eleazar ben Simeon, in collusion with the Roman authorities, sent a man to the cross as a thief (*b. B. Meṣ.* 83b). This text uses both the verb זקף and its cognate noun: זקפוהו קם תוהי זקיפא וקא בבכי – “They hung him [the suspected thief] up. He [R. Eleazar] stood under the pole and wept.” That this represents an act of crucifixion is made highly probable by both the fact that the arrested man was thought to be a thief, and that a Roman execution penalty is involved.¹⁰⁴

Halperin argues that “the Aramaic of the Babylonian Talmud uses *zeqaf* for crucifixion instead of *ṣelab*.”¹⁰⁵ As he notes, though צלב *is* present in Hebrew sections of the Bavli, זקף can designate the bodily suspension of a person, and its cognate זקיפא (also זקיפוה) can indicate the pole upon which one is suspended, the hanged person, or the suspension itself.¹⁰⁶ These terms also occur in contexts of execution outside the Bavli.¹⁰⁷

¹⁰⁴ On the crucifixion of thieves and brigands see chapter five, §2; also note the discussion of this episode in chapter two, §3.7.2.

¹⁰⁵ D. J. Halperin, “Crucifixion,” 38n.

¹⁰⁶ See Jastrow, *Dictionary*, s.v. Uses of both זקף and זקיפא in reference to execution include: *b. Meg.* 16b (sons of Haman); *b. B. Meṣ* 59b (“if there is a case of hanging in a family record” – this contains a possible double entendre with crucifixion and suspension of a

However, it is necessary to qualify the above by noting that the vast majority of instances of זקף in the Bavli are more mundane – referring to the elevation, erection, or suspension of some other object. And likewise זקף can also speak generally of something erect or upright. Thus it is better to conceive of זלב in a relation of hyponymy with זקף rather than in one of synonymy. While זקף can be used in contexts of execution, and may even clearly refer in those contexts to an act of crucifixion, its semantic range is actually fairly broad. On the other hand, זלב in extant Jewish literature invariably refers to the penal suspension of a human body.¹⁰⁸ Interestingly, as noted above, a similar hyponymous relationship exists between *šlb* and *zqp* both in Syriac and in Christian Palestinian Aramaic.

Finally, the one biblical use of the Aramaic זקף should be mentioned (Ezra 6:11; RSV: “a beam shall be pulled out of his house, and he shall be impaled upon it”).¹⁰⁹ The complexities involved in interpreting this verse, especially in the relationship between זקף and כוהא in זקף יתמהא עלהי כוהא, are analyzed below in chapter three.

2.3.3 Notes on the Hebrew YQʿ

One final term worthy of study is the Hebrew יקע. According to the Masoretic pointing of the Hebrew Bible it occurs four times in the Qal,¹¹⁰ thrice in the Hiphil, and once in the Hophal. Only those occurrences in the so-called “causative” *binyanim* (Hiphil & Hophal) seem to refer to execution. However, the manner of execution employed in these instances is a matter of some debate among contemporary lexicographers.

Among the major lexicons, Koehler-Baumgartner glosses the meaning as “to display with broken legs and arms,”¹¹¹ while Alonso Schoekel implies that the execution was by some form of impalement or suspension (“Empalar,

fish). Also see יקע in *b. Abod. Zar.* 18b (the government is about to crucify a warder). Both BDB (new ed., p. 279) and KB (יקע, s.v.) suggest that יקע is related to Assyrian *zaqāpu*, which includes the impaling of a person among its more basic meanings of erecting, planting or lifting up something (see *CAD* 21, pp. 51–55; also note *zaqipu* on p. 58).

¹⁰⁷ E.g., *Tg. 1 Chron.* 10:10 (of Saul’s head; זקע על זקעא); *Tg. Esth II* 2:7 (Haman affixed to the זקע). And see יקע in *Tg. Esth I* 7:9; 9:13 (also note 3:2 in MS Paris 110; and cf. *Tg. Esth I* 5:14, though here the wooden post is being erected).

¹⁰⁸ As mentioned earlier, it is possible that *Samaritan Aramaic* may present an occasional exception, but even these are debatable.

¹⁰⁹ Hebrew יקע is testified with the idea of “raising up” in *Psa* 145:14; 146:8.

¹¹⁰ *Gen* 32:26; *Jer* 6:8; *Ezek* 23:17, 18. There is likely a close relationship between the Qal form of יקע and the Qal of יקע (*Ezek* 23:18, 22, 28); see *Ezek* 23:18 and cf. Robert Polzin, “*HWQYʿ* and Covenantal Institutions in Early Israel,” *Harvard Theological Review* 62 (1969): 231n.

¹¹¹ *KB*, Engl. transl., s.v. A similar definition is given in David J. A. Clines, ed., *The Dictionary of Classical Hebrew*, 4+ vols. (Sheffield: Sheffield Academic Press, 1993–present), 4:274–75.

colgar, ajusticiar”).¹¹² On the other hand, Brown-Driver-Briggs is content to admit that the meaning of this “solemn form of execution” is uncertain.¹¹³

In favour of the Koehler-Baumgartner translation is the relationship of the Hiphil of קָטַע as the causative form of the Qal, especially as the Qal is represented in Genesis 32:36 (Jacob’s thigh is “dislocated”). Thus, one could argue that such an execution (employing Hiphil of קָטַע) likely involved *causing* the person’s limbs to be dislocated.¹¹⁴ However, this does not fully explain the Koehler-Baumgartner idea of “displaying” such a dismembered person. Other etymological explanations draw on Arabic parallels to either *waqa’a* or *naqa’a*;¹¹⁵ but the range of meanings of the Arabic words, especially when examining *waqa’a*, calls for some caution.

¹¹² Luis Alonso Schoekel, *Diccionario Bíblico hebreo-español* (Valencia: Institución San Jerónimo, 1990–1993), 305–6. Modern Hebrew can also apply קָטַע to mean “expose, stigmatize, condemn, arraign; hang, impale, crucify” (see Alcalay, *Hebrew-English Dictionary*, s.v).

¹¹³ *BDB*, 429. With only slightly more confidence the new Gesenius states, “Bedeutung unsicher: (?) hinrichten, (?) jemandes die Glieder verrenken oder brechen ([?]) und ihn in diesem Zustand aussetzen, als Strafe für Verbrecher”; see Wilhelm Gesenius and Udo Rütterswörden, *Hebräisches und Aramäisches Handwörterbuch über das Alte Testament*, ed. Rudolf Meyer and Herbert Donner, 18th ed., 2+ vols. (Berlin: Springer, 1987+), 2:488 (abbreviations expanded).

¹¹⁴ See Arvid S. Kapelrud, “King and Fertility: A Discussion of II Sam 21:1–14,” in *Interpretationes ad Vetus Testamentum Pertinentes Sigmundo Mowinckel Septuagenario Missae* (Oslo: Land og Kirke, 1955), 119–20; Martin Noth, *Numbers: A Commentary*, trans. James D. Martin, OTL (London: SCM Press, 1968), 197. Barrois rejects this argument, but his appeal to קָטַע in 1 Sam 31:10 is less convincing since this verb in the MT stems from קָטַע not קָטַע; see A.-G. Barrois, *Manuel d’Archéologie Biblique*, 2 vols. (Paris: A. et J. Picard, 1939/1953), 2:85. However, various scholars favour emending the text of 1 Sam 31:10 (and 1 Chron 10:10) to read קָטַע or some similar form from קָטַע, which would again make appeal to 1 Sam 31:10 possible; see esp. Julius Wellhausen, *Der Text der Bücher Samuelis* (Göttingen: Vandenhoeck & Ruprecht, 1871), 148–49; Henry Preserved Smith, *A Critical and Exegetical Commentary on the Books of Samuel*, ICC (Edinburgh: T. & T. Clark, 1899), 253; Karl Budde, *Die Bücher Samuel*, KHC 8 (Tübingen: J. C. B. Mohr, 1902), 192; Paul Dhorme, *Les Livres de Samuel*, Ebib (Paris: J. Gabalda, 1910), 260. While the possibilities of such an emendation may be suggestive, any lexical arguments based on it could well be circular – see also the concerns in Arnold B. Ehrlich, *Randglossen zur hebräischen Bibel*, 7 vols. (Leipzig, 1908–1914), 3:270; S. R. Driver, *Notes on the Hebrew Text and the Topography of the Books of Samuel*, 2nd rev. and enlarged ed. (Oxford: Clarendon, 1913), 230–31; and P. Kyle McCarter, *I Samuel*, AB 8 (Garden City: Doubleday, 1980), 442.

¹¹⁵ For *waqa’a* see *KB*, s.v. קָטַע. For *naqa’a* (with the meaning “to split, rend” and specifically “to cut the throat of”) note Polzin, “*HWQY*,” 232. Polzin makes too much of an Arabic sacrificial custom. Similarly, one might doubt W. R. Smith’s suggestion that an Arabic etymology proves the method employed was casting from a cliff; see William Robertson Smith, *Lectures on the Religions of the Semites*, 3rd ed. (London: A. & C. Black, 1927), 419; and see Gray’s comments to the contrary in George Buchanan Gray, *A Critical and Exegetical Commentary on Numbers*, ICC (Edinburgh: T. & T. Clark, 1903), 383.

The contexts of the four executionary uses of יקע in the Hebrew Bible provide crucial data for understanding the verb. In Numbers 25:4, Moses, confronting a time when Israelite religious loyalty was being swayed by Moabite women, is instructed to summon the leaders of Israel and then “execute them” (וְהִקְעֵם אֹתָם) “before the Lord, opposite the sun” (לְיַהוָה נֹגֵד הַשָּׁמֶשׁ).¹¹⁶ Clearly the executions involve a public dimension (possibly involving prolonged exposure). Some have argued for an additional cultic dimension based on לַיהוָה (“before the Lord”).¹¹⁷ Others see a more covenantal context.¹¹⁸ In Numbers 25:5, the narrative continues with Moses instructing people to slay (הִרְגוּ) those who are thus joined to Baal Peor. Thus there is fairly strong evidence of a paradigmatic relationship between הִרְגַּנּוּ and יקע, confirming the executionary aspect of יקע.¹¹⁹ The narrative continues when Phinehas immediately follows Moses’ command by spearing Zimri and his Midianite wife Cozbi in their tent – the terms being used are: נכה (“smite”) and דקר (“pierce”; with his spear [רִמְחָה] and through the belly [אֶל־קִבְדָּתָהּ]). That Phinehas’ used a spear in executing Zimri may reflect assumptions that impalement satisfies the command of הִקְעֵם in Num 25:4. However, there is already at least one significant discontinuity in the Phinehas narrative *vis-à-vis* 25:4 – Phinehas slays Zimri inside a tent and 25:4 implies a public venue.

The other biblical narrative that uses the Hiphil and Hophal of יקע is in 2 Samuel 21:1–14. In 2 Samuel 21:9 it is said that the seven sons of Saul are executed “on the mountain, before the Lord” (וַיִּקְרְעוּם בְּהָרַיִם לְפָנֵי יְהוָה). Again public connotations are strong in the executionary form, and the cultic or covenantal overtones may be present here as well. Also in 21:9 the enumeration of the dead follows with standard wording (וַיִּפְלוּ שִׁבְעֵתָם),¹²⁰ and the seven are described as “put to death” (הִמָּתוּ). Most interesting is how they are

¹¹⁶ The Samaritan Pentateuch has apparently harmonized 25:4 with 25:5 and removed the difficult term יקע; see Alison Salvesen, *Symmachus in the Pentateuch*, JSS Monograph 15 (Manchester: University of Manchester, 1991), 138.

¹¹⁷ Mentioned in Theodor Nöldeke, *Neue Beiträge zur semitischen Sprachwissenschaft* (Strassburg: Karl J. Trübner, 1910), 198n. The cultic idea forms the central thesis of A. S. Kapelrud, “King and Fertility,” 113–22. That these people were given over to the Lord (as in the ban) has been affirmed by Timothy R. Ashley, *The Book of Numbers*, NICOT (Grand Rapids: Eerdmans, 1993), 518. Milgrom contends that, while יהוה לִפְנֵי implies a ritual at the sanctuary, לַיהוָה indicates a “nonritualistic dedication to the Lord outside the sanctuary”; see Jacob Milgrom, *Numbers*, JPS Torah Commentary (Philadelphia: Jewish Publication Society, 1990), 213.

¹¹⁸ R. Polzin, “*HWQY*,” 227–40.

¹¹⁹ Some hold Numbers 25:4 & 25:5 to come from different sources. Nonetheless, Second Temple readers of the narrative as it now stands would naturally draw a connection between the executionary terms in the two verses; and, if they are from separate sources, the editor likely also made such a connection. Similar points could be made throughout this paragraph.

¹²⁰ Qere שִׁבְעֵתָם. For this use of נפל see 1 Sam 4:10 and note BDB, p. 657 (§2a).