

~~grapes, ripened and unripened, is permitted only after the performing of the sacrifices; before that, not even unripened grapes may be consumed.~~

AFFIRMATION OF HEROD'S DEATH IN 4 B.C.

THE traditional date of 4 B.C. for the death of Herod the Great, as set forth by Emil Schürer,¹ was accepted by historians for many years without notable controversy. However, in reckoning the chronology of Herod's reign, Schürer applied certain assumptions which were called into question by W. E. Filmer, who argued in support of an alternative view which places the death of Herod in 1 B.C.² Filmer pointed out that, due to errors and ambiguities in the writings of Flavius Josephus, it is possible to correlate the evidence into two completely different chronologies. His version, he contended, is more consistent than Schürer's.

Shortly after the publication of Filmer's paper, Timothy D. Barnes responded with a refutation of Filmer's proposals.³ He acknowledged the possibility of errors in Josephus' calculations, but was able to settle the issue anyhow by citing evidence that is not directly related to the chronology of Herod's reign. Barnes pointed out that Gaius Caesar, Augustus' adopted son and heir, was present in Rome and participated as a member of his father's *consilium* at the time when, following the death of Herod, Archelaus and Antipas travelled to Rome to appeal their rival claims to the throne of Judea.⁴ Gaius departed Rome in 2 B.C., and spent the next several years travelling in the East. Therefore, Herod could not have died in 1 B.C. as Filmer suggested.

The evidence presented by Barnes weighs heavily in putting this issue to rest, but as long as there are conflicting interpretations of the principal evidence, there will continue to be advocates of the opposing view. The debate can only be settled by demonstrating precisely where the error lies among the facts and figures recorded by Josephus. This paper will explain the discrepancy and confirm that Herod died no later than 4 B.C.

¹ Emil Schürer, *A History of the Jewish People in the Time of Jesus Christ*, 5 vols. (New York: Charles Scribner's Sons, 1896).

² W. E. Filmer, 'The Chronology of the Reign of Herod the Great', *J.T.S.* xvii (1966), pp. 283-98.

³ Timothy D. Barnes, 'The Date of Herod's Death', *J.T.S.* xix (1968), pp. 204-9.

⁴ *Ant.* xvii. 9. 5; *War.* ii. 2. 4.

Schürer arrived at the date 4 B.C. by reasoning as follows: According to Josephus, Herod was proclaimed king of Judea by the Romans when Calvinus and Pollio were consuls,⁵ and secured the kingdom by deposing his rival Antigonus during the consulship of Agrippa and Gallus.⁶ These consular dates correspond to 40 and 37 B.C. respectively.⁷ Moreover, Josephus stated that Herod reigned thirty-seven years from the time of the Roman proclamation, and thirty-four years from the time Antigonus was slain.⁸ If Josephus had calculated the length of Herod's reign in terms of 'factual years',⁹ then Herod's death would have occurred in 3 B.C. However, Josephus mentioned that an eclipse of the moon took place shortly before Herod died.¹⁰ Lunar eclipses were visible from Palestine on 15 September 5 B.C., 13 March 4 B.C., and 9 January 1 B.C.¹¹ There were no such phenomena in 3 or 2 B.C. Therefore, Schurer concluded that Josephus must have counted 'inclusively' when reckoning the length of Herod's reign.¹² This would place Herod's death in 4 B.C., sometime after the eclipse of 13 March.¹³

Filmer demonstrated that the reigns of the high priests at Jerusalem between 142 and 63 B.C. were reckoned by Josephus in terms of factual years.¹⁴ He inferred from this evidence that Josephus always calculated lengths of reign, including Herod's, according to the 'accession-year' system of chronology.¹⁵ Furthermore, Filmer pointed out that Hyrcanus reigned twenty-four years as high priest after he was reinstated to that office by Pompey in 63 B.C.¹⁶ Hyrcanus was followed by Antigonus who reigned three years and three months before he was deposed by Herod.¹⁷ If

⁵ *Ant.* xiv. 14. 5.

⁶ *Ant.* xiv. 16. 4.

⁷ Jack Finegan, *Handbook of Biblical Chronology* (Princeton: Princeton University Press, 1964), p. 96.

⁸ *Ant.* xvii. 8. 1.

⁹ 'Factual years' are measured from anniversary to anniversary. Calculating in terms of factual years measures the actual number of years between events.

¹⁰ *Ant.* xvii. 6. 4.

¹¹ Theodor von Oppolzer, *Canon of Eclipses*, trans. Owen Gingerich (New York: Dover Publications, 1962), p. 343.

¹² The first and last years of a reign are considered full years even though they may only be fractions of a calendar year (new year to new year). Inclusive figures are about one year greater than the actual number of years.

¹³ The eclipse of 15 September 5 B.C. is also consistent with this chronology.

¹⁴ Filmer, 'The Chronology of the Reign of Herod the Great', p. 292.

¹⁵ The accession year system of regnal chronology is numerically equivalent to counting in terms of factual years. According to this system, the first full calendar year after a king's accession is the first year of reign. The portion of the year between the date of accession and the new year is termed the 'accession year'. Each additional calendar year in which the king reigns is associated with his reign as a full regnal year.

¹⁶ *Ant.* xx. 10. 1, 14. 4. 4; *C.A.H.* ix, pp. 382 f.

¹⁷ *Ant.* xx. 10. 1.

Josephus measured the reigns of Hyrcanus and Antigonus in terms of factual years, as he did for the high priests preceding them, then Antigonus was deposed twenty-seven factual years after Pompey's conquest of Jerusalem. This would place the deposition of Antigonus in 36 B.C., one year later than the consular date reported by Josephus. Filmer postulated that the consular dates are amiss by one year. He recalculated the reign of Herod using the accession-year system of reckoning and the dates 39 and 36 B.C. for the accession of Herod. This chronology places the death of Herod in 1 B.C., sometime after the eclipse of 9 January.

The discrepancy in question is revealed by the conflicting interpretations presented by these views. On the one hand, the consular dates situate Antigonus' deposition in 37 B.C., whereas, the reigns of Hyrcanus and Antigonus place the event in 36 B.C. The figures reported for the reigns of the high priests directly contradict the consular dates of Herod's accession. Either the consular dates are wrong, or the reigns of the high priests are inaccurate. This is the crux of the issue. If the correct date of Antigonus' deposition can be determined, then the error can be identified and the true chronology of Herod's reign established.

In order to resolve the discrepancy, one must first understand the assumptions that were made by Schürer and Filmer in the formulation of their views. Schürer interpreted the evidence on the presumption that the consular dates are correct. This premiss, when applied to the evidence, implies that Josephus calculated the length of Herod's reign by counting inclusively. Filmer disagreed with Schürer on the grounds that Josephus had reckoned the reigns of the high priests in terms of factual years. He presumed instead that Josephus calculated the length of Herod's reign with the accession-year system of chronology. This assumption constrained Filmer to presume, in addition, that the figures reported for the reigns of Hyrcanus and Antigonus are accurate, because he would not have been able to work out a consistent chronology otherwise.

Another deduction implied by Filmer's proposal is that Josephus expressed other chronological figures, not only reigns, in terms of factual years. Filmer pointed out that the time between the respective conquests of Jerusalem by Pompey and Sosius was twenty-seven years.¹⁸ This figure is equal to the sum of the reigns of Hyrcanus and Antigonus. Consequently, Filmer viewed the twenty-seven-year figure as verification of the high priests' reigns, and confirmation of his contention that Antigonus was deposed in

¹⁸ *Ant.* xiv. 16. 4. Antigonus was imprisoned and slain after Jerusalem was captured by Sosius, the governor of Syria, who was instructed by Antony to aid Herod in Judea.

36 B.C. If Filmer's assumptions are valid, then the twenty-seven-year figure must represent the number of factual years between the reinstatement of Hyrcanus and the deposition of Antigonus. However, this implication cannot be reconciled with the main body of evidence.

First of all, Josephus did not consistently use any one convention of counting throughout his works. The reigns of the high priests are expressed in terms of factual years, but there also are cases where Josephus counted inclusively. One such example is Josephus' discussion about the Roman tax registration in Syria during A.D. 6.¹⁹ Josephus stated that the registration was completed in the thirty-seventh year after Actium.²⁰ The battle of Actium took place in 31 B.C.,²¹ thirty-six factual years before the completion of the Syrian registration. In this instance, Josephus counted inclusively, and without any ambiguity.

Furthermore, Josephus reported that 'those who held the high priesthood from the times of Herod up to the day on which Titus captured and set fire to the temple and city numbered twenty-eight in all, covering a period of one hundred and seven years'.²² The 'times of Herod' refers to the period after Antigonus was slain when Herod, as king, made the appointments to the office of high priest. The siege and destruction of Jerusalem by Titus occurred in A.D. 70.²³ Counting back 107 factual years from A.D. 70 results in the date 38 B.C. for the deposition of Antigonus, but 38 B.C. is two years earlier than the date proposed by Filmer. In fact, Filmer's date, 36 B.C., cannot be derived from the 107-year figure by any system of counting or chronology. Moreover, 38 B.C. is too early for the deposition of Antigonus.²⁴ This further complicates Filmer's position because the 107-year figure cannot possibly be expressed in terms of factual years as one might expect from Filmer's assumptions.

The 107-year figure cannot represent the number of factual years between the deposition of Antigonus and the destruction of

¹⁹ Archelaus was sent into exile during the consulship of Lepidus and Arruntius (Dio, iv. 27). This corresponds to A.D. 6 (Finegan, *Biblical Chronology*, p. 96). In that year, Quirinius was sent to Syria to conduct the tax registration and liquidate the estate of Archelaus (*Ant.* xvii. 13. 5). ²⁰ *Ant.* xviii. 2. 1.

²¹ The Actium campaign took place when Messalla and Caesar were consuls (Dio, l. 10. 2). This corresponds to 31 B.C. (Finegan, *Biblical Chronology*, p. 96).

²² *Ant.* xx. 10. 1.

²³ Jerusalem was taken by Titus in the second year of Vespasian (*War*, xi. 10. 1).

²⁴ Antony besieged Samosata in 38 B.C. during the consulship of Claudius and Norbanus (Dio, xlix. 22-3). Antigonus could not have been deposed until the following year, at least, since Herod's army did not march to Jerusalem until after the winter following the Samosata campaign (*Ant.* xiv. 15. 8 ff.; *War*, i. 16. 7 ff.).

Jerusalem by Titus. Therefore, it must have been derived with the inclusive method of counting. When inclusive counting is used to evaluate the 107-year figure, the resulting date is 37 B.C., which happens to agree precisely with the consular date reported by Josephus. The only date for the deposition of Antigonus that is chronologically consistent with the 107-year figure is 37 B.C. Neither 38 nor 36 B.C. are feasible. Hence, the 107-year figure confirms that 37 B.C. is the correct date of Antigonus' deposition. It also indicates that Josephus counted inclusively in this instance. In fact, both the twenty-seven- and 107-year figures only make sense when interpreted inclusively. Counting forward twenty-seven factual years from 63 B.C. results in the date 36 B.C., one year later than the consular date reported by Josephus, while counting backward 107 factual years from A.D. 70 results in the date 38 B.C., one year earlier than the consular date. When interpreted in terms of factual years, both figures exceed the consular date by one year in opposite directions of time. However, when both figures are reckoned inclusively, 37 B.C. is the resulting date in either case, exactly in agreement with the consular date. The very fact that, by counting inclusively, both figures precisely converge from opposite directions in time to the stated consular date is an elegant substantiation that 37 B.C. is the correct date, and that inclusive counting was used in these instances.

Since the consular dates appear to be correct, then the time between the conquest of Jerusalem by Pompey in 63 B.C. when Hyrcanus was reinstated to the office of high priest, and the capture of Jerusalem by Sosius in 37 B.C. when Antigonus was deposed, is twenty-six factual years. However, the figures reported by Josephus for the reigns of Hyrcanus and Antigonus during that period add up to twenty-seven factual years, so at least one of these figures is wrong. According to the consular dates, Antigonus acquired the office of high priest in 40 B.C., shortly before Herod was proclaimed king of Judea by the Romans.²⁵ Also, there were about three years between the Roman proclamation and the capture of Jerusalem by Sosius.²⁶ Therefore, the figure reported by Josephus for the reign of Antigonus is accurate. Hyrcanus reigned as high priest between 63 and 40 B.C., which is twenty-three factual years. Hence, if Josephus always calculated the reigns of the high priests in terms of factual years, then the twenty-four-year figure reported by Josephus for the continued reign of Hyrcanus must be the erroneous point of evidence.

In conclusion, even though the chronology of Herod's reign has

²⁵ *Ant.* xiv. 13-14.

²⁶ *Ant.* xiv. 15. 14; xvii. 8. 1.

been complicated by discrepancies, there is sufficient evidence to identify the error and settle the issue. The weight of evidence substantially favors 37 B.C. as the correct date of Herod's accession. Consequently, Filmer's argument that Herod died in 1 B.C. cannot be upheld. His version of chronology for the reign of Herod does not comply with the criterion that Antigonos was deposed in 37 B.C. Since the restrictions imposed by chronology eliminate the possibility that Herod died in 1 B.C., and since an eclipse of the moon could not have been observed from Judea in 3 or 2 B.C., the death of Herod must have occurred no later than 4 B.C.

P. M. BERNEGGER

~~THE 'SON OF MAN' IN PS. PHILO
LIBER ANTIQUITATUM BIBLICARUM~~

~~'Tu autem vocasti me de rubo, et ego timui et declinavi faciem meam. Et misisti me ad eos et liberasti eos de Egipto, inimicos autem eorum demersisti in aquam. Et dedisti eis legem et iusticias, in quibus viverent et intrarent sicut filii hominum. Quis est enim homo qui tibi non peccavit? Et nisi permaneat longanimitas tua, quomodo constabiletur hereditas tua si non misertus fueris eis? Aut quis adhuc nascetur sine peccato? Emendabis autem eos in tempore, et non in ira.'~~¹ (19. 9)

~~THE sentence, *et dedisti eis legem et iusticias, in quibus viverent et intrarent sicut filii hominum*, is very difficult.² Feldman observes, 'the meaning is unclear'³ and Dietzfelbinger concurs, 'Worte . . . deren Sinn dunkel ist'.⁴ It would be rash to believe that one could clear up all the difficulty, but an improved understanding of this text does seem possible. In particular, it is important to clear away some of the recent interpretation of this passage before it becomes *communis opinio*, interpretation which, it seems to me, is totally without foundation.~~

~~In their commentary on *LAB* Perrot and Bogaert argue that *intrarent* refers to the entry into the Holy Land, an act symbolic of entry into life. The expression *ut filii hominum* recalls Dan. vii. 13,~~

¹ The text is that of D. J. Harrington in the recent edition and commentary, *Pseudo-Philo: Les Antiquités Bibliques*, 2 vols. (Paris, 1976), by Harrington, J. Cazeaux, C. Perrot, and P-M Bogaert.

² Harrington *et al.* are clearly correct in reading *π's et intrarent sicut filii hominum*. Its absence elsewhere may be due to the difficulty readers had in making sense of the words:

³ L. H. Feldman in his prolegomenon to the reprint of M. R. James, *The Biblical Antiquities of Philo* (New York, 1971), p. civ.

⁴ C. Dietzfelbinger, *Pseudo-Philo: Antiquitates Biblicae* (Gütersloh, 1975), p. 152.