

## The Punishment of Thirty-Nine Lashes (2 Corinthians 11:24) and the Place of Paul in Judaism

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This article undertakes a new historical assessment of the beatings Paul received five times from Judeans (2 Cor 11:24). According to one view, the apostle took this punishment voluntarily, indicating his belonging to Judaism. I show that Paul could not have received this sentence in the diaspora, but only in Judea and Galilee. It was imposed on him by local courts to whose authority he was subject. On the one hand, this understanding is supported by the fact that, by analogy with penalties in Greco-Roman associations, offenses against the communal order were mostly sentenced by fines or exclusion. On the other hand, legal-historical arguments show that corporal punishment was not a legal option for diaspora synagogues. The fact that Paul did not voluntarily submit to the beatings therefore deprives 2 Cor 11:24 of its argumentative force in the debate about the apostle's relationship to Judaism.

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Regarding the question of Paul's relationship to contemporary Judaism, the short note in which the apostle states that he received five times thirty-nine lashes from Judeans plays an important role (2 Cor 11:24). The significance of this brief remark in 2 Corinthians is evident from the way it was taken up in some works of the New Perspective on Paul or in the radical New Perspective "Paul within Judaism." I will only briefly mention three examples. In E. P. Sanders's depiction of Paul and the reconstruction of the history of early Christianity, the punishment of thirty-nine lashes is highly significant.

Paul preached to Gentiles, he converted former pagans (idolaters, not God-fearers), and in the mission field he lived like a Gentile. But 2 Cor. 11:24 shows that he kept attending synagogue, at least for an appreciable period of his career.

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The only way to receive the thirty-nine stripes would be to show up voluntarily in a Jewish community and to submit to community discipline. *Punishment implies inclusion.*<sup>1</sup>

David Bolton, in the most recent pertinent essay on the so-called synagogue punishment, expands on Sanders's view and comes to the following conclusion: "The fact that he [Paul] was persecuted means that the Diaspora synagogal authorities viewed his own Jesus movement as likewise falling within Judaism."<sup>2</sup> In her 2017 monograph on Paul, Paula Fredriksen refers to 2 Cor 11:24 several times, each time in connection with the apostle's preaching activity: "Though clearly he witnessed to Jews as well as to gentiles—at the very least, the disciplinary lashings that he received presuppose synagogue settings (2 Cor 11.24)—Paul approached the two groups differently."<sup>3</sup>

At first glance, 2 Cor 11:24 might indeed suggest that Paul continued to go to synagogues despite all adversities, even if it meant taking the beating. This would also be a particularly clear indication of his rootedness within Judaism. As we will see below, however, the historical context of the punishment of thirty-nine lashes is very likely to be determined in a completely different way than it has been in much previous research. For this purpose, I will begin with a brief look at the rhetorical setting of the remark in the context of the fool's speech in 2 Corinthians. Following this, I will address the main question: Where and by which authorities could this corporal punishment have been imposed? In conclusion, the synagogues of Judea appear to be a more likely location of Paul's beatings than those in the diaspora.

## I. 2 CORINTHIANS 11:24: CONTEXT AND FUNCTION

In his defense against accusations that he was not qualified to preach, Paul enumerates all his difficulties in a kind of catalogue (2 Cor 11:24–26).

Ἐπὶ Ἰουδαίων πεντάκις τεσσεράκοντα παρὰ μίαν ἔλαβον, τρίς ἐραβδίσθην, ἀπαξ ἐλιθάσθην, τρίς ἐναυάγησα, νυχθήμερον ἐν τῷ βυθῷ πεποίηκα... κινδύνοις ἐκ γένους, κινδύνοις ἐξ ἐθνῶν ...

From the Judeans I got five times forty less one, three times I was whipped with rods, once rocks were thrown at me, three times I was shipwrecked, one night

<sup>1</sup>E. P. Sanders, "Paul on the Law, His Opponents, and the Jewish People in Philippians 3 and 2 Corinthians 11," in *Paul and the Gospels*, vol. 1 of *Anti-Judaism in Early Christianity*, ed. Peter Richardson and David Granskou, SCJud 2 (Waterloo, ON: Wilfrid Laurier University Press, 2006), 75–90, here 89 (emphasis original).

<sup>2</sup>David Bolton, "Paul and the Whip: A Sign of Inclusion or Exclusion?," in *Theologizing in the Corinthian Conflict: Studies in the Exegesis and Theology of 2 Corinthians*, ed. Reimund Bieringer et al., BTS 16 (Leuven: Peeters, 2013), 363–77, here 377.

<sup>3</sup>Paula Fredriksen, *Paul: The Pagan's Apostle* (New Haven: Yale University Press, 2017), 165.

and one day I spent in the depths ... in dangers of the people, in dangers of the nations ...<sup>4</sup>

It has rightly been pointed out that the sufferings listed in the catalogue are not intended to serve as proof of physical fitness but should be read against the background of the (self-)description of the noble man.<sup>5</sup> This image is outlined in a particularly impressive way by Dio Chrysostom, using words quite similar to Paul's (*Virt.* [Or. 8] 16; Cohoon, LCL).

μηδένα αὐτῶν φοβούμενον μηδὲ εὐχόμενον ἄλλω λαχεῖν, ἀλλὰ προκαλούμενον ἐφεξῆς ἅπαντας, καὶ λιμῶ φιλονεικοῦντα καὶ ψύχει καὶ δίψος ὑπομένοντα, κἂν δέη μαστιγούμενον καρτερεῖν καὶ τεμνόμενον καὶ καόμενον μηδὲν μαλακὸν ἐνδιδόντα· πενίαν δὲ καὶ φυγὴν καὶ ἀδοξίαν καὶ τὰ τοιαῦτα μηδὲν ἡγεῖσθαι δεινὸν αὐτῶ, ἀλλὰ πάνυ κοῦφα.

He does not fear any of them, nor does he pray to receive a different [opponent], but he challenges each one of them one after the other, copes with hunger and cold, endures thirst, and if he has to endure being whipped, cut and burned, he does not give in to softness. But poverty, exile, and dishonor and all these things do not frighten him, they are light.

Like the orator in Dio's speech, Paul presents himself to the congregation in Corinth as, among other things, someone who has suffered punishments, although in his case they were of an official nature: five times thirty-nine lashes, three times the rod. The latter, a sentence imposed by Roman institutions, is certainly mentioned in the narratives of Acts (Acts 16:22–23; see also 22:24–25).<sup>6</sup> The thirty-nine blows, however, are not included there. It is striking that Paul explicitly explains that he received this sentence from Judeans, while the executors of the rod punishment (*verberatio*) need not be specified. The fact that it was enforced by Roman authorities was, of course, known to the inhabitants of the Roman colony of Corinth.<sup>7</sup>

<sup>4</sup>Unless otherwise noted, all translations are my own.

<sup>5</sup>See, e.g., Scott B. Andrews, "Too Weak Not to Lead: The Form and Function of 2 Cor 11.23b–33," *NTS* 41 (1995): 263–76; Jan Lambrecht, "Strength in Weakness: A Reply to Scott B. Andrews' Exegesis of 2 Cor 11.23b–33," *NTS* 43 (1997): 285–90; Thomas Schmeller, *2Kor 7,5–13,13*, vol. 2 of *Der zweite Brief an die Korinther*, EKKNT 8.2 (Neukirchen-Vluyn: Neukirchener Theologie, 2015), 257; Martin Ebner, *Leidenslisten und Apostelbrief: Untersuchungen zu Form, Motivik und Funktion der Peristasenkataloge bei Paulus*, FB 66 (Würzburg: Echter, 1991), 153–60. On parallels with *encomia* see B. J. Oropeza, *Exploring Second Corinthians: Death and Life, Hardship and Rivalry*, *Rhetoric of Religious Antiquity* 3 (Atlanta: SBL Press, 2016), 638–40.

<sup>6</sup>Whether such statements in the book of Acts are to be considered historically correct cannot be said with certainty. In any case, however, they reflect what the author considered to be historical and most likely also seemed plausible to his intended or real readers.

<sup>7</sup>On that, see, e.g., Jörg Gebhardt, *Prügelstrafe und Züchtigungsrecht im antiken Rom und in der Gegenwart* (Cologne: Böhlau, 1994); Brian Rapske, *The Book of Acts and Paul in Roman Custody*, *BAFCS* 3 (Grand Rapids: Eerdmans, 1994), 124–25; Janne Pölonen, "Plebeians and

Paul was, one can justifiably assume, bodily marked by these punishments. They are τὰ [σύμβολα] τῆς ἀσθενείας (2 Cor 11:30). This indirectly points, like the other painful experiences, to a good physical constitution of the apostle.<sup>8</sup> But the glory that Paul wants to describe in 2 Cor 11 consists in the fact that he remained faithful to the proclamation of the gospel in spite of all his afflictions. He did not evade it at any moment. Thus, it is logical for this self-description to end with the sentence “If I am weak, I am strong” (2 Cor 12:10).

The fact that Paul presents himself in this way is easily understood: he, the apostle, wants to be seen by the Corinthians as someone persecuted by the Judeans as well as the Romans. Beyond that, he styles himself in verse 26 as being threatened by endangerment of his own γένος (“people”) or the ἔθνη (“gentiles”), because he wants to be understood as the one who is pestered by the whole world.

The penalty of thirty-nine lashes was perceived to be dishonoring from a Hellenistic-Roman perspective, as can also be seen in Josephus (*A.J.* 4.238): “This punishment is most shameful for a free man” (τιμωρίαν ἐλεύθερος αἰσχίστην ἐλεύθερος).<sup>9</sup> Paul is hence a man without the status that is actually due to him as a messenger of God. His glory is therefore only with Christ (2 Cor 10:17), and his self-stigmatization as an outsider thus serves to secure his own identity as an apostle, which for him can only exist in dependence on Christ (2 Cor 12:9).<sup>10</sup> As a servant of Christ, he stands at the fringes of society, ostracized and dishonorable, condemned and punished on multiple occasions.

## II. THE HISTORICAL CONTEXT OF THE PUNISHMENT WITH THIRTY-NINE LASHES

The basic text for the penalty of thirty-nine lashes is Deut 25:1–3.

<sup>1</sup>If a legal dispute arises between men and they go to court and they are judged, then the righteous shall be judged just and the guilty guilty. <sup>2</sup>And it shall happen that when the guilty man has deserved blows, then the judge shall lay him down

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Repression of Crime in the Roman Empire: From Torture of Convicts to Torture of Suspects,” *RIDA* 51 (2004): 217–57.

<sup>8</sup>According to m. Mak. 3:11, the beating with thirty-nine lashes could be reduced if the delinquent seemed too weak.

<sup>9</sup>See Catherine Hezser, “Paul’s ‘Fool’s Speech’ (2 Cor 11:16–32) in the Context of Ancient Jewish and Graeco-Roman Culture,” in *Second Corinthians in the Perspective of Late Second Temple Judaism*, ed. Reimund Bieringer et al., *CRINT* 14 (Leiden: Brill, 2014), 221–44, here 236–37; Jennifer A. Glancy, “Boasting of Beatings (2 Corinthians 11:23–25),” *JBL* 123 (2004), 99–135, here 125, <https://doi.org/10.2307/3268552>.

<sup>10</sup>See Helmut Mödritzer, *Stigma und Charisma im Neuen Testament und seiner Umwelt: Zur Soziologie des Urchristentums*, NTOA 28 (Freiburg, Switzerland: Universitätsverlag; Göttingen: Vandenhoeck & Ruprecht, 1994), 209.

and give him blows in his presence according to the number, according to his guilt.<sup>3</sup>Forty may he give him—not more, lest if he should go on beating him with many blows beyond these, your brother would be humiliated in your eyes.

The punishment with a leather scourge is detailed in the Mishna tractate Makkot.<sup>11</sup> In the Mishnah, which was written much later than 2 Corinthians, the number of permitted blows is reduced to thirty-nine. This indicates that this regulation already existed by the time of Paul.<sup>12</sup> Its aim was not to administer more than the forty hits permitted per se.

### *Is This Punishment an Invention of Paul?*

Catherine Hezser has taken the view that Paul did not suffer this chastisement at all. She refers to two points in this regard. First, the sentence of the thirty-nine blows is missing in Acts; and, second, the stoning to death in 2 Cor 11:25 cannot be historical.<sup>13</sup>

The argument that Paul could not have survived a stoning to death and that, therefore, all his other statements are doubtful as well, is based on a mistaken assumption. By ἀπαξ ἐλιθάσθην Paul does not mean a formal stoning to death by Judeans but rather a throwing of stones, as it is frequently reported in antiquity as an expression of public anger. Even in the narrative about such a “stoning” of Paul in Acts 14:19, it becomes clear that this event is a tumult provoked by Judeans, not an attempt at a regular execution.<sup>14</sup> The verb λιθάζειν, used in 2 Cor 11:25 and Acts 14:19 (see also 2 Sam 16:6, 13), is also not the technical term for an execution by stoning, which would be λιθοβολεῖν (e.g., Acts 7:58–59).<sup>15</sup>

With regard to the lashes, it can also be assumed that the scars left behind from these beatings could not have remained hidden from the Corinthians, for instance during Paul’s attendance at the bath. The wounds were very probably already known

<sup>11</sup> See Sven Gallas, “Fünfmal vierzig weniger einen . . .”: Die an Paulus vollzogenen Synagogalstrafen nach 2Kor 11,24,” *ZNW* 81 (1990): 178–91; Bolton, “Paul and the Whip,” 367–69; Catherine Hezser, “Geldbußen, Peitschenhiebe und göttliche Vernichtung: Rabbinische Strafrohungen in der Mischna,” *ZABR* 20 (2014): 201–14, here 207–8. Incidentally, 2 Cor 11:24 is the oldest record of the punishment with thirty-nine lashes.

<sup>12</sup> See also Josephus, *Ant.* 4.238, 248; Tg. Onq. and Tg. Ps.-J. on Deut 25:3.

<sup>13</sup> Hezser, “Paul’s ‘Fool’s Speech,’” 235–36.

<sup>14</sup> The author of Acts assumes that readers recognize the difference between a more or less spontaneous attempt to kill by throwing stones and a formal execution. The former you can survive, the latter you cannot. For my argumentation, it is therefore irrelevant whether a historical event is being reported here.

<sup>15</sup> See Markus Öhler, “Die Steinigung Jesu: Spontane Gewalt in Joh 8 und 10,” in *Religion, Politik und Gewalt: Kongressband des XII. Europäischen Kongresses für Theologie, 18.–22. September 2005 in Berlin*, ed. Friedrich Schweitzer, VWGTh 29 (Gütersloh: Gütersloher Verlagshaus, 2006), 396–412; Oropeza, *Exploring Second Corinthians*, 650.

to them.<sup>16</sup> Finally, the absence of corporal punishment by Judeans against Paul in Acts does not allow Hezser's conclusion "that he [Paul] turned the occasional strikes that he may have received from fellow-Jews into a continual endurance of the most severe corporal punishment used in ancient Jewish society."<sup>17</sup> It is rather to be assumed that the author of Acts simply does not report these maltreatments because he has not been given any reports about them. Thus, in my opinion, there is nothing to support the conclusion that Paul was not, indeed, penalized five times by Judeans with thirty-nine lashes.

### *The General Circumstances of the Punishment*

To answer the question of how to assess the corporal punishment in view of Paul's status within Judaism, it must be located historically, and quite literally so: Where did Paul receive these penalties? Research regularly refers to Judea and the diaspora. I will mention here only the two relevant essays by Sven Gallas (1990) and Bolton (2013). According to Gallas, although any concrete determination of a place of Paul's punishment is speculative, both the *synedrion* in Palestine and local courts in the diaspora condemned Paul to a form of flagellation.<sup>18</sup> Bolton accepts observations by Mark Nanos, who points out, among other things, that diaspora synagogues, like other collegia, had "disciplinary rights among its membership."<sup>19</sup> From this, Bolton concludes that diaspora Judeans had their own synagogue courts and were able to impose punishments according to their customs. What seems most important to him here, however, is that submission to the regime of these synagogue courts in the diaspora was voluntary; that is, it could not be enforced.<sup>20</sup>

Before we discuss the question of specific places further, I should clarify the

<sup>16</sup> See Glancy, "Boasting of Beatings," 103, 134.

<sup>17</sup> Hezser, "Paul's 'Fool's Speech,'" 236.

<sup>18</sup> He notes, however, some dissent between Jewish and Christian researchers: while the former would think only of Palestine, the latter would consider primarily the diaspora; see Gallas, "Fünfundvierzig weniger einen . . .," 180–81.

<sup>19</sup> Bolton, "Paul and the Whip," 368; see Mark D. Nanos, *The Mystery of Romans: The Jewish Context of Paul's Letter* (Minneapolis: Fortress, 1996), 43–44. Nanos refers to elaborations by Victor Tcherikover, *Hellenistic Civilization and the Jews* (Philadelphia: Jewish Publication Society of America, 1959), 301–2, who states, "The right 'to live according to its ancestral laws' meant the right to build synagogues, to maintain independent courts of justice, to educate the youth in the spirit of the torah, to set up communal institutions and to elect officials, and the like. The Jewish community with its officials and institutions, its synagogues and courts, its economic and social life, was a miniature kingdom."

<sup>20</sup> Bolton, "Paul and the Whip," 369. See also Fredriksen, *Paul*, 86: "If local religious authorities sought to flog synagogue members for perceived offenses of religious practice, the offender could always just walk away." Similarly Martin Goodman, "The Persecution of Paul by Diaspora Jews," in *Judaism in the Roman World: Collected Essays*, AGJU 66 (Leiden: Brill, 2007), 145–52, here 148–49.

terminology in one particular respect. Hezser quite rightly points out that the expression “synagogue punishment” is a term of New Testament scholarship and is not found in Paul’s work.<sup>21</sup> The reference to the synagogue as a punishing institution is therefore to be understood as an interpretation of 2 Cor 11:24, although the number of blows indicates that it was actually a penalty imposed by a court.<sup>22</sup> Only in rabbinical texts is the synagogue expressly mentioned as the place of the beating, but not as the authority behind it.

### *Greco-Roman Associations as an Analogy*

As Nanos cited Greco-Roman associations and their punitive practices as an analogy to the diaspora synagogues of the Judeans, it is worth taking a closer look at how these associations actually handled punishment. The overwhelming majority of associations imposed mainly financial penalties.<sup>23</sup> The types of offenses concerned were numerous and included absence from association activities, disputes and fights, failure to perform duties, recourse to public courts, and many others. Apart from the mostly financial penalties, associations also imposed temporary exclusions from their activities (especially from meals) and at times permanent expulsions from the association.

Among the documents collected in *GRA*, only two mention a flogging penalty, but these are not very meaningful: *IG II<sup>2</sup> 1369.40–44* (*GRA* 1.49; Liopesi, second century CE) states that members who were involved in fights or disturbances should be excluded from the association and pay an additional 25 Attic drachmas or be beaten with double the number of blows. The unusual nature of this provision is illustrated by the fact that John S. Kloppenborg and Richard S. Ascough comment that the punishment with beating has to refer to slaves as members of this association: “Freeborn members pay a fine” (*GRA* 1.233). Quite unclear is the mention of “two strikes with a rod” (ῥάβδου πλγῆς β) in a fragmentary papyrus from Herakleopolis (first century CE; *BGU* 14.2371 = *GRA* 3.253). This was probably a punishment for acts of violence within the association, as the previously mentioned key word “slap in the face” (ῥαπίσματος) indicates. The small number of strikes suggests

<sup>21</sup> Hezser, “Geldbußen, Peitschenhiebe,” 207. Contrary to that, see, e.g., Jack T. Sanders, *Schismatics, Sectarians, Dissidents, Deviants: The First One Hundred Years of Jewish-Christian Relations* (Valley Forge, PA: Trinity Press International, 1993), 5: “We may be fairly certain of one thing: This was a synagogue punishment.”

<sup>22</sup> Cf. Goodman, “Persecution of Paul,” 148.

<sup>23</sup> The three volumes in *Greco-Roman Associations (GRA)* contain twenty-seven documents with penal provisions for association misconduct, plus seven with penalties for desecration of tombs, but these concern mainly outsiders; see John S. Kloppenborg, Richard S. Ascough, and Philip A. Harland, *Greco-Roman Associations: Texts, Translations and Commentary*, 3 vols., BZNW 181, 204, 246 (Berlin: de Gruyter, 2011, 2014, 2020). In Franz Poland, *Geschichte des Griechischen Vereinswesens* (Leipzig: Fürstlich Jablonowskischen Gesellschaft, 1909), 446–52, only nonviolent penalties are listed.

that this was a symbolic penalty. It is not possible to determine whether this, too, should apply only to slaves. Beyond these two references, which can by no means be considered clear-cut proofs, there is the large mass of surviving provisions that do not include any punishment with beatings. Even in cases of brawls, associations imposed mostly fines.<sup>24</sup>

Where synagogues are associated with penalties, namely, in inscriptions protecting a burial place, it is also only in relation to fines.<sup>25</sup> These texts from the late second and third centuries regularly refer to the fact that payments must be made to the synagogue, if a burial place is used by strangers. The inscription of the synagogue of Stobi (*IJO* 1 Mac 1 = *GRA* 1.73; third century CE) also poses the analogous threat of a fine in the event that the community should violate the contract of donation. From the perspective of Greco-Roman associations, it would therefore be highly surprising if diaspora synagogues had subjected their members to severe corporal punishment.

### *The Legal Situation in the Diaspora*

Moreover, from the perspective of Roman law and the corresponding city regulations, it would be quite extraordinary if diaspora synagogues had the privilege of beating their members to the brink of death.<sup>26</sup> This is, after all, also indicated by Paul himself, when in 2 Cor 11:24 he had to specify the “forty less one” to the addressees as the punishment of Judeans.

The situation would be different if the repeated statements that Judeans in the diaspora were permitted to follow their own laws or customs also applied to Judaic criminal law. Testimonies on the legitimacy of the implementation of the torah in the diaspora are found primarily in Josephus, who refers to decrees since Caesar. For instance, Claudius is said to have written a *diatagma* stating, “I think it is now

<sup>24</sup>See *GRA* 1.50 (Liopesi, early second century CE), 51 (Athens, 164/165 CE), 61 (Physkos, mid-second century CE); 3.188 (Pisais, 223 BCE), 191 (Tebtynis, 158/157 BCE). The beatings mentioned in these inscriptions are not part of a punitive regime; on the contrary, they are disturbances of the community. On penalties in associations in general, see Richard Last and Philip A. Harland, *Group Survival in the Ancient Mediterranean: Rethinking Material Conditions in the Landscape of Jews and Christians* (London: T&T Clark, 2020), 109–17.

<sup>25</sup>See recently Benedikt Eckhardt and Clemens Leonhard, *Juden, Christen und Vereine im Römischen Reich, mit einem Beitrag von Philip A. Harland*, *RVV* 75 (Berlin: de Gruyter, 2018), 80–87.

<sup>26</sup>On the question of how the exercise of corporal punishment by state authorities was regulated, see the *Lex Iulia de vi publica*, according to which Roman citizens were not allowed to be flogged. From the year 147 CE a complaint to the Praefectus Egypti has been preserved that points out that flogging of free people like slaves is unacceptable (P.Wisc. 1.33). An official letter from the fourth century CE prohibits the use of violence against free persons in principle (P.Oxy. 9.1186); see Roger S. Bagnall, “Official and Private Violence in Roman Egypt,” *BASP* 26 (1989): 201–16.



right that the Judeans in our entire world also keep the fatherly customs unhindered” (καλῶς οὖν ἔχειν καὶ Ἰουδαίους τοὺς ἐν παντὶ τῷ ὑφ’ ἡμᾶς κόσμῳ τὰ πάτρια ἔθνη ἀνεπικαλύτως φυλάσσειν, *A.J.* 19.290).<sup>27</sup> Regarding the possibilities for criminal measures or corporal punishment, the evidence is very limited. The only case that comes close to this is described by Josephus as an exception: Herod’s authority to arrest his opponents in the diaspora is assessed as an unprecedented privilege (*B.J.* 1.474).

Certainly, it was possible for Judeans, as for other peoples, to enter into treaties, marriages, and so on, among themselves in accordance with their particular traditions. This was regularly confirmed by Roman authorities when questioned by local leaders.<sup>28</sup> However, there is much to be said against the theory that this also included jurisdiction over criminal law. Indeed, researchers who take the view that there was such a right to corporal punishment in diaspora synagogues can refer only to 2 Cor 11:24.<sup>29</sup> There is no other evidence of this, in either Josephus or Philo or in pagan or Christian literature.

The book of Acts consistently gives the impression that the synagogue community was dependent on local authorities to enforce measures against the apostles. In Iconium and Lystra, Judeans tried to kill Paul and Barnabas in a tumult but needed people from the nations to do so (Acts 14:5–6, 19). In Pisidian Antioch, they incited respected women and the rulers of the city to drive out the apostles (13:50). In Thessalonica and Berea, they mobilized a crowd, so that Paul had to flee both cities (17:5, 13). The case in Corinth is significant: because the synagogue had no means to bring Paul to justice, the Judeans took their case to the governor (18:12–17). On the one hand, his reaction made clear that ζητήματα ... περι λόγου καὶ ὀνομάτων καὶ νόμου (“disputes ... about a speech or names or a law,” 18:15) are to be settled among themselves. On the other hand, this obviously cannot be done

<sup>27</sup> On that decree, see Miriam Pucci Ben-Zeev, *Jewish Rights in the Roman World: The Greek and Roman Documents Quoted by Josephus Flavius*, TSAJ 74 (Tübingen: Mohr Siebeck, 1998), 328–42.

<sup>28</sup> *Ibid.*, 460: “Privileges were indisputably granted to the Jews too, as to most other peoples who lived in the Roman world.” For privileges of Judeans, see esp. Josephus, *A.J.* 14.235: The praetor Lukios Antonius Mark informs the city of Sardis that the Judeans have always been allowed to have “according to their paternal law their own meetings and their own place where they decide the business and the disputes that exist between them” (σύνοδον ἔχειν ἰδίαν κατὰ τοὺς πατρίους νόμους ἀπ’ ἀρχῆς καὶ τόπον ἴδιον, ἐν ᾧ τὰ τε πράγματα καὶ τὰς πρὸς ἀλλήλους ἀντιλογίας κρίνουσιν). This guarantee to put one’s own affairs in order does not indicate anything that members of ancient associations did not also commit to, namely, to settle disputes among themselves according to their own rules (see, e.g., P.Lond. 7.2193 [GRA 3.199; Philadelphia, 69–58 BCE]; IG II<sup>2</sup> 1368 [GRA 1.51; Athens, 164/165 CE; 1 Cor 6:1–4]).

<sup>29</sup> See, e.g., Emil Schürer, *The History of the Jewish People in the Age of Jesus Christ (175 B.C.–A.D. 135)*, ed. Geza Vermes et al., rev. ed., 3 vols. in 4 (Edinburgh: T&T Clark, 1973–1987; German original, 1901–1909), 3.1:119–20; Pucci Ben-Zeev, *Jewish Rights*, 435.

in such a way that Paul can be silenced, let alone punished.<sup>30</sup> Because the Judeans had no authority over their members in criminal law, they believed that the intervention of the Roman state was necessary. There is not a single case in Acts outside of Judea in which Judeans take action against Paul and his companions without obtaining support from the pagan side. This changes only in Jerusalem, where the local Judean authorities actually have the authority to arrest and punish people (21:27–32).<sup>31</sup>

It would also be completely implausible to assume that the permission given by the Roman rulers to continue to follow the torah everywhere extended to all areas of law. For example, the death penalty set forth in the torah for a variety of offenses could not have been within the jurisdiction of the diaspora synagogues, since it was not even enforceable in Judea. On the contrary, the two testimonies for death sentences and their execution by Judean authorities, which are both exceptions, are from Palestine: Stephen (Acts 7:54–60) and James (Josephus, *A.J.* 20.200–201). Luke’s account, according to which Paul would have needed authorization from Jerusalem to take action against Christ-believers in Damascus (Acts 9:1–2), also indirectly indicates the same. The author did not assume that diaspora synagogues had the power to use force against their members on their own authority.

Not one of the many Greek and Roman critics of ancient Judaism argues that, in diaspora synagogues, actions that were unproblematic in the pagan environment, such as homosexuality, exogamy, or sexual intercourse with a menstruating woman, were punished with corporal or capital sentences. For this reason, the decrees cited by Josephus and their literary context speak of festivities, food commandments, the Sabbath, community meals and the right of assembly, exemption from military service, and the collection of funds for the Jerusalem temple.<sup>32</sup> There is no suggestion that this also includes the possibility of criminal measures or corporal punishment.<sup>33</sup> Moreover, Josephus would probably have pointed this out very explicitly, if the Roman authorities had allowed it. In fact, this would have gone far

<sup>30</sup>The subsequent beating for the *archisynagōgos* Sosthenes also takes place before the governor, not in the synagogue, and is only an expression of dissatisfaction with Paul’s actions (Acts 18:17).

<sup>31</sup>Thus, the specifications contained in Mishnah tractate Makkot, on the one hand, are geared toward Palestine, for example, concerning the temple and the sacrificial cult. On the other hand, it must also be questioned whether in the second or third century CE there was any real background to these punishments and the guidelines for their execution in the Roman Empire.

<sup>32</sup>Some of the privileges were, in any event, valid only for a specific place: for example, the tax exemption in sabbatical years (Josephus, *A.J.* 14.202, 206) applied only in Judea, not in the diaspora; see Pucci Ben-Zeev, *Jewish Rights*, 440.

<sup>33</sup>For a completely different approach, see, e.g., Sanders, “Paul on the Law,” 87, in whose view flogging was the substitute for the death penalty in the diaspora. But inasmuch as there is no evidence of corporal punishment in the diaspora, it is much more likely that it was imposed and executed only in Judea and Galilee. In fact, it is only in the Mishnah that we find the tradition that the penalty of execution is replaced by the thirty-nine lashes (m. Mak. 3:15).

beyond what other communities within a polis would have been granted and would have emphasized the special status of synagogues even more clearly.<sup>34</sup>

If we take into account the principles of Roman law, the configuration of special rights for Judeans in the diaspora, and the literary depiction of Judean violence against Paul in Acts, the finding is clear. This evidence makes it highly improbable that Paul suffered this chastisement in the diaspora. The situation, of course, is different for Palestine.

### *The Legal Situation in Judea and Galilee*

In Judea and Galilee, until 70 CE, Judean *synedria* assembling in synagogues functioned as local courts, which had the authority to impose and execute punishments in accordance with their torah-oriented guidelines.<sup>35</sup> Since synagogue buildings in Judea and Galilee were the centers of local social structures, it is reasonable to assume that trials were decided and corresponding punishments were carried out in such meeting places.<sup>36</sup> It is therefore not surprising that there are no reports, apart from Paul's, that anyone had been subjected to this form of corporal punishment: After 70 CE the Judean legal bodies in Judea and Galilee no longer had these powers, and in the diaspora they had never existed. It happened only where Judean

<sup>34</sup>One could also add that this was even more impossible for a Roman citizen like Paul. If flogging was already forbidden under Roman law (see, e.g., Acts 22:25–29), and if corresponding occurrences therefore also appear as exceptions, then it would be even more incomprehensible for diaspora synagogues to have been exempt from this provision.

<sup>35</sup>See G. Anthony Keddie, *Class and Power in Roman Palestine: The Socioeconomic Setting of Judaism and Christian Origins* (Cambridge: Cambridge University Press, 2019), 26: "This official also oversaw matters of land distribution, local justice, and social organization in the villages under his jurisdiction." This Hellenistic system of toparchies, which left relatively substantial responsibility to local authorities, was also continued by the Romans (28–30). According to Josephus, *A.J.* 14.91 (*B.J.* 1.169–170), five *synedria* were established by the governor Gabinius in 57 BCE, but these organizations came to an end when Hyrcanus II gained control over the country. Subsequently, the Jerusalem *synedrion* convened frequently in order to deal with judicial and economic matters (see Keddie, *Class and Power*, 117). However, the influence of the Jerusalem high priests on the jurisdiction in Judea and Galilee was quite limited. According to the Mishnah, the corporal punishment could be imposed by a panel of three judges (*m. Sanh.* 1:2). This must be distinguished from the beating of Jesus ben Hananias, which was done not by the Jerusalem *synedrion* but by "respectable citizens" and later by the Romans at the request of the rulers of Jerusalem (*Josephus, B.J.* 6.302–304).

<sup>36</sup>See Anders Runesson, "Placing Paul: Institutional Structures and Theological Strategy in the World of the Early Christ-Believers," *SEÁ* 80 (2015): 43–67, here 49: "Behind the many terms for 'synagogue' we find in the first century two basic kinds of institution: a local public civic institution on the one hand, existing where Jews were in administrative control in the land of Israel, and an association type of institution, i.e., a Jewish association, which could be found both in the Diaspora and in the land, on the other." See also Pucci Ben-Zeev, *Jewish Rights*, 431–32.

authorities actually had the mandate to do it, that is, in Galilee and Judea before 70 CE.<sup>37</sup>

The fact that flogging was a measure of general jurisdiction that was not carried out in voluntary groups also corresponds to the circumstance that the community of Qumran apparently knew no corporal punishment. For various offenses, there are only measures of food deprivation or temporary or permanent exclusion from the community (4QD<sup>c</sup> [4Q270] 11 I, 1–16; 1QS VI, 24–VII, 7). This corresponds essentially to what we also know of Greco-Roman associations.<sup>38</sup>

The Synoptic Gospels also testify to beating or flogging in synagogues occurring in Judea or Galilee. Mark 13:9 says that the followers of Jesus have to reckon with being handed over to the *synedria* and beaten in synagogues (παραδώσουσιν ὑμᾶς εἰς συνέδρια καὶ εἰς συναγωγὰς δαρήσεσθε). The position of this prophecy in the course of Mark 13 indicates that this part of the eschatological expectations has already been fulfilled. The author of the gospel marks his own position in the eschatological process with the sentence “he who reads it, beware” (Mark 13:14). Seeing that the “abomination of desolation,” that is, the destruction of the temple, has already taken place, the events mentioned earlier refer to the past as experienced by him. These include trials before *synedria*, floggings in synagogues as well as interrogations before governors (those of Judea) and kings (Herod Antipas, Agrippa I and Agrippa II). Local *synedria* were the judicial and administrative councils for these affairs, while synagogues were the places where these councils met and where punishments were executed.<sup>39</sup> Therefore, if we wanted to give the

<sup>37</sup>See also Sanders, *Schismatics, Sectarians*, 204. The situation is different for Ptolemaic Egypt, where a Judean jurisdiction prevailed in *politeumata*; see Patrick Sängler, *Die ptolemäische Organisationsform politeuma: Ein Herrschaftsinstrument zugunsten jüdischer und anderer hellenischer Gemeinschaften*, TSAJ 178 (Tübingen: Mohr Siebeck, 2019), 34, 83. For Egypt, too, it is documented that the Judeans of Alexandria demanded the “privilege” of being whipped by the authorities, not like slaves, when they were condemned, but with sticks like Alexandrian citizens (Philo, *Flacc.* 78–80); see, e.g., Glancy, “Boasting of Beatings,” 109. This would hardly have been noteworthy, if in the synagogues themselves flogging with a leather whip had been common practice. The situation in the Babylonian diaspora must also be distinguished from this, but its legal relations are of no relevance to our question.

<sup>38</sup>See Cecilia Wassen, “Damascus Document,” in *T&T Clark Encyclopedia of Second Temple Judaism*, ed. Daniel M. Gurtner and Loren T. Stuckenbruck (London: T&T Clark, 2019), 1:142–46, here 146: “A noticeable feature, which D shares with S and 4Q265, is a penal code that regulates penalties in the form of exclusion from pure things combined with a penalty that likely consists of reduced food portions. The sentences range from light penalties, e.g. 30 days of exclusion and ten days’ penalty for falling asleep during a meeting, to the most severe, which is expulsion from the community; this punishment applies to the case of a member who rejects ‘the law of the Many’ (4QD<sup>a</sup> 10 ii 5–6; 4QD<sup>c</sup> 7 i 11).” Jonathan Vroom discusses in detail the penal provisions in the Qumran texts, with Deut 25:1–3 playing no role (*The Authority of Law in the Hebrew Bible and Early Judaism: Tracing the Origins of Legal Obligation from Ezra to Qumran*, JSJSup 187 [Leiden: Brill, 2018], 148–73).

<sup>39</sup>Douglas R.A. Hare thinks that the *synedria* could also be pagan institutions (*The Theme*

punishment of thirty-nine strokes a title that refers to the instance that imposed the sentence, “synedrion penalty” would be more appropriate.

In Matt 10:17–18, the author includes the passage from Mark 13:9 in a speech about the disciples’ mission to the “house of Israel.” The wording *παραδώσουσιν γὰρ ὑμᾶς εἰς συνέδρια καὶ ἐν ταῖς συναγωγαῖς αὐτῶν μαστιγώσουσιν ὑμᾶς* (“they will hand you over to the *synedria* and will scourge you in their synagogues”) makes even closer reference to the actual punitive acts against Christ-believers in Judea and Galilee.<sup>40</sup> In my opinion, Matthew is thinking especially of the conditions in Palestine.<sup>41</sup> In fact, the experience before 70 CE largely corresponded to the situation presented here: Christ-believers were convicted by local courts (*synedria*) and given corporal punishment. According to Acts 5:27–41, Peter and John were treated this way when they were brought before the Jerusalem *synedrion*, interrogated, and finally beaten. Paul was questioned by two governors and King Agrippa II (Acts 24–26), similar to James Zebedee before Agrippa I (Acts 12:1–2). Luke, in contrast, did not include the beating or flogging in the synagogues in the gospel (Luke 21:12) but mentions it as a practice of Paul in Acts 22:19 (*ἐγὼ ἤμην φυλακίζων καὶ δέρων κατὰ τὰς συναγωγὰς τοὺς πιστεύοντας*, “in every synagogue I imprisoned and beat those who believed”). According to Acts, this can have happened only in Palestine, since Paul was never active as a persecutor outside Judea.<sup>42</sup>

Another thing is striking: Paul does not state in 2 Cor 11:24 that he received the punishment “from the synagogues of the Judeans,” but only “from Judeans.” It is therefore quite possible that Paul wanted *ὑπὸ Ἰουδαίων* to be understood here with a specific geographical connotation. This is also conceivable for 1 Thess 2:14 (*ὑπὸ τῶν Ἰουδαίων*), for here Paul focuses on the local conditions. The believers in

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*of Jewish Persecution of Christians in the Gospel according to St Matthew*, SNTSMS 6 [Cambridge: Cambridge University Press, 1967], 102–3), although this is highly unlikely given the use of language and the connection with the synagogues. The Mishnah tractate Makkot describes in more detail how such a beating should be performed (3:12–14).

<sup>40</sup> See Hare, *Theme of Jewish Persecution*, 104.

<sup>41</sup> Cf. *ibid.*, 105: “For Matthew, therefore, the reference to floggings in the synagogues is a prediction already fulfilled in the past rather than a contemporary experience.” I would add, however, that this is not because Judaism and Christianity have separated. See also Ulrich Luz, *Das Evangelium nach Matthäus*, 4 cols., EKKNT 1 (Neukirchen-Vluyn: Neukirchener Verlag, 2002–2007), 2:110–11, although he thinks that these punishments might also have happened outside of Palestine.

<sup>42</sup> The passages in Gal 5:11 and 6:12, which both suggest that Judeans—believers or nonbelievers—“persecuted” others who did not circumcise Christ-believing people from the nations, probably do not speak of violent measures. The verb *διώκειν* used there has a wide range of meanings. For the diaspora context that exists here, polemics, breaking off social relationships and exclusion from the synagogue community could be imagined. See, e.g., Hare, *Theme of Jewish Persecution*, 60–61; against Sanders, “Paul on the Law,” 86; Oropeza, *Exploring Second Corinthians*, 648.

Thessalonica suffered from their countrymen the same as the believers in Judea suffered from theirs.<sup>43</sup>

All in all, however, it is much more probable that Paul was subjected to this punishment while he was in Judea or Galilee.<sup>44</sup> There, after all, he was under the jurisdiction of local Judean authorities. But this also means that the punishment of thirty-nine lashes is not an expression of inclusion in or exclusion from Judaism but was rather connected with the legal situation in Judea and Galilee.<sup>45</sup> Paul could not help it, because the local *synedria* were simply the authorities that were responsible for public order and compliance with the law. They enforced it also through corporal punishment, and Paul had to suffer it. The conclusion drawn by Sanders—“*Punishment implies inclusion*”—therefore, in my opinion, misses the legal and cultural-historical conditions of the first century CE.<sup>46</sup>

### III. CONCLUSIONS FOR THE RECONSTRUCTION OF PAUL

If this reconstruction of the legal and historical context is correct, these punishments can no longer be taken as an argument for Paul’s lasting embeddedness within Judaism. Of course, it is quite possible or even probable that Paul attended

<sup>43</sup>See, e.g., Markus Bockmuehl, who even thinks that Paul is referring in 1 Thess 2 to a persecution in Palestine in the year 48/49 CE, which is mentioned by the sixth-century historian Malalas (*Chron.* 10.25) (Bockmuehl, “1 Thessalonians 2:14–16 and the Church in Jerusalem,” *TynBul* 52 [2001]: 1–31, here 12).

<sup>44</sup>Incidentally, scholars of Jewish studies at the beginning of the twentieth century stated that this penalty was just permitted in Palestine and only in later times allowed by the rabbis in the diaspora; see Kaufmann Kohler and David W. Amram, “Corporal Punishment,” *JE* (1906) 4:277–78, <http://www.jewishencyclopedia.com/articles/4672-corporal-punishment>; Wilhelm Bacher and Lewis N. Dembitz, “Stripes,” *JE* (1906), 11:569–70, <http://www.jewishencyclopedia.com/articles/14083-stripes>: “The courts of Israel ceased, long before the destruction of the Temple, to try cases involving the death-punishment; but they continued to condemn to stripes till the fall of the Temple, and, in many places in Palestine, much longer. But as this could be done by ordained judges only, the courts of the Jewish colonies in Babylonia and elsewhere, though exercising much authority, could not sentence a man to stripes ‘according to the Torah.’ Hence, as a necessity, the Rabbis undertook to impose a ‘beating for rebellion’ (‘makkat mardut’), sometimes for capital, sometimes for other, offenses against the Mosaic law; sometimes for disobedience to ‘institutions of the scribes’; often in order to compel the performance of a duty; and all this without the judicial formalities which surrounded the infliction of the forty stripes.”

<sup>45</sup>Cf. Sanders, *Schismatics, Sectarians*, 5–6: “That is, simply by being in Jerusalem, was he not within Jewish society?”

<sup>46</sup>Sanders, “Paul on the Law,” 89. See also Anthony E. Harvey, “Forty Strokes Save One: Social Aspects of Judaizing and Apostasy,” in *Alternative Approaches to New Testament Study*, ed. A. E. Harvey (London: SPCK, 1985), 79–86, here 92–93: “Having committed an offence and having been found guilty by Jewish courts, he had to discharge the sentence imposed on him before he could be readmitted to the Jewish community and continue preaching where his missionary work had most effect—among the Gentile sympathizers.”

synagogues during his travels in the diaspora and considered himself a Judean. However, in view of the evidence presented above, 2 Cor 11:24 can no longer be used to prove this.

Romans provides another hint about a connection between the thirty-nine blows and Judea. As he prepared to take the collection to Jerusalem, Paul worried about how he would fare there. He asks the believers in Rome to pray for him, “that I may be delivered from those who are disobedient in Judea” (Rom 15:31). The punishments he had previously suffered there made him fear, and justifiably so, that he would again experience similar things during his coming stay in Jerusalem. The authorities ἐν τῇ Ἰουδαίᾳ were hostile to the apostle.

That Paul had suffered the lashes only as a believer in Christ is, of course, suggested by the context in 2 Cor 11. This may have happened during his first journey to Jerusalem, when he visited Peter and James and might explain why Paul was only briefly in Jerusalem (Gal 1:18).<sup>47</sup> Another possible instance of the violence was on the journey to the meeting with the Jerusalem community, although we know nothing about the duration of this travel (Gal 2:1–10; Acts 15). On this occasion, too, Paul could have been attacked, in Jerusalem as well as on the way. Finally, the journey from Caesarea to Antioch could have occasioned such treatment (Acts 18:22), although it is less likely that Paul came through Judea or Galilee, even if we cannot be certain.<sup>48</sup> Thus, there were several phases in the activity of the apostle during which he was in Judea and Galilee for a correspondingly long period of time, during which he could have suffered these punishments.<sup>49</sup>

What remains open at this point is the cause for the actions of the local authorities against Paul. The Mishnah gives a number of reasons for the imposition of the thirty-nine lashes (m. Mak. 3), including sexual offenses,<sup>50</sup> the violation of ritual

<sup>47</sup>The account in Acts 9:29, according to which Paul was threatened with death by Hellenists, is designed to imply a conformity with Stephen (see Acts 6:9–12). In Acts 21:27–28 this hostility of diaspora Judeans against Paul is taken up again.

<sup>48</sup>I favor the interpretation of Acts 18:22 that Paul did not go to Jerusalem after his arrival in Caesarea. The Lukan wording is, in fact, ambiguous at this point.

<sup>49</sup>Against Hare, *Theme of Jewish Persecution*, 45, 62; Goodman, “Persecution of Paul,” 148: “It is a reasonable hypothesis that the beatings took place in the diaspora, where Paul undertook most of his mission, rather than Judea, not least because a fivefold repetition of so serious a punishment is hard to envisage within the comparatively short period of Paul’s known residence in Jerusalem after his conversion.” Ralph P. Martin dates the punishments to an early phase of the Pauline activity, admittedly without indicating the place (*2 Corinthians*, WBC 40 [Waco, TX: Word, 1986], 377). Martin Hengel and Anna M. Schwemer date it to Paul’s time in Syria and Cilicia (*Paulus zwischen Damaskus und Antiochien: Die unbekanntes Jahre des Apostels*, WUNT 108 [Tübingen: Mohr Siebeck, 2000], 452 n. 1858).

<sup>50</sup>Specifically included are different forms of incest, sexual intercourse with a menstruating woman, marriage of widows or divorcees to priests, or marriages between Israelites and people of unclean origin. See also Josephus, *A.J.* 4.248: thirty-nine lashes for defaming a virgin. I doubt that Paul’s conduct fell under any of those paragraphs.

commandments,<sup>51</sup> the adoption of forbidden mourning rituals,<sup>52</sup> the breaking of Nazirite vows,<sup>53</sup> and the violation of work regulations, especially in agriculture.<sup>54</sup> Furthermore, false witnesses should be punished accordingly (m. Mak. 1).<sup>55</sup> It is certainly problematic to apply these provisions directly to Paul, as they represent the ideas of a small group within Judaism from later times and lacked the legal force they claim.

As detailed as this list may be, one can assume that the cases in which the punishment was applied were significantly more frequent than the rabbis record here. The basic provision in Deut 25:1–3 is open with regard to the offenses, since it very generally refers to a legal dispute (רִיב; ἀντιλογία) between men that ends with the guilty party being beaten by the judge. If local authorities in Judea or Galilee invoked this provision, the punishment could be imposed for any perceived offense. Such penalties were considered, above all, to be coercive measures to prevent people from deviant behavior in the future. After all, the punishments were not acts of atonement but, as R. Hananiah ben Gamaliel put it, “Once he has been lashed he is [considered] your brother” (m. Mak. 3:15). This means that after the beating has been executed, the matter should actually be considered settled.

In consequence, what led to the punishments of Paul in Judea and Galilee by the local authorities cannot be clearly surmised.<sup>56</sup> It is likely that his appearance was fundamentally marked by the fact that he turned out to be a dissident, an outsider, and a troublemaker in the respective local communities. This may have been because he was trying to attract people to faith in Christ in the regions of Galilee and Judea. We can then with good reason recognize the same procedure that Luke

<sup>51</sup>Offenses include eating holy meat, performing sacrifices outside the temple, violating the fasting and work prohibition on Yom Kippur, violating the food commandments, breaking the bones of the Passover sacrifice. M. Mak. 3:2: “One who eats an animal that died a natural death; Or was improperly slaughtered; Or any of the [creatures deemed] ‘abominable’ and ‘teeming’. One who eats non-tithed produce, or first-tithe from which heave offering has not been removed, or unredeemed second-tithe, or unredeemed sanctified property.” M. Tem. 1:1 prescribes this penalty for the substitution of sacrificial animals.

<sup>52</sup>Forbidden rituals would include shearing of the head, incisions, and tattoos.

<sup>53</sup>Breaking the Nazirite vow would include drinking of alcohol, defilement with corpses, shearing of the head; see also m. Naz. 4:3. One might think here of Acts 18:18. Perhaps Paul had also violated vows that he had taken before he turned to the faith in Christ. After all, according to his own statement, he stood out among his peers as a particularly keen observer of the torah (Gal 1:14). However, since we have no evidence to support this conclusion, it is rather speculative.

<sup>54</sup>Forbidden practices would include ploughing with ox and donkey together (see also m. Kil. 8:2–3) or on holy ground; sowing two kinds of seed; sowing in a sabbatical year, or on a feast day, or as a priest, or as a consecrated person, or on unclean ground. These regulations certainly did not apply to Paul.

<sup>55</sup>The Talmud once states that this punishment shall be imposed if the time requires it (b. Sanh. 46a).

<sup>56</sup>For an overview of possibilities, see Bolton, “Paul and the Whip,” 370–73.



narrates for Peter and John in the context of the Jerusalem events (Acts 5:40). But the fact that not all Christ-believers in Judea and Galilee suffered the same fate indicates that the problem was more than faith alone. At issue were either certain contents of Pauline teaching or, more likely, certain practices that were the reason for the punishments.<sup>57</sup>

One potential background, however, is that Paul was in close association with people from the nations. According to Gal 2:1–3, he took Titus, a Greek, with him, when he went to Jerusalem. The most probable explanation seems to me that, in addition to the effort to recruit people to faith in Christ, some violation of certain regulations regarding food fellowship (Who took part in the meal?) and the food itself (What was eaten?) led to corresponding accusations. Should Paul have maintained the Antiochene practice of no longer paying attention to whether torah regulations were observed at a meal during his journeys through Galilee and Judea, this would indeed be a violation in accordance with later rabbinical regulations. Yet this line of reasoning leads us into uncertain territory, especially since Paul wants to give the impression in 2 Cor 11 that it was his apostleship and the proclamation of the gospel that caused him these difficulties. The fact that the punishment was carried out five times might indicate that the attempts to bring Paul “back into line” failed thoroughly, but these penalties could just as well have been carried out on different occasions and in different places.

Moreover, Paul’s further story becomes readily understandable against this background. When he came to Jerusalem with his collection, he had already been beaten five times in Judea and Galilee. Neither his own fear (Rom 15:31) nor the account in Acts is therefore implausible. Even if the accusation of the Judeans of Asia in Jerusalem is phrased in relatively general terms—“This is the man who teaches everybody and everywhere against the people, the law and this place” (οὗτός ἐστιν ὁ ἄνθρωπος ὁ κατὰ τοῦ λαοῦ καὶ τοῦ νόμου καὶ τοῦ τόπου τούτου πάντας πανταχῆ διδάσκων, Acts 21:28)—this background makes it easy to understand that Paul was known to be a dissident and a troublemaker, and even repeated attempts to bring him to his senses had not been successful.

Against this background, 1 Thess 2:14–16 also gains a more personal touch. We should then assume that the punishments that Paul himself experienced are also to be counted among the measures suffered by the assemblies of Christ-believers in Judea. The phrasing καὶ ἡμᾶς ἐκδιώξαντων (“and drove us out,” 2:15) is therefore not necessarily aimed at Judeans in the diaspora but could also be based on his violent experiences in Judea. The statement, however, that Judeans prevented the preachers from speaking to the nations (2:16) rather belongs in the context of the

<sup>57</sup> See Hare, *Theme of Jewish Persecution*, 27–28, who rightly points out that aggressions obviously did not affect everyone equally. Of James the brother of Jesus, for example, no such thing is reported until his death in 62 CE.

diaspora. One can see a pattern behind this: violence in Judea, hindrance of the proclamation in the diaspora.<sup>58</sup>

If this historical reconstruction is correct, then we can conclude the following with good reason: The self-stigmatization of Paul as a persecuted person in 2 Cor 11:24 had its real background in concrete experiences of violence that the apostle suffered from the public authorities of Judea and Galilee. For the question about his relationship to or position within ancient Judaism, the repeated thirty-nine lashes do not give any positive or negative information. They should not be interpreted as a sign of his affiliation or break with Judaism since they were imposed on him by the administrative authorities in Judea and Galilee.

<sup>58</sup>Sanders assumes quite plausibly that Paul in 1 Thess 2:14 also indicates the geographical limits of the possibilities of violent persecution for Judeans: beyond Judea, they had no chance to do so (*Schismatics, Sectarrians*, 8).