

Another Look at Josephus' Evidence for the Date of Herod's Death*

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Our evidence for the date of Herod's death consists of a few disconnected elements, some of which appear at first sight to be mutually exclusive. Any use of this evidence for the purposes of chronological reconstruction is thus bound to be selective. Due to the variety of dates which have been suggested, most of the existing data have already been extensively scrutinized. There are, however, two popular assumptions which do not seem to have been doubted; both of these are based on Josephus' account of the events before and after Herod's death. It will be argued below that neither of these assumptions may be taken for granted and that a re-interpretation of some related points may help in establishing a satisfactory date for the king's death.

The only direct reference to the date of Herod's death is found in *Megillat Ta'anit* (the Scroll of Fasting). This ancient Jewish source represents a list of days on which fasting was forbidden in memory of some joyful event in the history of the Jews during Second Temple times. The list in its final form appears to belong to the first, or at the latest to the beginning of the second century AD; in a later, probably post-Talmudic period, a scholion was appended to it.¹ The scroll contains indications of Hebrew months and days of the month, but not of years; although most dates are followed by the mention of the joyful event which occurred on that day, two entries - Shebat 2 and Kislev 7 - are given in the original list without any explanation. The scholion, however, connects the former with the death of Alexander Jannaeus, and the latter with the death of Herod the Great.² The month of Kislev is the ninth month of the Jewish calendar, corresponding to November/December.

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¹ E. Schürer, *The History of the Jewish People in the Age of Jesus Christ*, I, revised English edition, edd. G. Vermes, F. Millar and M. Black, 1973, 114-115; B.Z. Lurie, *Megillath Ta'anith*, 1964, 9-13 (Hebrew); H. Lichtenstein, "Die Fastenrolle. Eine Untersuchung zur jüdisch-hellenistischen Geschichte", *HUCA* 8-9, 1931-1932, 257-260; S. Zeitlin, "Megillat Taanit as a Source for Jewish Chronology and History in the Hellenistic and Roman Periods", *JQR* 9, 1918-1919, 71-75.

² Lurie (n. 1), 161-163; Lichtenstein (n. 1), 271-2, 293-5, 339, 343; S. Zeitlin, "Megillat Taanit as a Source for Jewish Chronology and History in the Hellenistic and Roman Periods", *JQR* 10, 1919-1920, 272-276, 279-280.

The date between Nisan 1 and Nisan 14, 4 BC

The majority of modern scholars tend to reject the evidence of *Megillat Ta'anit* in favour of the date in early spring 4 BC, advocated by Emil Schürer.³ Schürer based his theory on several explicit and implicit indications from Josephus' account of the king's death. The main points of his argument may be summarized as follows:

Josephus mentions an eclipse of the moon which occurred while Herod was still alive (*AJ* 17.167); he then describes the king's death (*BJ* 1.665, *AJ* 17.191) and, further on, the massacre in the Temple carried out during Passover by Herod's son Archelaus (*BJ* 2.12-13; *AJ* 17.217-218). The narrative conveys the impression that the eclipse, the death and Passover followed each other in rapid succession. Three eclipses of the moon are known to have occurred towards the end of the first century BC: on September 15/6, 5 BC, March 12/3, 4 BC and January 9/10, 1 BC. Schürer considered the date of January 9/10, 1 BC too late; either of the two remaining eclipses would have their nearest Passover in the spring of 4 BC. The feast of Passover is celebrated in the third week of Nisan, the first month of the Jewish religious calendar (March/April). If Herod is assumed dead by the beginning of the feast in 4 BC, the *terminus ante quem* for his death would be Nisan 15 (c. mid-April) of this year.

Josephus also states that Herod reigned 37 years from the date of his appointment as a king by the Romans and 34 years from his conquest of Jerusalem (*BJ* 1.665; *AJ* 17.191). The appointment in Rome is usually placed towards the end of 40 BC, the conquest of Jerusalem in the summer or autumn of 37 BC.⁴ The easiest way to reconcile these dates with the statement by Josephus, would be to count Herod's regnal years according to the spring calendar (i.e. with the New Year on Nisan 1) and to use the 'inclusive' system (i.e. the system in which, whatever the actual length of the first and the last year of the reign may have been in terms of the calendar used, each is counted as a full year). The first year of Herod's *de jure* rule would then equal 40/39 BC, counted from spring to spring, while the first year of his *de facto* rule would be 37/6 BC, by the same system. The last year of Herod's reign, which is to fall in the 37th year of his *de jure* and the 34th of his *de facto* rule, would then be 4/3 BC, also counted from spring to spring. Nisan 1, 4 BC thus becomes the *terminus post quem* for the date of the king's death. With the *terminus ante quem* at Nisan 15, 4 BC, the death of the king would have occurred between 1 and 14 of Nisan, 4 BC.

The theory is thus based on two explicit chronological indications (the eclipse and the number of Herod's regnal years) and on the assumption that the quick succession of events in Josephus' account implies that they really did oc-

³ Schürer, (n. 1), 326-328 n. 165. The English version omits the survey of earlier scholarship which the note originally contained: *idem*, *Geschichte des Jüdischen Volkes im Zeitalter Jesu Christi*, 1890², 343-345 n. 165.; see also D.R. Schwartz, *Studies in the Jewish Background of Christianity*, 1992, 159-60.

⁴ Schürer (n. 1), 281-282 n. 3, 284-286 n. 11.

cur each immediately after the other. At first glance, the date suggested by Schürer appears to hold good. It fits the evidence on the chronology of Herod's sons⁵ and creates no difficulties as regards the historical figures mentioned in connection with events in Judaea and Rome after the king's death. The historical personalities involved are the Syrian governor P. Quintillius Varus, who quelled the revolt in Judaea in the summer of the same year, and the emperor Augustus and his adopted son Gaius Caesar who gave hearings to members of Herod's family when they arrived in Rome after Passover.⁶

However, this suggestion has two flaws. Firstly, it allows only a few days for the last year of Herod's reign, which is stretching the argument to its extreme. Secondly, it leaves less than two weeks for all the events described by Josephus between the king's death and Passover, which is plainly impossible. These deficiencies have already been criticized a number of times,⁷ but so far to no avail. This may be due to the fact that the scholars who press the point most vigorously are usually also those who favour the alternative date of 1 BC.⁸ Since the majority of scholars do not consider the date in 1 BC to be realistic, the argu-

⁵ The last coins of Antipas are dated 'year 43'. If his first year started on Nisan 1, 4 BC, the 43rd year would start on Nisan 1, 39 AD. This is compatible with the literary evidence which indicates that Antipas was deposed by Caligula in 39 or 40 AD. The last coins of Philip are dated 'year 37'. If his first year started on Nisan 1, 4 BC, the 37th would start on Nisan 1, 33 AD. This suits Josephus' statement in *AJ* 18, 106 that Philip died in the 20th year of Tiberius' reign (Sept. 33 - Sept. 34 AD) and after 37 years of his own rule. Coins of Archelaus are undated. According to Cassius Dio 55.27.6, he was deposed by Augustus in 6 AD; Josephus states in *BJ* 2.111 that Archelaus ruled nine years, in *AJ* 17.342 and *Vita* 5 that he ruled ten years. If the first year of Archelaus started on Nisan 1, 4 BC, the ninth year would start on Nisan 1, 5 AD, the tenth on Nisan 1, 6 AD. There is a procuratorial coin dated by the 36th year of the era of Actium (Sept. 23, 31 BC), which means that it was issued between September, 5 AD and September, 6 AD. Although the coin seems to contradict neither statement of Josephus, the beginning of Archelaus' last year in spring 5 AD seems preferable because the date a year later would imply a certain time-compression between Nisan 1, 6 AD and September of this year. For the coins see : Y. Meshorer, *Ancient Jewish Coins* II, 1982.

⁶ Varus is mentioned on the coins of Antioch belonging to 7/6 -5/4 BC (*BMC, Galatia, etc.*, 158-159, nn. 57-59). There is no evidence that either Augustus or Gaius Caesar were absent from Rome in summer 4 BC. Chronology of this period of the Roman history is obscure : R. Syme, "The Crisis of 2 BC", *Ronald Syme. Roman Papers*, ed. A.R. Birley, 1984, 933.

⁷ F. Riess, *Das Geburtsjahr Christi*, 1880, 15-20; T. Corbishley, "The Chronology of the Reign of Herod the Great", *JThS* 36, 1935 (rp. 1965), 32; O. Edwards, "Herodian Chronology", *PEQ* 114, 1982, 29; E.L. Martin, "The Nativity and Herod's Death", *Chronos, Kairos, Christos. Nativity and Chronological Studies Presented to Jack Finegan*, edd. J. Vardaman and E.M. Yamauchi, 1989, 88.

⁸ Riess, Edwards, Martin (n. 7).

ment of time-compression tends to be taken lightly as well. In the few instances where the question was specifically addressed by the supporters of the date in 4 BC, the difficulty was said to be surmountable.⁹ However, a simple check shows that this is not the case.

According to Josephus, the following events occurred between the king's death and Passover : preparations for the burial; a funeral procession from Jericho to Herodium; Archelaus' seven days' mourning; a banquet, followed by Archelaus' appearance before the populace; the beginning of agitation against Archelaus (*BJ* 1.666-2.11; *AJ* 17.193-216). Since half the available time, a week, goes to Archelaus' mourning, seven days are left for everything else. If the king's death is placed on the earliest possible date, Nisan 1 (thus equating his last year with just a few hours), there would be only six days for the rest of the events.

The king died in Jericho and was buried in Herodium. The road which the funeral procession must have taken runs via Jerusalem.¹⁰ The distance between Jerusalem and Jericho is 18 Roman miles (c. 27 km) and between Jerusalem and Herodium about 8 Roman miles (c. 12 km). The procession thus had to cover 26 Roman miles (c. 39 km),¹¹ with the first stage of the journey involving an ascent of 1000 m.¹² Josephus says that Herod's bier was followed by a host of his relatives, a large number of servants and the whole of the king's army. The solemn character of a funeral procession makes it slow by definition; the sheer size of the crowd¹³ was bound to slow its pace even further, especially since for most of the time it would have been moving along a mountain road. There could also have been frequent or lengthy stops but, even if this possibility is discarded, the time needed for the procession and for the final ceremony in Herodium would be no less than three days.

A king of Herod's stature, whatever the feelings of his relatives and subjects about him, would have been accorded a splendid funeral and this is clear from Josephus' account as well. An elaborate golden bier decorated with precious stones was made, ornaments were brought, spices were collected. Even if most of the necessary things had been at hand in Jericho, there would still have been

⁹ P. Schegg, *Das Todesjahr des Königs Herodes und das Todesjahr Jesu Christi*, 1882, 34-35; D. Johnson, "And They Went Eight Stades toward Herodion", Vardaman and Yamauchi (n. 7), 99; P.L. Maier, "The Date of the Nativity and the Chronology of Jesus' Life", Vardaman and Yamauchi (n. 7), 118.

¹⁰ J. Wilkinson, "The Way from Jerusalem to Jericho", *BA* 38, 1975, 10 - 24; R. Beauverly, "La route romaine de Jérusalem à Jéricho", *RB* 64, 1957, 72 - 101.

¹¹ The figure given by Josephus is 200 stadia (c. 40 km), *BJ* 1. 673.

¹² Jericho is c. 250 m below sea level, while Jerusalem is about 750 m above that level.

¹³ In *AJ* 18.199 Josephus says that the procession went for eight stadia towards Herodium. Eight stadia is c. 1,5 km. The remark has been interpreted as meaning either that the procession covered eight stadia a day, or that after covering the first eight stadia towards Jerusalem, most of its participants returned to Jericho : Johnson (above, n. 9). Neither suggestion seems realistic. If the figure is not due to some error, it is likely to have had to do with the length of the procession itself.

problems of organization. Thus the procession could hardly have left from Jericho before officials all the way to Herodium had been notified and reported back on their preparations.

Among people of high standing who participated in the funeral procession Josephus only mentions relatives of Herod; there can be little doubt, however, that a large number of his friends and senior officials were also present. Some of these may have been outside Jericho at the time of the king's death and would therefore have had to be notified and given sufficient time to arrive. For example, it would have taken no less than five days for a dignitary from Caesarea to receive the news of the king's death and to make his way from there to Jerusalem, the nearest point where he could have joined the funeral procession.¹⁴

It is easy to see, then, that the minimum time required for the preparations for the burial and for the funeral procession must have filled up the available reserve of six days. And this has taken no account of the Sabbath which must have occurred at sometime during this period, bringing all work and traffic to a halt. Furthermore, there seems to be yet another period within the time-limits under discussion whose length Schürer has underestimated; this period starts with the end of Archelaus' mourning.

Josephus relates that after the end of the week of mourning, Archelaus gave a banquet to the populace. This was followed by a reception in the Temple, during which Archelaus agreed to some of the people's requests; he then retired to feast with his friends. We hear next about a group of Jews who started loud lamentations for two teachers of the Law executed by Herod. Joined by many others, they proceeded to demand the removal of the High Priest and the punishment of those who had helped Herod in persecuting the teachers. Josephus says that Archelaus made several vain attempts to calm the crowds by sending his officers to talk to them. He then mentions the arrival of Passover and describes continuing agitation in the Temple while people assembled for the sacrifices. A cohort sent by Archelaus to seize the ringleaders of the sedition was stoned and many soldiers were killed. Finally, Archelaus' entire army was unleashed against the crowds in the Temple and elsewhere in the capital. Three thousand people are said to have lost their lives on that day (*BJ* 2.1-13; *AJ* 17. 200-218).¹⁵

Josephus narrates the events as if they had followed one another without any intervals. If this is taken to reflect the pace of the developments on the ground, then the massacre would seem to have occurred one or two days after the banquet and the reception. There are, however, several hints elsewhere in Josephus that things were developing at a slower pace. One such hint comes from the chronology of the events which followed the Passover festival.

Some time after the massacre Archelaus went to Caesarea with his retinue in order to take a ship for Rome. In Caesarea the party met Sabinus, the imperial procurator of Syria, who had arrived to take charge of Herod's property. Sabinus was, however, prevented from continuing his journey by Varus, the governor of Syria, who appeared on the scene at the same moment with part of his army. Af-

¹⁴ The distance between Caesarea and Jericho is c. 98 Roman miles (c. 145 km); between Caesarea and Jerusalem c. 80 Roman miles (c. 120 km).

¹⁵ The figure is also mentioned by Nicolaus of Damascus (*FGrH* 90, F136[3]).

ter the meeting of the three, Archelaus sailed for Rome, Sabinus stayed in Caesarea and Varus marched to Jerusalem with his troops. There he quelled an uprising, which Josephus says was a serious one, left the legion in the city and returned to Antioch. Thereupon Sabinus moved to Jerusalem, took possession of the palace and tried to seize other royal property. When the Pentecost Holiday came around, a new rebellion, this time provoked by the actions of Sabinus, broke out (*BJ* 2.14-19, 39-44; *AJ* 17.219-223, 250-254).

The time span between the first day of Passover and the feast of Pentecost is seven weeks. It has been suggested that Sabinus' activity before Pentecost took about a month.¹⁶ What seems certain is that it could not have taken less than two weeks.¹⁷ A similar length of time would have been needed for the earlier movements by Varus.¹⁸ With the activity by Varus and Sabinus demanding no less than four weeks, the meeting of the three in Caesarea cannot be placed much later than at the end of the third week after the beginning of Passover. The date poses no problems as far as Archelaus and his retinue is concerned. The navigation season would have just begun, and since the members of the royal family would have been eager to sail for Rome as quickly as possible, they could well have left Jerusalem for Caesarea almost immediately after the termination of the Passover festival.

How Varus arrived in Caesarea with troops just then is a more intriguing question. Josephus says that the governor came in response to a plea made by Archelaus through Ptolemy, but does not explain the reasons for the appeal. Although it may look at first that Ptolemy was sent in the aftermath of the massacre at Passover, a calculation of the time needed for all the movements would appear to show that this was not the case. Of course, a precise schedule cannot be worked out because many details remain obscure. We do not know, for example, in what part of the province Varus may have been at the time, or where the legion which he had brought to Judaea was stationed.¹⁹ Still, a calculation *exempli gratia* may give some idea of the speeds and distances involved. It will be assumed that Ptolemy found the governor in Antioch (he is said to return there later) and that Varus came with a legion which had been quartered near the Syrian capital.

¹⁶ E. Paltiel, "War in Judaea - after Herod's Death", *RBP* 59-60, 1981, 127 n. 98.

¹⁷ Upon Varus' return to Antioch, Sabinus moved from Caesarea to Jerusalem, took possession of Herod's palace and summoned the commanders of the fortresses. Met with their refusal, the procurator tried unsuccessfully to take the citadels by force.

¹⁸ Varus marched on Jerusalem right after the meeting. The distance between Caesarea and Jerusalem is about 80 Roman miles (c. 120 km) and involves a mountain ascent, so that the march could not have taken less than 4 - 5 days. There is no way of telling how much time the governor spent in Jerusalem. Five to seven days for putting down the uprising, receiving various delegations and making arrangements for the billeting of the legion may be a fair estimate. Without the legion, Varus' return to Caesarea could have been made in 2-3 days.

¹⁹ The disposition of Syrian legions under Augustus is unknown. Later there were legionary bases at Cyrrhus, Antioch, Laodicea and Raphanae (F. Millar, *The Roman Near East, 31 BC - AD 337*, 1993, 33-34).

Ptolemy's journey to Antioch must have taken a week or slightly more.²⁰ Even if Varus had decided to come at once, some time would elapse before the legion could be ready and before the governor could make provisions for his prolonged absence from the province. A week does not seem an inflated estimate. Antioch and Caesarea are 357 Roman miles (c. 530 km) apart. The average marching speed of the Roman army has been calculated at 17-18 Roman miles a day (25-27 km).²¹ This means that, even if marching uninterruptedly, the legion would have spent a minimum of three weeks on the road to Caesarea. Ptolemy must then have been sent to Varus no less than five weeks before the meeting of the governor and Archelaus in that city. Since this meeting occurred no later than the end of the third week after the beginning of Passover, Ptolemy must have started his journey at least two weeks before the feast.

Ptolemy was the highest ranking official in the kingdom at the moment of Herod's death; he was the one to whom Herod gave his will and his signet ring for safe-keeping (*BJ* 1.667-668; *AJ* 17.195). It would therefore be difficult to suggest that Ptolemy neither took part in the preparations for the king's burial, nor paid his last respects to the deceased. In other words, his trip to Varus can reasonably be placed only after the period of mourning had ended; this, as we have seen, would imply a time-span of at least two weeks between the end of the mourning period and Passover.

Sufficient time must also be allowed for the Passover pilgrimage of that year. If the mourning of Archelaus, which coincided with the period of public mourning for Herod (*BJ* 2.5, 88; *AJ* 17.311), had ended just a day or two before the feast, many Palestinian Jews, not to mention those from other countries, would not have been able to attend. However, Josephus' account seems to imply that there was the usual gathering of large crowds in Jerusalem at the beginning of the festival; pilgrims "from abroad" are mentioned twice in his description (*AJ* 17.214, 237). The evidently normal attendance at this year's festival thus also necessitates the insertion of more than just a day or two between the end of the mourning period and the beginning of Passover.

Among the complaints aired against Archelaus in Rome were his new appointments in the army and his acting as a judge in lawsuits (*BJ* 2.27-28; *AJ* 17.232). The former could have still occurred within the few days between the end of the Passover and Archelaus' departure for Rome.²² The latter would, however, hardly fit in this period. Once again, the only possibility of accommodating this is between the end of the mourning period and the festival of Passover.²³

²⁰ The distance between Jerusalem and Antioch via the coastal road is c. 440 Roman miles (c. 650 km). Ptolemy could have gone to Caesarea (80 Roman miles, 2-3 days' journey) and taken a ship to Seleucia (c. 4 days). Antioch could have been reached from Seleucia in a day. For overland travel, c. 10 days would have been needed.

²¹ M. Gichon, "Cestius Gallus's Campaign in Judaea", *PEQ* 113, 1981, 42 and n. 16, 61.

²² Paltiel (n. 16), 124.

²³ Martin (n. 7), 88.

Josephus' narrative, therefore, appears misleading in that it suggests only one or two days between the end of the mourning period and Passover, while in reality no less than two weeks must have separated them. This conclusion is important not only because it shows that the date between Nisan 1 and Nisan 14, 4 BC is untenable, but also because it excludes the possibility of placing Herod's death on any date between the eclipse of March 12/3, 4 BC and Passover of the same year. With two weeks inserted between the mourning period and Passover, there is no way of accommodating the rest of the events which occurred between the eclipse and the festival.²⁴

The date between January 9/10, 1 BC and Passover, 1 BC

As regards alternative suggestions, these fall into two main groups. One advocates a drastic lowering of the date to 1 BC; the other attempts to improve on Schürer by rejecting his *terminus post quem* of Nisan 1, 4 BC, i.e. by placing the death earlier.

The proposals for a date in 1 BC involve the period between the eclipse of January 9/10, 1 BC and Passover of the same year. Although their back-up arguments may vary,²⁵ the merits of these theories remain similar. The date of 1 BC accommodates Josephus' indication of an eclipse prior to Herod's death without creating subsequent time-compression; it also accounts for those statements of early Christian writers which imply that Jesus was born in 3 or 2 BC.²⁶ Yet another piece of evidence which this date allows to rehabilitate is the date of Shebat 2 (January/February), associated by the scholion of the *Megillat Ta'anit* with the death of Alexander Jannaeus, but suggested by some scholars as an alternative date for Herod's death.²⁷ However, these advantages fail to compensate for the numerous contradictions which the date of 1 BC creates with the remaining data. The matter has already been discussed in detail elsewhere,²⁸ so that a short summary will suffice.

²⁴ Nisan 1 fell in 4 BC c. March 29 (R.A. Parker and V.H. Dubberstein, *Babylonian Chronology, 626 BC - AD 75*, 1956, 45), with Nisan 15 occurring c. April 13. This means no more than five weeks between the eclipse of March 12/3 and Passover. With one week for Herod's burial, one week for Archelaus' mourning and two weeks between this mourning and Passover, there would have remained less than a week for all the events between the eclipse and Herod's death. These include the king's trip to Callirhoe, the summoning of the Jewish dignitaries to Jericho, and the execution of Antipater, five days after which Herod died.

²⁵ W.E. Filmer, "The Chronology of the Reign of Herod the Great", *JThS* NS 1, 1966, 283-298; see also works cited in n. 7.

²⁶ Martin (n. 7), 85, 86, 90.

²⁷ Filmer (n. 25), 285, 293.

²⁸ T.D. Barnes, "The Date of Herod's Death", *JThS* NS 19, 1968, 204-209; C.J. Hemer, "4 BC or 2 BC?", *Faith and Thought* 107, 1980, 128-131; P.M. Bernegger, "Affirmation of Herod's Death in 4 BC", *JThS* NS 34, 1983, 526-531.

The date in 1 BC clashes with the evidence for the chronology of Herod's sons, which points to their beginning their reigns simultaneously no later than 4/3 BC; to this may be added the evidence of the coins of Caesarea Paneas which show that the city was founded by Herod's son Philip not later than 2/1 BC, counted from spring to spring, i.e. in the year which ended before Nisan 1, 1 BC.²⁹ The date is also in conflict with the number of Herod's regnal years as indicated by Josephus. Finally, Gaius Caesar appears to have been in the East in the summer of 1 BC, while the acceptance of the date would require his presence in Rome. Against all this, there seems to be no firm evidence which would support the date of 1 BC. In other words, most arguments in its favour remain in the speculative sphere.³⁰

The date between March 12/3, 4 BC and Passover, 4 BC

The suggestions of the second group are meant as improvements on Schürer's theory rather than radical alternatives to it. Since their authors commonly seem to assume that it is the *terminus post quem* of Nisan 1, 4 BC which makes Schürer's date problematic, all place the death earlier. The differences are in the length of the time-distance from Nisan 1. The mildest of suggested corrections involves pushing the date back just "a couple of days"; this is claimed to be sufficient for the following improvements: 1) the time-compression is alleviated, while the date still falls after the eclipse of March 12/3, 4 BC; 2) the equation of the king's last year with too short a span of time becomes unnecessary since

²⁹ The lower time limit for the era of the city is fixed by the coins of Macrinus and Diadumenianus dated KC (year 220): Y. Meshorer, "The Coins of Caesarea Paneas", *INJ* 8, 1984/5, 53 nn. 29-31. Macrinus was defeated by Elagabalus on June 8, 218 AD so that the latest calendar year in which coins with his portrait and that of his son could have been minted is 218/9 AD by the spring reckoning. This makes 2/1 BC, counted from spring to spring, the latest possible 'year 1' of the city. Since Philip could not have founded cities before he had any territory to govern, he must have been in possession of his tetrarchy by that date. However, if Herod died after January 9, 1 BC, the larger part of the year 2/1 BC would have still belonged to his reign. For the rest of this year, until Nisan 1, 1 BC, the king's sons, including Philip, would have been preparing to go to Rome in order to get the emperor's confirmation.

³⁰ Apart from assuming various errors in the accepted chronology of Herod's reign, the following possibilities have been suggested: co-regencies of Herod and his sons during the last years of the king's rule [Filmer (n. 25), 296-298; Martin (n. 7), 90-91]; the addition of several fictitious years by Herod's sons (*ibid.*, 91); Josephus' mishandling of different calendars [Edwards (n. 7)]; his deliberate alteration of the figures for Herod's sons (*ibid.*, 38); Gaius Caesar's departure for the East in the first part of 1 BC, presumably after the arrival of the Herodians in Rome (*ibid.*, 41-42).

Herod's regnal years can now be counted from autumn to autumn, i.e. the beginning of his last year may be put at Tishri 1, 5 BC (Sept/Oct).³¹

Neither of the alleged advantages is clear, however. First of all, it has already been demonstrated in connection with Schürer's theory that not only the date between Nisan 1 and Nisan 14, 4 BC, but any date between the eclipse of March 12/3, 4 BC and Passover of the same year is untenable. Furthermore, a death before Nisan 1, 4 BC seems incompatible with Josephus' statement about Herod's regnal years. Such a date would imply that the first year of the king's *de jure* rule fell in 41/40 BC, i.e. one year earlier than is commonly accepted; this appears to contradict certain facts of Roman history.³² The author of the theory is aware of the difficulty, so he suggests an error of one year in the figures given by Josephus. However, there would seem to be no obvious reason why the indication should be held suspect. A simple slip of pen on the part of Josephus is unlikely because the indication involves a double figure and is repeated in both *BJ* and *AJ*. Furthermore, it may well have come from Nicolaus of Damascus, Josephus' main source on Herod. Nicolaus, an eyewitness to the events, would have certainly known the correct figure.

The date between September 15/6, 5 BC and March 12/3, 4 BC

The remaining suggestions push the date further back, before the eclipse of March 12/3, 4 BC. This implies the period between the eclipse of September 15/6, 5 BC and that of March 12/3, 4 BC.³³ Some authors mention the specific dates of Kislev 7, (November/December) 5 BC or Shebat 2 (January/February), 4 BC;³⁴ both indications are borrowed from the scholion of *Megillat Ta'anit*.

Since there are no differences in principle between these suggestions they may be treated as a single idea. Placing the death before the eclipse of March 12/3, 4 BC certainly solves the problem of time-compression. However, as has already been pointed out, any date before Nisan 1, 4 BC is incompatible with the number of Herod's regnal years as recorded by Josephus. Apart from this, the replacement of the eclipse of March 12/3, 4 BC by that of September 15/6, 5 BC appears problematic as well.

Josephus mentions the eclipse in the following context. Upon learning that Herod's illness was incurable, two teachers of the Law, Judas and Matthias,

³¹ J. van Bruggen, "The Year of the Death of Herod the Great", *Miscellanea Neotestamentica* II, edd. T. Baarda, A.F.J. Klÿn, W.C. Van Unnik, 1978, 1-15.

³² If Herod's first year was 41/40 BC by the autumn reckoning, he must have become king before Tishri 1, 40 BC. Tishri 1 occurred in 40 BC c. Oct. 1 (Parker and Dubberstein [n.24], 44). Herod was made king in Rome by Antony and Octavian. The two arrived in the capital (after the peace of Brundisium) in mid-October, 40 BC (J. Carcopino, *Virgile et le mystère de la IVe Églogue*, 1943, 111-123).

³³ H. Graetz, *Geschichte der Juden* IIIb, 1906, 571, 573; Barnes (n. 28), 209; M.E. Smallwood, *The Jews under Roman Rule*, corr. ed. 1981, 104 n. 158; Schwartz (n. 3), 157-166.

³⁴ Barnes (n. 28), 209; Graetz (n. 33), 571, 573.

called on their pupils to pull down the golden eagle erected by the king “in defiance of the Law” over a Temple gate. On hearing a false rumour of Herod’s death, the youngsters cut the eagle down with hatchets but were caught and brought to Herod together with their teachers. The king sentenced them to death, and the eclipse occurred on the day of their execution. (*AJ* 17.148-167).

The judgement took place in Jericho, a detail which appears in *AJ* only (17.160). The codices have two versions. The majority give: βασιλεὺς δὲ αὐτοὺς καταδήσας ἐξέπεμπεν εἰς Ἰεριχοῦντα, καλέσας Ἰουδαίων τοὺς ἐν τέλει (“the king had them bound and sent to Jericho, where he summoned the Jewish officials”). Codex P has, however: βασιλεὺς δὲ αὐτοὺς καταδήσας μετέπεμπεν εἰς Ἰεριχοῦντα Ἰουδαίων τοὺς ἐν τέλει (“the king had them bound and invited the Jewish officials to Jericho”). The former implies that the king was in Jerusalem at the time and moved from there to Jericho. The later would suggest that Herod was already living in Jericho.

Whichever interpretation is preferred, this detail points to the winter. The area of Jericho is extremely hot in summer and in September the heat is at its peak. The palace in Jericho was built as a winter residence so that it is extremely unlikely that Herod would have stayed there in September on a permanent basis, especially if he was ill.³⁵ The idea that the king might have moved there from Jerusalem just for the purpose of giving the judgement seems even less attractive. For a man so sick as to inspire rumours of his own death³⁶ such a journey would have been racking at any season;³⁷ it seems even less likely that it would have been undertaken in the September heat. The possibility of the judgement in Jericho as early as around September 15/6, 5 BC thus looks fairly remote. This leaves the eclipse of March 12/3, 4 BC as the only one which really fits Josephus’ account. Placing the death before March 12/3, 4 BC thus appears at odds not only with Josephus’ statement on Herod’s regnal years but also with his indication of an eclipse.

The date in winter 4/3 BC

Examination of the existing theories has shown that none of them is without difficulty. What remains to be clarified is whether these theories present us with an exhaustive choice. In fact, there seems to be one more possibility. All the improvements on Schürer discussed above involved rejection of his *terminus post quem* of Nisan 1, 4 BC. As none of these has resulted in a satisfactory date, it may be worth inquiring whether Schürer’s *terminus ante quem* of Nisan 15, 4 BC can be removed instead. Since this *terminus* involves the massacre at the beginning of Passover, the nearest alternative would be Passover of 3 BC (Nisan 15).³⁸ The fact that the king died in Jericho points to the winter; the death would thus have occurred in winter 4/3 BC.

³⁵ Maier (n. 9), p. 118.

³⁶ Josephus says that while addressing the nobles in Jericho Herod was lying on a couch because of his inability to stand.

³⁷ The version of P seems, therefore, more likely to preserve the original wording.

³⁸ This has been tentatively suggested by Corbishley (n. 7), 32.

The date seems to contradict no firm evidence. Since it implies the same year for the death as in Schürer's theory, its relation to all the evidence on the ground is thus the same. The only real change is the transfer of the events in Judaea and Rome from summer 4 BC to summer 3 BC. This does not seem impossible, at least as far as our present knowledge goes. The whereabouts of Varus in this year are unknown.³⁹ Nor does there seem to be any evidence that Augustus or his grandson were outside the Roman capital in summer 3 BC.

The reason why the possibility of the date in winter 4/3 BC has generally been ignored appears to lie with two popular assumptions made from Josephus' account. The first is the assumption that the events between the eclipse and Passover followed each other in swift succession. And, indeed, if these events really followed one another without interruption, as Josephus' narrative seems to imply, then placing Herod's death in winter 4/3 BC, which would give a time span of more than a year (between the eclipse of March 12/3, 4 BC and Passover in March/April, 3 BC), would seem far too late.

However, the trustworthiness of the impression conveyed by Josephus' account is far from obvious. As has been shown earlier, such an impression is false for the period between the end of Archelaus' mourning and Passover. Thus we cannot be sure that there is no similarly misleading impression in other parts of the story as well. We have also seen that all the theories based on a speedy succession of events run into difficulties, which can only indicate that this notion contradicts some other data. The question then would be whether the fault must lie with the other data, as the proposed improvements imply. It should be noted that the date which seems the most reasonable among these proposals, that before March 12/3, 4 BC, involves a time-span of about seven months (between the eclipse of September 15/6, 5 BC and Passover c. April 13, 4 BC), thus effectively ignoring the notion of speed. However, it also disposes of two explicit chronological indications given by Josephus. The date in winter 4/3 BC takes both indications into account.

The other assumption which makes the date in winter 4/3 BC look unlikely concerns the story of Acme. Josephus relates it in both *BJ* and in *AJ*, with significant variations of detail; the general outline of the story and its place in the narrative are as follows:

Herod's elder son Antipater returned from Rome and was arrested on suspicion of plotting against his father; having found him guilty, Herod sent messengers to inform Augustus. Immediately thereafter Josephus mentions a second enquiry concerning Antipater. The episode involved letters allegedly written by Herod's sister Salome but in fact forged by Livia's freedwoman Acme at the request of Antipater. Another set of messengers was sent to inform the emperor about this second investigation. This account is followed in *AJ* by the first mention of Herod's illness; in *BJ* this mention precedes the sending of the second set of messengers. Both accounts then proceed to the story of the golden eagle and the execution of the teachers and, further on, give the description of the king's last days, his trip to Callirhoe, the summoning of the Jewish dignitaries to Jericho and the arrival of Augustus' letter, in which the emperor informed Herod of

³⁹ *RE* 47, 917.

the execution of Acme as well as giving him permission to put Antipater to death. The execution of Antipater was followed by Herod's death five days later (*BJ* 1.620-665; *AJ* 17.93-191).

The first set of messengers must have been sent by Herod fairly shortly after his son's return. The narrative puts the second investigation involving Acme immediately afterwards. Since Antipater's return appears to have occurred towards early autumn, 5 BC, the common assumption is that the reply of Augustus must have arrived in winter 5/4 BC. The date in winter 4/3 BC, which would involve a time-span of more than a year between the arrest of Antipater and his execution, seems to have been considered too remote.

The possibility of the later date may, however, be more real than it looks at first. Although the time of Antipater's return cannot be established for certain, it does not seem to have been before August/September, 5 BC.⁴⁰ The first set of messengers could then have been sent to Rome as late as September or even October, 5 BC. Acme could have sent the letters from Rome as long as the arrest of Antipater was not known there, which means that there could have been an interval of three to four months between the two enquiries.⁴¹ In other words, the second investigation could have taken place as late as November/December, 5 BC or even January/February, 4 BC. It has been shown that the death of the king must have occurred at least a month before the beginning of Passover. Therefore, if the events belonged to 5/4 BC, the letter of Augustus concerning Acme must have arrived no later than the beginning of March, 4 BC. Communication with Rome at this season would have taken at least two months in either direction. Allowing some time for the investigation and deliberations in Rome, October, 5 BC would be the latest *terminus ante quem* for the end of the enquiry concerning Acme. A date between November, 5 BC and February, 4 BC would thus exclude Herod's death in winter 5/4 BC.

But whatever the actual date of the second investigation, we do not necessarily have to assume that the emperor's permission to execute Antipater arrived quickly. Since Herod wrote to Augustus at least twice it is probable that the reply which he received just before his death was not the first one. It is worthy of

⁴⁰ *BJ* 1.606 and *AJ* 17.82 seem to imply that between the discovery of the plot by Herod and the arrival of Antipater in Judaea seven months elapsed. The discovery of the plot followed the death of Herod's brother Pheroras. Antipater is said to have received the news about this death while still in Tarentum (*BJ* 1.609; *AJ* 17.85). This means that Antipater was in this city two to three months after the event. If, as seems likely, he arrived in Tarentum on his way home (M. Stern, "The Reign of Herod and the Herodian Dynasty", *The Jewish People in the First Century* I, edd. S. Safrai and M. Stern, 1974, 269), his subsequent voyage would have lasted no less than four months. With the navigation season beginning in April, he could thus hardly have arrived in Judaea before mid-August.

⁴¹ In *BJ* 1.641 Josephus says that the second enquiry occurred "subsequently" (μετὰ δὲ ταῦτα). In *AJ* 17.134 he uses the expression 'during these very same days' (ὑπὸ τὰς αὐτὰς ἡμέρας). Since two sets of messengers were sent, the indication in *BJ* seems more to the point. The length of the interval remains, however, unclear.

notice that, even after he had been informed about Acme, the emperor accompanied his permission to execute Antipater by a suggestion of the alternative punishment of exile. His reaction to Herod's first letter may have been even milder. Subsequently, before finally sending his permission to put Antipater to death, Augustus could have been waiting for Herod's answer to this previous letter. That Josephus mentions only one reply from Rome may not be a decisive argument. Since his account abbreviates Nicolaus in a fairly drastic way,⁴² a great many details were bound to be omitted. The possibility that he misunderstood Nicolaus' chronology cannot be entirely excluded either.⁴³ If we accept the suggestion that Augustus' letter containing his permission to execute Antipater would not necessarily have arrived in the winter of 5/4 BC, the last objection to the date in winter 4/3 BC will be removed.

To sum up. Among possible improvements on Schürer's theory the date in winter 4/3 BC seems the most preferable. It accommodates the existing evidence as smoothly as does Schürer's theory but avoids its shortcomings. The improvement is achieved by the least violent means, the reappraisal being limited to correcting two impressions created by Josephus' account. One of these impressions appears misleading anyway, and the trustworthiness of the other cannot be either proved or disproved. The date in winter 4/3 BC necessitates the transfer of the events usually placed in summer 4 BC to the summer of 3 BC. Since independent evidence for the chronology of these events is altogether lacking, the change does not seem to present any difficulties.

It may be further pointed out that the suggested date does not depend on the application of a specific system of time-counting based on a specific calendar, but rather leaves the question open. This means that no complicated chronological constructions are needed to sustain it. It also allows us to accommodate the date of Kislev 7, given by the scholion on *Megillat Ta'anit*. The acceptance of this date would not necessarily imply that this was the real reason for the rejoicing on that day, since the author of the commentary might have suggested the connection on his own. Still, even this could indicate the existence of a tradition which put Herod's death on Kislev 7. One thing is certain. The current negative attitude to the date in *Megillat Ta'anit* has been due almost solely to the influence of Schürer's theory. Since this theory proves untenable, the rejection of the indication no longer seems justifiable.

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⁴² S.J.D. Cohen, *Josephus in Galilee and Rome*, 1979, 53.

⁴³ E. Täubler, "Zur Beurteilung der constantinischen Excerpte", *BZ* 25, 1925, 33-36.