

The Accursed Cross: Crucifixion in the First Century

Today we will finish our discussion of backgrounds. We will also talk a little bit about crucifixion in the ancient world.

There were four different Jewish sects. This is not an exclusive list; there were other sects in Judaism in the first century. These are the four that Josephus, the ancient Jewish historian, outlines for us. He says that there are four “philosophies.” He uses this term in order to convey to his largely Gentile audience what it means to have four different perspectives on ancient Judaism. It is also interesting that in using “philosophy,” he is tying into the rich tradition of philosophy in pagan antiquity. The main definition Josephus gives of these sects has to do with determinism and free will. Roughly speaking, the Sadducees believed in a radical free will for human beings. The Essenes were highly deterministic, and the Pharisees were somewhere in between; they saw room both for the free will of human beings and for the determining aspect of God. I am not talking about determinism in the same sense that a Reformed teacher would describe predestination. I am talking about a very rigorous determinism where you cannot thwart the purposes of God. Therefore every step is highly determined.

Apart from those key definitions that Josephus gives of the Sadducees, the Essenes, and the Pharisees, there are some other important qualifications about them. In addition to believing in free will, the Sadducees tended to be the ancient Jewish power elite. They were the ones who were typically most connected politically and with the power base of the high priesthood. We normally associate them in that regard. Josephus verifies what the New Testament states about the Sadducees in that they rejected the idea of the resurrection. Josephus also adds that they rejected oral tradition. Beyond the canon there was oral teaching that was a set of precedents and ancient rabbinic sayings by these wonderful rabbinic forbearers of the first-century Jewish rabbis. They were passed down and viewed to be a second law. It is striking that some rabbinic documents trace oral rabbinic law back to Moses himself. There is seen to be a succession of rabbis who sit in the seat of Moses. That is a phrase that is actually used in the New Testament. That is what the oral tradition is, but the Sadducees did not accept this to the same degree that the Pharisees did.

When the Pharisees approached the Old Testament they interpreted it, but they were also inclined to interpret it in light of the traditional rabbinic understanding of the Old Testament. They also incorporated legal case law. The Sadducees rejected that, but the Pharisees were in that mode of being rabbinic teachers. After the destruction of the temple and at the formation of the Mishnah in 200 AD, the rabbis themselves traced their tradition back to the Pharisees. That is why rabbinic teaching is often used to determine what the Pharisees most likely said. There is something dubious about that, though, because it is 200 years after Jesus and the Pharisees lived. If you try and trace back those thoughts sometimes you get it right and sometimes you do not know for sure. A lot of times things that are said in pulpits about Pharisees are actually based on rabbinic teaching that came a few centuries later. You have to be careful with that. It is much more optimal if you can trace what we know about Pharisees in the first century through Josephus and others to some of that rabbinic legislation and see degrees of continuity. Then you are a lot safer saying what the Pharisees believed. The point is that full rabbinic teaching drew its wealth of resources from the fount of the Pharisees.

Josephus describes the Essenes as being highly deterministic, and they also had strong monastic tendencies. There was a strong contingency among the Essenes who did not marry, though Josephus is also careful to note that some Essenes did marry. In the last 60 years there a storehouse of scrolls has been found near a Jewish settlement known as Cumron. Those are known as the Dead Sea Scrolls. There

has been a good deal of debate about whether those scrolls actually represent Essenicism. The pagan author Pliny describes that the Essenes were out in the desert, and Qumran is roughly in the right area. The scrolls have a number of points of specific contact with what we know about the Essene sect. There are also some very troubling passages in making a one-for-one connection, though. A major problem passage is that most of the documents at Qumran typically assume marriage when they speak of marriage or celibacy. That does not mesh well with the celibacy that Josephus describes of the Essenes. There have been various attempts at resolving that, but it is still most likely that the Dead Sea Scrolls from Qumran are connected with the Essenes. There are Dead Sea Scrolls that were not found at Qumran, and those would have a different provenance.

The three major sects that Josephus spends the bulk of his time describing are the Sadducees, the Pharisees, and the Essenes. He also admits to a fourth philosophy that he never quite names. These seem to be people who are interested in regaining political control of Judea for the Jewish people themselves. They effectively want to overthrow pagan rule. Josephus subdivides them into the zealots and the sicarii. The zealots were probably a wide-ranging group of people. There was not just one zealot movement that had a charter to describe what they were. It was actually a variety of movements within Judaism at the time, all of which shared the notion of wanting to see pagan rule overthrown and the kingdom returned to the Jewish people. The sicarii were ancient assassins. The term "sicarii" actually refer to the knives that they carried. If they were walking along in a crowded place in Jerusalem and came across one of the supporters of the Roman power elite like a high priest, they would slip out their dagger, kill him, and keep walking. There was a famous instance of a high priest who was actually assassinated because of his ties to the Roman rule. The fourth philosophy is probably not one group of people who all agreed on how they should overthrow pagan rule. They were generally agreed on the need to do so. Josephus soft pedals this group because he is writing after the Jewish War in the pay of emperors in order to make a bit of an apologetic for his own Jewish people and nation. He is trying to say that this was not an overwhelming movement. It was just a few hotheads who wanted to overthrow pagan rule. A lot of people got caught up in it, and that is why they had the revolt. Josephus tries to isolate it and keep all of Judaism from being tainted as a revolutionary religion.

You should know about these sects because the Sadducees and the Pharisees show up in the New Testament. You are probably aware that the Sadducees try to tempt Jesus by challenging Him on the resurrection. Jesus comes back with a wonderful retort in Matthew, and it is repeated in some of the other Gospels as well. In Matthew 22:23 they have a trap they try to lure Jesus into. It says, "That same day the Sadducees, who say there is no resurrection, came to him with a question. 'Teacher,' they said, 'Moses told us that if a man dies without having children, his brother must marry the widow and have children for him. Now there were seven brothers among us. The first one married and died, and since he had no children, he left his wife to his brother. The same thing happened to the second and third brother, right on down to the seventh. Finally, the woman died. Now then, at the resurrection, whose wife will she be of the seven, since all of them were married to her?'" This is the practice known as levirate marriage. They go down a whole sequence of brothers. The woman was married to seven different brothers. She cannot be married to all of them because that would be illegal. She can only be married to one, but she was married to all of them in her life. So whom is she married to in the resurrection? This is a brilliant trap, but Jesus slips right out of it, telling them that they are mistaken in not understanding the Scriptures or the powers of God. Jesus affirms the resurrection in the midst of all of that.

The fact that the Pharisees support the resurrection and the Sadducees do not is also highlighted at the end of Acts. Paul is seized in the temple in Acts 21, and in chapters 22 and 23 he gives his defense and explanation before the council. Acts 23:6 says,

Then Paul, knowing that some of them were Sadducees and the others Pharisees, called out in the Sanhedrin, "My brothers, I am a Pharisee, the son of a Pharisee. I stand on trial because of my hope in the resurrection of the dead." When he said this, a dispute broke out between the Pharisees and the Sadducees, and the assembly was divided. (The Sadducees say that there is no resurrection, and that there are neither angels nor spirits, but the Pharisees acknowledge them all.) There was a great uproar, and some of the teachers of the law who were Pharisees stood up and argued vigorously. "We find nothing wrong with this man," they said. "What if a spirit or an angel has spoken to him?"

The fascinating thing there is that the Pharisees are rushing to the aid of Paul. We usually think of the Pharisees as the bad guys. But there was something very good about what the Pharisees believed, especially with regard to the resurrection of the dead. Therefore we should not be surprised that in Acts 15 we find out that there was a large group of Pharisees in the early church. Acts 15 talks about the council at Jerusalem. Verses 1 and 2 say, "Some men came down from Judea to Antioch and were teaching the brothers: 'Unless you are circumcised, according to the custom taught by Moses, you cannot be saved.' This brought Paul and Barnabas into sharp dispute and debate with them. So Paul and Barnabas were appointed, along with some other believers, to go up to Jerusalem to see the apostles and elders about this question." There is a debate about circumcision. If you skip to verse 5 it says, "But certain ones of the sect of the Pharisees who had believed stood up saying, 'It is necessary to circumcise them and to direct them to serve the law of Moses.'" This shows that Pharisees were in the early church; Paul himself was a Pharisee. We should not be that surprised that Pharisees are found in the early church and that they are attracted to the teaching about the resurrection. They also brought in with them some rabbinic baggage. It comes up in this very text. They say it is necessary to circumcise the Gentiles. This actually is somewhat rabbinic baggage, but it is also very Old Testament. They had some strong precedent going on. This was a major point of anxiety in the early church. We will come back to this later when we talk about Paul.

Let me just make a point regarding backgrounds at this stage. I have to be careful because we have clear teaching in this in the rabbinic legislation. I am going to try to trace this back to the Pharisees, but I recognize that there is some separation in terms of centuries. We know from rabbinic teaching that if a Gentile wants to become Jewish he has to do three things: be circumcised, get baptized, and take on the Law. Rabbinic legislation is so strong in this regard that as the Gentile wants to become Jewish, the rabbi is supposed to try to talk him out of it. He does this by referring to all the Old Testament legislation that requires death if you do not keep the law in certain respects. The rabbi says, "Do you understand that if you do this we have to put you to death?" If the Gentile says he understands and still wants to keep the Law, the rabbi goes onto the next command. He goes through a whole series until the Gentile is willing to take on the full weight of the Law. You baptize him and circumcise him. Circumcision has good Old Testament precedent under Moses. Abraham himself was called to be circumcised. Although, as Paul notes, he was called to do so after God had already called him and promised him a legacy. Paul is careful to note that sequence there.

If you are a Pharisee, you would not have problems with Gentiles coming into the church per se. In Acts 15, everyone agreed that you need to be baptized. But not everyone agreed that you need to be circumcised. The Pharisees had issues because they were not doing what had always been done when Gentiles wanted to come into Judaism. Paul's point is that, if you circumcise them, they have to keep the whole weight of the Law. No one has been able to do that. You can see that this is not just an obtuse discussion over whether or not someone needed to be circumcised. This was an ongoing debate within Judaism itself that came into the church. It probably came in because of the Pharisees who were in the church in the first century.

There are Old Testament texts that indicate resurrection of the dead. The Pharisees focused on those and anticipated the resurrection of the dead. We can be thankful that they did because they were correct. Baptism is much more difficult to find in the Old Testament, but it was a rite that was regularly performed. There were a variety of ceremonial washings that Jewish people performed themselves. If you look at ancient settlements, such as the settlement at Cumron and elsewhere, there are ritual baths. They had steps that you walked down into, and they were places where you ceremonially washed yourself in preparation for certain religious practices. This was something that was done and specifically applied to Gentiles as a means of washing off their pagan past in repentance.

Paul was worried about the Gentiles having to keep the full Law of Moses. The full Law of Moses included things like what you can and cannot eat. You cannot eat pig. So are you going to say that Gentiles have to stop eating pork? Pork was a major staple food of Gentiles in the ancient world. So Paul was concerned about the food laws. He was also concerned about other aspects of the Mosaic legislation. His point was that if they took on the whole Law then these people would cease being Gentiles. He wanted to allow them to be Gentiles in the midst of their Christianity. That is not to say that that is the full perspective of Paul on the Law.

Paul's concept of the Law is very complex in terms of the different purposes of the Law. Paul allowed the Law to be the basis for his moral instruction. The issue is how he picked that up. You do not murder or commit adultery because God has told us not to murder or commit adultery. Paul is very happy to quote the Decalogue. He also quotes other aspects of the Law, and he is actually even willing to quote "Do not muzzle the ox when it is treading out the grain." He applies that to church leaders being worthy of their wages. When he does that we have to ask what is going on. I would argue that it is an internalization of the Law. The point is that if someone is doing something for the sake of others, he deserves to receive some recompense for it. So Paul takes something that primarily was about oxen and applies it more broadly. If you understand that Paul internalizes aspects of the Law, that goes a long way to understanding how he made moral application of the Law even when he did not require Gentiles to abstain from pork. I use pork as an example because the issue of meat and what Gentiles could eat was very highly debated in the ancient church. You can see that even with Peter in Acts when he goes to visit Cornelius the centurion. Paul is concerned about forcing Gentiles to take on the full Law externally.

Matthew 23 refers to teachers of the Law and Pharisees. We do not have to understand "teachers of the law" and Pharisees as exclusively different groups of people. "Teachers of the law" was probably a much broader term that included the Pharisees among their ranks. But not all Pharisees who belonged to the sect of the Pharisees would also consider themselves to be rabbis and teachers. There was probably overlap, but it is not one for one. Likewise with the scribes, this is not exclusively saying that the scribes are different from the Pharisees. You could have scribes who were Pharisees. These were two groups of people who overlapped. We do not completely know the makeup of the Sanhedrin, but it is probably that the Sanhedrin consisted of both Sadducees and Pharisees. You would have members of both sects in there. It was not like you were born into one of these categories. Josephus says that he tried out each of the major philosophies. He ended up deciding to be a Pharisee. Josephus, if we accept his word on it, claimed that you could bounce around until you settled into which of these philosophies you agreed with. That is probably the perspective of someone who was fairly wealthy and had the ability to do that.

Let me make one more point, before we move on, regarding the four philosophies in ancient Judaism. People often ask what Jews in the first century believed. Did Jews in the first century believe that there was a resurrection? Did Jews in the first century believe that Gentiles were all condemned? Did Jews in the first century believe that...? These questions assume that Judaism was a monolithic entity in the first

century. Contemporary analogies are dangerous, but we can draw some to contemporary Judaism in Israel. Today, not everybody in Israel believes that you should have to keep the Sabbath. I have been there and spent time with some Jewish friends who were really annoyed over this issue. One friend wanted to get together to eat on a Friday. We got together in the afternoon because I was busy in the morning. We drove around trying to find something to eat, but every place was closed because the Sabbath was starting. He was really frustrated by this. There are different views of Judaism today. Those of you who are in contact with Jewish people today will know that there is constant debate as to what a Jew is. Likewise in some respects in the first century there were a variety of takes on Judaism in the first century. So there is a much more sophisticated way to ask what Jews believed in the first century. For example, you could ask, "Did some Jewish people in the first century believe in the resurrection? Who did, and in what respects did they believe in it?" That way you are not drawing big monolithic pictures. There are some uniting elements to Jewish people in antiquity. They all seemed to recognize the temple in Jerusalem as the center of their faith. They had fond inclinations to that temple. Some believed that it was necessary to go there as regularly as possible to be present for Jewish religious celebrations. Some could not care less. Some hung out in Alexandria, Egypt for the whole time and never bothered to make the trip, but some thought it was very important to do so. If you think of Judaism in the first century, do not just ask what they all did. Usually you are making comments that are wrong even if there are some uniting elements to ancient Judaism.

There are some other Jewish terms that you should know. We will go over these very quickly. The Herodians were the people who supported the Herodian dynasty. They were in favor of the Herodian kingly line, and they wanted to see the Jewish monarchy of the Herodians reestablished. Therefore they were very excited when Agrippa became king again in 41 AD and very sad when he died in 44 AD.

The Samaritans were the group of people right in between Galilee and Judea. Their lineage is traced back to ancient Israel. The Assyrians practiced exile in a way that was even worse than the Babylonians did. They not only took Jewish people out, but they also resettled some of their own kin in the lands that they conquered. They took the northern kingdom of Israelites away, and they resettled others and encouraged intermarriage. From the perspective of the Judean, those in the southern kingdom, these were no longer true-blood Jewish people. Moreover, when the kingdoms divided, there became strong debates between where the temple should properly be. The southern kingdom thought it should be in Jerusalem. That was no surprise because they were in control of Jerusalem. The northern kingdom was not so sure about that. They wanted the temple to be on Mount Gerizim instead. Thus when Jesus approaches the Samaritan woman, she asks questions about where the temple should be. Jewish people and Samaritans tended not to have contact. A good, holy Jewish person avoided the Samaritans because they were impure. In some respects they were worse than the Gentiles themselves. The Samaritans had their own complete religious practice. They accepted the Pentateuch of the Old Testament, but they did not accept any of the historical books that came after it. The trajectory of all the historical books led up to the moving of the temple to Jerusalem and the establishment of the Davidic monarch. Judah was the conservative one of the two kingdoms. The Samaritans did not accept any of that. Instead they had the Pentateuch with some revisions. The revisions especially pointed out how important Mount Gerizim was. And they had their own history of their kingdom. They had Jewish-looking worship practices that also had some very significant differences.

Now let us talk about Gentiles who wanted to come into Judaism. Proselytes are full-fledged Jewish converts. They required circumcision, baptism, and the keeping of the Law. God-fearers were people who just liked to show up in the synagogue. They were interested in Jewish worship practice and found some appeal there. It was something very different from what they found in religious worship and the pagan pantheon. The idea of a single deity who created all had some philosophical appeal for people in

the first century. Another thing was that this was a religion that was an ethical religion. It taught you how you ought to behave. Most pagan religions did not teach you that; they had a lot more to do with making sure the gods were on your side. Your ethics came from your philosophy. Judaism was a religion that was also ethical, and that held some appeal. It was also from the East, and Eastern religions were in vogue. That probably held some appeal there as well. The God-fearers were people who would just show up, but they were not willing to undergo circumcision, baptism, and keep all the laws. There are some people who are mentioned as having “feared God” in the book of Acts. These probably were people who were interested in the synagogue and perhaps participated in synagogue worship practices.

There are a variety of Jewish translations of the Old Testament. Two sets were in Greek, one in Aramaic, one in Syriac, and one in Latin. The Latin translation is called “the old Latin.” The Peshitta is the Syriac translation. This was used by the Syriac Christian church, but it is possible that there is significant Jewish influence in that translation.

Syriac is an ancient language that was a dialect of Aramaic. Most Jewish people in the first century in Palestine spoke Aramaic as a first language. Aramaic looks a lot like Hebrew. It is a Semitic language, and they use the same character set. It is a slightly different language, though. It is the language of the Mesopotamian area, especially of old Babylon. The Jews came back from the exile speaking Aramaic. That created problems in the ancient synagogue because the law was read in Hebrew. It would be like me reading the New Testament to you in German. English is technically a Germanic language, so technically there should be some connection there. But you do not speak German, so it would go right over your heads. That would have been true for a lot of the populous with the reading of Hebrew in the synagogue. There was an established practice of a person reading the Law in Hebrew with a simultaneous translation into Aramaic. You would read the whole passage through in Hebrew, and then the person would produce a paraphrase of it in Aramaic for you to understand. The paraphrase could be fairly rigorous and literal translation of Hebrew into Aramaic, or it could be a little bit more expansive. For instance, it might be more like the Living Bible than the New American Standard. It could actually be even more expansive than that at times.

Those are known as the Targums, and they are in Aramaic. They are fascinating because some of them probably are quite old in lineage. They overlap significantly with typical rabbinic teaching in terms of some of the ways that they interpret the Old Testament. The Greek translation of the Old Testament is known as the Septuagint. It was a translation that was done a little over 200 years before the New Testament. Strictly speaking, the Septuagint just refers to the Pentateuch, but the term came to be applied to the first major Greek translation of the whole Old Testament. The legends of this are huge.

The word “Septuagint” itself reminds us of the legend; it means “the seventy.” That is why it is abbreviated LXX, which is the Roman numeral 70. One of the legends says that Ptolemy in Egypt was collecting a great library. He heard of the religious writings of the Jewish people, and he wanted to be sure to collect them. He summoned people from Palestine to come and translate those into Greek so that his people could understand them. He summoned roughly 70 people and put them into 70 different rooms. Over the course of a certain number of days they all independently translated from one another. When they were done and began to compile the 70 different translations, they were all the same, word for word! That is probably not true, but the legend indicates the high respect that this translation was given. That could only happen if God ordained it to happen. This was as if it was a God-ordained Greek translation. This also became the major translation used by the early church. Later in Judaism, after the church was formulated, they became more suspicious of the Septuagint because that was the Bible of the Christians. There were also other Greek translations that were produced. They are associated with the names of their translators: Aquila, Semicus, and Theodocian.

There are also collections of Jewish literature. The apocrypha is a designation for Old Testament books that are not in the Protestant canon that are Jewish intertestamental literature. This includes 1 and 2 Maccabees, Judith, Tobit, and others. In short, they are in the Catholic Bible, and they are intertestamental Jewish works, but Protestants do not accept them as canon. One of the reasons we do not accept them is that Jewish people in the first century did not accept them as canon. We talked before about how after Malachi and Haggai there was a cessation of the lineage of the prophets. Although our history has been told, it is not accepted with the same level of authority. That includes these books.

There are other books that are not in the Catholic or Orthodox canon of the Old Testament that are also Jewish intertestamental writings. These are known as the Sudapigrapha. The term “sudapigrapha” indicates that they are written in the name of someone else. I might write in the name of an Old Testament character like Enoch. In fact, in modern collections of the Sudapigrapha, they are not all sudapigraphs; they do not all claim to be written by Enoch or someone like that. It has become a convenient designation of the intertestamental Jewish literature that is not in the apocrypha. That is effectively what the Sudapigrapha is.

There are also the Dead Sea Scrolls from a variety of locations, including Cumron, that have come to light in the last 60 years or so. There are specific Jewish authors who have written long pieces. Josephus records the whole history of the Jewish people in his *Antiquities*. He also wrote a history of the Jewish war. Philo engaged in allegorical interpretation of the Pentateuch. He also did some other writings, but that is the main thing he did. He read the Pentateuch and interpreted it as allegory. He read some Greek philosophical terms into it. Pseudo-Philo recounted biblical history in a book that is called *The Biblical Antiquities*.

Rabbinic literature can be divided into legal or topical literature, which is Talmudic, and commentary form literature, which is Midrashic. Of the literature that is topical, the Mishnah is the main compilation. The Tosefta is made up of the additions to the Mishnah, and the Jerusalem and Babylonian Talmuds are commentaries on the Mishnah. The Mishnah codifies all Old Testament law so that you know how to keep it. You know when to tithe, how to tithe, etc. The Talmuds commented on that. The Midrashic literature goes through different parts of the Old Testament. The Mekhilta is on Exodus, the Sifra is on Leviticus, and the Sifre is on Numbers and Deuteronomy. They go through in canonical order and comment on the text by quoting old rabbinic sayings about that text and stringing them together. The earliest of these documents is the Mishnah, which is dated 200 AD. All of the rabbinic literature is later than the New Testament.

The Sadducees and Essenes basically died out. The Pharisees’ legacy made it into the rabbinic teaching. This teaching, in the form of the Mishnah and the Talmud, is what informs rabbinicism today. Rabbis would not call themselves Pharisees, but they would see the Pharisees as part of their heritage.

Some have asked about the translations that were used in a Palestinian context versus an Alexandrian context. In Alexandria everybody spoke Greek, so they probably used the Septuagint there. In Palestine everybody spoke Aramaic, so they probably used the Targum. It may have still been in an oral stage in the first century. People may not have written down the Targums yet. But the idea of translating from Hebrew into the Aramaic and paraphrasing in the process was very much in place in Palestine. It was probably not being practiced in Alexandria because people did not speak Aramaic. There were some differences from synagogue to synagogue, so the rabbinic documents such as the Talmud indicate that certain practices went on in Judea while different practices went on elsewhere. There were some

practices that were especially tailored to Judea and not elsewhere, but there was a lot of continuity as far as we can tell.

I want to talk about crucifixion and antiquity in the death of Christ. As we get into talking about the theology of the New Testament in this course, we will come back again and again to the death of Jesus and how that was understood. In order to understand it, we need to understand it in context. Today most of you know of one person who was crucified: Jesus. You know what crucifixion looks like because you have seen pictures of crucifixes. Therefore you have in your mind that Jesus is the main person who was crucified. We do not think of thousands of people who were crucified in our lifetime in front of our eyes. We think of one. We also have a very determined view of what a cross looks like. It is a cross-shaped object, and the person goes up onto the cross wearing a cloth around his midriff. It is very painful, and it is bloody. As far as I can tell, the only thing that is always and definitely true about that in antiquity is that it was bloody. The person was probably naked, and the shape of the cross probably varied in antiquity. And a lot of people were crucified. Our cultural distance from the first century makes it so that we cannot perceive of the impact of a church that has to go out and proclaim that they know the Messiah, but He was crucified. We do not understand the impact of that. Let us look a little bit at crucifixion in the ancient world. We will start in this lesson and finish up next time.

The idea of hanging someone up associated with a death is something that lasted for thousands of years. It happened for thousands of years before the time of the New Testament. It was not necessarily on a cross-shaped object that we think of. And it was not even necessarily the way that you put them to death. They might already be dead, but you would hang them up on an object. That was the crucial bit. We see this in early Mesopotamia and old Babylon in The Code of Hammurabi, which was over 2000 years before Jesus. Barbers were the doctors in the ancient world because they had knives. Therefore if you needed some surgery done you would go to the barber. The barber is the one who would take off marks or tattoos on your skin. One of the reasons you had tattooed people in antiquity is if you owned a slave. You needed to make sure that that possession was marked on his or her skin. Therefore if a slave wanted to escape, someone had to scrape off that tattoo. The code says, "If a barber has excised a slave's mark without the knowledge of his own so that he cannot be traced, they shall cut off the forehead of that barber." You had to deal with the barber if he did that because it undermined the whole economic system of Babylon. You had to have slaves, so if you did something to remove that slave, that was a problem. Next it says, "If a man has constrained the barber and he excises the slave's marks so that he cannot be traced," then they put that man to death and hung him up on the door outside of the house. The barber simply had to swear that he excised the mark unwittingly, and he went free. This was such a serious penalty that if someone engaged in trying to free slaves they would not just put him to death, but they would hang his body out to be pecked at by birds and to rot in front of his house.

Aside from certain legal contexts, another time you would pay a penalty like this is in times of war. Tiglath Pileser III was a great Assyrian king, and he loved to boast of his prowess in war. He did this even if he was not on the battlefield, and it was really his generals that did everything. Tiglath Pileser III says, "I smashed the city like a pot. Sarrabanu, the great royal city, I destroyed so that it was like ruin left by the blood. I carried off its plunder. Nabu-ushabshi, their king, I hung up in front of the gate of his city on a stake. His land, his wife, his sons, his daughters, his property, the treasury of his palace, I carried off." He put the guy to death and hung him up in front of the city to let him rot there. There is a picture of what that probably looked like. Lakish was conquered by the Assyrians, and in the drawing of it you can see that outside the gates of the city, people were led into exile. Three people were impaled outside the gate of the city. That is not crucifixion on a cross as you think of it, but it is the idea of penal suspension associated with their death.

This happens in the Old Testament as well. For example, in Genesis 40 Joseph tells the meaning of the dreams of the baker and the cupbearer. In verses 18-19 he says this of the baker: “In three days Pharaoh is going to lift up your head [probably decapitation], and he will hang you on a tree and the birds will eat your flesh from upon you.” That is reported in the Old Testament. It is also constrained in the Mosaic legislation of the Old Testament and associated with God’s curse. Deuteronomy 21:22-23 says, “If a man guilty of a capital offense is put to death and his body is hung on a tree, you must not leave his body on the tree overnight. Be sure to bury him that same day, because anyone who is hung on a tree is under God’s curse. You must not desecrate the land the LORD your God is giving you as an inheritance.” We will unpack that a little bit later. Let me point out today that Paul quotes this in Galatians and refers to the curse of God there as the curse that Jesus took on our behalf. He explicitly associates the death of Jesus and His crucifixion with this Old Testament penalty of suspending a body.