

THE DEATH OF HEROD THE GREAT AND THE LATIN JOSEPHUS:  
RE-EXAMINING THE TWENTY-SECOND YEAR OF TIBERIUS

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It was W.E. Filmer who swam against the scholarly tide that was flowing in the late nineteenth and into the twentieth centuries, and who made the case for the death of Herod the Great in 1 BCE. The widely accepted date by scholars at that time was 4 BCE, a dating of Herod's death first advocated by Emil Schürer in his classic work, *A History of the Jewish People in the Time of Jesus Christ*.<sup>1</sup> Schürer based his thesis on the fact that Josephus stated in his *Jewish Antiquities* that Herod reigned for thirty-seven years from the date of his appointment by Rome in 40 BCE, and thirty-four years from his conquest of Jerusalem in 37 BCE. He also asserted that Herod died shortly after a lunar eclipse sometime before the Passover festival.<sup>2</sup> Schürer wrote, 'Only on the night of March 12/13, 4 BC was there a lunar eclipse, and there was no such phenomenon in 3 or 2 BC. Accordingly the death of Herod took place between March 12 and April 11 in the year 4 BC.'<sup>3</sup> Filmer, however, challenges this classic assertion, arguing that Herod's appointment was in fact in 39 BCE and his capture of Jerusalem in 36 BCE, which would require a 2 BCE date for the old king's death. Furthermore, Josephus's method of reckoning *reign* lengths and the lunar eclipse that preceded Herod's death would push the date of 2 BCE forward to 1 January 1 BCE.<sup>4</sup> Filmer concludes, 'There are, of course, weaknesses on both sides, but it is submitted that Schürer's dates for the accession of

1. W.E. Filmer, 'The Chronology of the Reign of Herod the Great', *JTS* 17 (1966), pp. 283-98. See also Emil Schürer, *A History of the Jewish People in the Time of Jesus Christ* (5 vols.; New York: Charles Scribner's Sons, 1891).

2. Josephus, *Ant.* 17.167, 191, 213; see also his *War* 1.665.

3. Schürer, *History*, I, p. 465 n. 1.

4. Filmer, 'Chronology'. See also Timothy D. Barnes, 'The Date of Herod's Death', *JTS* 19 (1968), pp. 204-209.

Herod in 40 or 37 BC cannot be upheld, and since it is impossible to accept parts of both chronologies, the entirety of the chronologies must be rejected. If, as seems likely, Herod's accession was one year later, this would lead to the conclusion that he died in January, 1 BC.<sup>5</sup> Timothy Barnes soundly refuted Filmer's argument in 1969.<sup>6</sup> But one last piece of evidence that could not be easily put to rest remains in Filmer's favor.

According to Josephus in his *Antiquities*, Herod's successor in Iturea, Philip, died in the twentieth year of emperor Tiberius after reigning as tetrarch for thirty-seven years.<sup>7</sup> This would make Philip the Tetrarch's death to be sometime in 34 CE, since his reign would have started in 4 BCE after the death of his father, Herod the Great. But Filmer suggests that this reading of the Greek in Josephus was an error: 'It seems that a figure has been dropped, and that the text should probably read the 22nd year of Tiberius'.<sup>8</sup> Filmer surmises that, if Philip died in the twenty-second year of the Emperor's reign or 36 CE, he would have begun his reign in 1 BCE. Filmer finds support for this proposed reading of Josephus from a critical text: the Latin translation of Josephus made at the behest of Cassiodorus, which originally dates from the sixth century.<sup>9</sup> Filmer writes, 'F. Riess quotes the Franciscan Molkenbuhr as saying that he had seen early copies of Josephus, one a Parisian copy dated 1517 and another a Venetian copy dated 1481, in which the text reads "the 22nd year of Tiberius"'. Filmer says that, if this could be verified, 'it would not only clear up a difficult passage in Josephus, but make it difficult to argue from the text that Herod died in 4 BC'.<sup>10</sup>

Florian Riess, in his book, *The Birth Year of Christ: A Chronological Attempt with a Synchronism over the Abundance of the Times*, published in 1880, has indeed supported Filmer's thesis, which argues that Herod died in 1 BCE.<sup>11</sup> In fact, the scholar Joseph Justus Scaliger, who, in the 1629 edition of his *Study on the Improvement of Time*, concluded

5. Filmer, 'Chronology', p. 298.

6. See Barnes, 'Date of Herod's Death'.

7. Josephus, *Ant.* 18.106.

8. Filmer, 'Chronology', p. 298

9. Barnes, 'Date of Herod's Death', p. 205.

10. Filmer, 'Chronology', p. 298.

11. Florian Riess, *Das Geburtsjahr Christi: Ein chronologischer Versuch mit einem Synchronismus über die Fülle der Zeiten und zwölf mathematischen Beilagen* (Freiburg: Herder, 1880), p. 54.

that Herod died in 1 BCE, already argued this thesis nearly three hundred years ago. Scaliger quoted the supposed Rufinus's (but actually Cassiodorus's) Latin version of Josephus, which reads that Philip the Tetrarch died in the *vicesimo secundo anno, imperante Tiberio* reign ('the twenty-second year of Tiberius's reign').<sup>12</sup> In a 1996 paper presented to the Society of Biblical Literature, David W. Beyer reports his findings from rummaging through the crumbling collections in the British Library and the Library of Congress that not only both the 1481 and 1517 copies of the Latin *Antiquities* support the later date reading, but that also thirty-one other editions dating to the twelfth century and printed editions dating prior to 1544 all read, 'the twenty-second year of Tiberius'.<sup>13</sup>

Moreover, Beyer presents strong evidence and argues that it was only in 1544, with the printing of a Greek text of the *Antiquities* in Basel, that the year of Philip's death was changed to 'the twentieth year of Tiberius' due to an error in printing. Beyer writes, 'Unfortunately, this Greek edition was destined to become the universally accepted standard by the highest echelons of the scholastic world even though its chronology of Philip and Herod was divergent to all previously recorded histories'.<sup>14</sup>

Beyer is half right in that William Whiston indeed based his classic English translation of Josephus's *Antiquities* on the 1544 Basel Greek edition, and this work did have a direct impact on the scholarly world for generations.<sup>15</sup> Nevertheless, Benedict Niese's 1887 work, which is in Greek, was the one that served as the basis for modern scholarship, especially with the continuing publication of Josephus's works in the Loeb Classical Library through the 1960s. And for this Greek edition of Book XVIII, Niese used much earlier manuscripts, those that were even earlier than the 1544 Basel Greek edition, which include the 1354

12. Joseph Scaliger, *Opus de emendatione temporum* (Geneva: Roverian, 1629), p. 463.

13. David W. Beyer, 'Josephus Reexamined: Unraveling the Twenty-Second Year of Tiberius', in Jerry Vardaman (ed.), *Chronos, Kairos, Christos II: Chronological, Nativity, and Religious Studies in Memory of Ray Summers* (Macon, GA: Mercer University Press, 1998), pp. 85-96 (86-87).

14. Beyer, 'Josephus Reexamined', pp. 86-87.

15. See William Whiston (trans.), *The Works of Flavius Josephus* (repr. Peabody, MA: Hendrickson, 1987).

Codex Vaticanus Graecus and the eleventh-century Codex Bibliothecae Ambrosianae.<sup>16</sup>

And while Filmer, and later, Beyer, is able to point to the ancient Latin translation—‘the twenty-second year of Tiberius’ for Philip the Tetrarch’s death, which would have been 36 CE—Filmer does *not* report what the majority of the Latin translations said. For instance, some Latin translations indicate that Philip reigned for ‘thirty-two years’, while others indicate a reign of ‘thirty-five years’. But the preferred Greek text shows ‘thirty-seven years’—a perplexing problem that Beyer was later forced to ‘reveal’. And yet Beyer attempted to explain away ‘thirty-two years’ as Philip’s ‘de facto’ (by fact) inception of reign in 4 CE. He then reasoned that his ‘de jure’ (by law) reign of ‘thirty-five years’ began in 1 CE. Philip would thus have only a partial, and not a full, reign in 1 CE. Beyer does not explain how early Latin translators of Josephus could possibly have been aware of such minute nuances.<sup>17</sup> So how, then, are we to account for the early Latin manuscript translations of *vicesimo secundo* (twenty-second year) of Tiberius and Philip’s reign of *triginta duos annos* (thirty-two years) or *XXXV annos* (thirty-five years)?

More recently, Andrew Steinmann follows Beyer’s proposal. Steinmann argues for a very similar chronological range as Filmer, who states that the ‘figure *twenty* could be a textual error among later printed editions of Josephus, since it is more likely that the number *two* would have dropped out during transmission than it having been added somewhere along the way’.<sup>18</sup> He adds, ‘at the very least there is no sound reason for favoring the reading *twenty*, upon which the Schürer consensus is based, over the reading *twenty-two*. Moreover, given the more likely possibility that numbers can be omitted from the text during transmission rather than be added to the text, preference could well be given to the reading *twenty-two*.’<sup>19</sup>

Although I have no direct manuscript evidence for this, I would suggest the following hypothesis, which is equally as reasonable as Beyer’s

16. Heinz Schreckenberg, *Die Flavius Josephus—Tradition in Antike und Mittelalter* (Leiden: Brill, 1972). See also Benedikt Niese, *Flavius Josephus*. VII. *Flavii Iosephi Opera* (Berlin: Weidmann, 1885–1895).

17. See Beyer, ‘Josephus Reexamined’, pp. 87–88.

18. Andrew E. Steinmann, ‘When Did Herod the Great Reign?’, *NovT* 51 (2009), pp. 1–29 (24).

19. Steinmann, ‘Herod the Great’, p. 24.

(who is followed by Steinmann) position. In the original Greek of Josephus's *Antiquities*, it reads that Philip's death occurred in the 'twentieth year of Tiberius's reign': εἰκοστῷ μὲν ἐνιαυτῷ τῆς Τιβερίου ἀρχῆς. This Greek was then translated into Latin as *vicesimo anno imperante Tyberio*. At the same time, however, the scribe mistakenly wrote that Philip reigned for *XXXV annos* (thirty-five years) instead of the correct *XXXVII* years. The mistake was later found and corrected when the scribe was instructed to add two years to Philip's reign. Accordingly, but mistakenly, the scribe added two years to the twentieth year of Tiberius, instead of the 'XXXV years' of Philip's reign. One would expect this to have been written as *vicesimo secundo* (twenty-second). But instead, this was written in some of the earliest manuscripts as *vicesimo quidem secundo ano imperate tyberio*.<sup>20</sup> *Quidem* in Latin is translated as 'indeed' or 'certainly', which would mean something like 'the twentieth, indeed (or certainly) the second year of Tiberius's reign', which strongly indicates that *secundo* or *quidem secundo* was likely an addition to the original *vicesimo ano*. As Joseph Solodow writes, '*quidem* essentially emphasizes...but it does so in a special way, always with reference to something else. *Quidem* emphasizes one statement (or phrase or word) while directing our attention to another that contrasts with the first, supplementing or modifying.'<sup>21</sup> Thus, the Latin translation reads that Philip died in the twenty-second year of Tiberius's reign after reigning for thirty-five years, in contrast to the Greek, which states that he died in the twentieth year of Tiberius's reign after reigning for thirty-seven years. However, as was previously indicated, some manuscripts report that Philip reigned for *triginta duos annos* (thirty-two years). How is one to interpret this? I suggest that 'thirty-two' might have in fact replaced *XXXV annos* (thirty-five years) when a copyist was further instructed to add two years to *XXXV annos*. But he instead made a further error by mistakenly replacing it with *triginta duos annos* (thirty-two years). The only hesitation I have with all these suggestions is that the earliest Latin manuscripts (twelfth to fifteenth century) state that Philip reigned for

20. Ludovico Cendratta (ed.), *De antiquitate Judaica. De bello Judaico* (trans. Rufinus Aquileiensis; Venice: Vercellensis, 1486). Codex Gigas, also known as the 'Devil's Bible', which dates to the thirteenth century, interestingly has *xxxii anno*. This codex is now housed in the National Library of Sweden in Stockholm.

21. Joseph B. Solodow, *The Latin Particle 'Quidem'* (American Classical Studies, 4; Missoula, MT: Scholars Press, 1978), p. 13.

‘thirty-two years’, and the later printed manuscripts (1470–1514) state that he reigned for *XXXV* years, which can render the above hypothesis a bit doubtful.<sup>22</sup> But might the printed versions beginning in 1470 be based on an earlier and more accurate Latin translation? If this were the case, this would support the conclusion that the original Latin translation read that Philip reigned *XXXV annos* (a copyist’s mistake from the ‘thirty-seven years’ in the Greek), but a later copyist mistakenly altered this to *triginta duos* (thirty-two years), which was then reflected in later Latin manuscripts that followed, until it was corrected in 1470 by Johann Schlusser.

In other words, I realize that this is a complex solution to a seemingly complex problem, but it is a solution that has much validity and which serves as a reasonable explanation for Filmer’s and then Beyer’s reading of the ill-attested Latin manuscripts. However, all the complexities involved in the discussion of the year of Herod the Great’s death are, in fact, perpetuated by a simple mistake made by Flavius Josephus himself, which, if properly explained, might clarify this problem scholars have long sought to solve. In his earlier *The Jewish War*, Josephus dates Herod’s death to the Passover occasion in 3 BCE by counting the years of Herod’s reign ‘non-inclusively’ or by an accession system as we do with the term of office of elected officials in our modern day governments. Thus, when we look at the periods of the reign of Herod’s successors, Archelaus would have reigned for nine years from 3 BCE, Herod Antipas would likely have been deposed in 40 CE, and Herod Agrippa would have reigned for six years.<sup>23</sup> When Josephus wrote his later *Antiquities of the Jews*, he mentions that Herod died shortly after a lunar eclipse. However, he corrects this error and dates Herod’s and his successors’ reigns inclusively (i.e. to include the first year the reign began as year one and counting successively from there) by putting Herod’s death in 4 BCE. Thus, in the *Antiquities*, Archelaus reigns for ten years, Antipas is deposed in 39 CE, and Agrippa reigns for seven years.<sup>24</sup> Some of the chief evidence for this can be seen in how scholars have debated back and forth over the years as to whether Josephus dates Herod’s reign ‘accessively’ or ‘inclusively’.<sup>25</sup> The truth is that he uses

22. Beyer, ‘Josephus Reexamined’, p. 87.

23. Josephus, *War* 2.111, 181-187; 2.219-220.

24. Josephus, *Ant.* 17.342; 18.252; 19.351.

25. See Schürer, *History*; Filmer, ‘Chronology’; and Ormond Edwards, ‘Herodian Chronology’, *PEQ* 114 (1982), pp. 29-42.

both systems, first dating Herod's reign in *The Jewish War* by the supposed accession system, and then correcting this in the *Antiquities of the Jews* by dating the reign inclusively.

There have been scholars, E.L. Martin, and more recently, Steinmann, who doggedly maintain the idea of co-regencies for Herod's sons, pushing forward the king's death to 1 BCE.<sup>26</sup> Bieke Mahieu, in her comprehensive work on the reign of Herod and his sons, *Between Rome and Jerusalem*, states, 'there is, however, no suitable year starting from which such a co-regency could have been reckoned... Further, there is no evidence for such a co-regency.'<sup>27</sup> Josephus (at least in *Antiquities*) and numismatic evidence all put Herod's sons' reigns as beginning in 4 BCE.<sup>28</sup> Mahieu, however, suggests that 'the years of Herod's sons were reckoned neither from their accessions following Herod's death, nor from co-regencies predating Herod's death, but according to an era introduced by Herod (as a tribute to Caesar) in the latter part of his reign'. She calls this new Herodian era *pater patriae*, 'Father of the Country', in honor of Augustus's title in 2 BCE.<sup>29</sup> It is clearly beyond the scope of this article to re-examine the intriguing numismatic evidence put forth by Mahieu in support of this proposed new era of reckoning. My study rather attempts to re-examine the twenty-second year of Tiberius in the Latin Josephus as evidence for Herod the Great's death in 1 BCE, which I believe I have shown to be untenable, despite Mahieu's renewed support of the reading.<sup>30</sup>

26. Ernest L. Martin, *The Birth of Christ Recalculated* (Pasadena, CA: Foundation for Biblical Research, 2nd edn, 1980).

27. Bieke Mahieu, *Between Rome and Jerusalem: Herod the Great and his Sons in their Struggle for Recognition: A Chronological Investigation of the Period 40 BC–39 AD with a Time Setting for the NT Events* (Leuven: Peeters & Dept. of Oriental Studies, 2012), pp. 254.

28. For instance, as Hoehner has shown in regards to Philip: 'Since Philip reigned thirty-seven years, that is, he was in his thirty-eighth year (his last coin was minted in his thirty-seventh year, and reckoning backward from the Julian year that ended 31 December AD 34), Philip would have begun his reign in 4 BC' (Harold Hoehner, 'The Date of the Death of Herod the Great', in Jerry Vardaman and Edwin M. Yamauchi [eds.], *Chronos, Kairos, Christos: Nativity and Chronological Studies Presented to Jack Finegan* [Winona Lake, IN: Eisenbrauns, 1989], pp. 101-111 [107]).

29. Mahieu, *Between Rome and Jerusalem*, p. 255.

30. Mahieu, *Between Rome and Jerusalem*, pp. 402-403. Mahieu in fact proposes that Vitellius visited Jerusalem when he was governor of Syria in 36 CE,

Josephus's dating of Herod's death in 3 BCE in *The Jewish War* and his successors' reigning periods from the beginning of this date, and the seemingly contradictory date of 4 BCE and his successors' reigning periods from this date in the *Antiquities of the Jews* really serve to remind us that historians, in their writing of ancient manuscripts, did make errors. The contradictory information contained in the Greek and Latin manuscripts of Josephus's *Antiquities* regarding the end of Philip the Tetrarch's reign and the different information contained within the versions of the Latin manuscripts themselves also exemplify this point with reference to the mistakes committed by the copyists. And thus, we come to the heart of the issue as to why the date of Herod the Great's death even matters in the grand scheme of things.

Like Josephus in his composition of *The Jewish War* and the *Antiquities of the Jews*, the four evangelists also provide contradictory information regarding the year of the birth of Jesus of Nazareth in the composition of their Gospels. Matthew tells us that 'in the time of King Herod... Jesus was born in Bethlehem of Judea' (2.1). He goes on to tell us that, after the visit of the wise men, Herod 'killed all the children in and around Bethlehem who were two years old and under' (2.16). Shortly after this, we are told that Herod died (2.20). This means that, according to Matthew, Jesus was born at least two years before the death of Herod the Great. Now we know from the *Antiquities of the Jews* that this was around 4 BCE, which means that Jesus was born as early as 6 BCE or earlier. However, Luke puts Jesus' birth during the imperial census of Quirinius, which we know was most likely in 6 CE. We also know that John the Baptist began his ministry during the fifteenth year of Emperor Tiberius or in 29 CE, and Lk. 3.23 tells us that, following Jesus' baptism by John, Jesus 'was about thirty years old when he began his work'. This would place Jesus' birth at the earliest in 3 or 2 BCE or as late as in 6 CE (2.1-2; 3.1-2, 21-23).<sup>31</sup> This means that Luke, as a historian, presented information, perhaps

following Philip's death during the reign of Tiberius's twenty-second year (Tishri 35/36 CE), and that Agrippa I left Palestine for Italy in the spring of that year for the same reason (pp. 407-409).

31. But John Rist suggests that in Lk. 2.2, we should read 'Quintilius' instead of 'Quirinius' after Tertullian, who places Jesus' birth at the time when Sentius Saturninus was governor of Syria. Sentius apparently was the one responsible for initiating the census referred to by Luke (see John Rist, 'Luke 2.2: Making Sense of the Date of Jesus' Birth', *JTS* 56 [2005], pp. 489-91).



unknowingly, that Jesus was born some time *after* the death of Herod the Great in 4 BCE, and Matthew presented information that Jesus was born *before* the death of Herod the Great in 4 BCE.<sup>32</sup> Alternatively, accepting Luke's historicity in the infancy narrative, both Stanley Porter and Armand Puig i Tàrrach argue that Lk. 2.2 should be translated as 'this census (was) before (another census done) while Quirinius was governor of Syria' and not as 'this was the first census and was done while Quirinius was governor of Syria'.<sup>33</sup> It is not impossible from the sense of the Greek that Luke's source intended this to corroborate Matthew's history of the birth events.<sup>34</sup>

Accepting Matthew's dating, Joseph Ratzinger (Pope Benedict XVI) said it best regarding Herod's death and Jesus' birth: 'One initial problem (the date) can be solved quite easily: the census took place at the time of King Herod the Great, who actually died in the year 4 BC. The starting point for our reckoning of time—the calculation of Jesus' date of birth—goes back to the monk Dionysius (c. 550 CE), who evidently miscalculated it by a few years. The historical date of the birth of Jesus is therefore to be placed a few years earlier.'<sup>35</sup>

32. Interestingly, Gerard Mussies makes a strong case that Luke's intention was to date Jesus' birth after the reign of Herod the Great. Several early Jewish and Samaritan sources like *Contra Celsus*, *Toledoth Yeshu*, and *The Samaritan Chronicle* place the birth of Jesus in the first year of Herod the Tetrarch's reign (6/7 CE) after he assumed governmental control of Judaea from Archelaus (Gerard Mussies, 'The Date of Jesus' Birth in Jewish and Samaritan Sources', *JSJ* 19 [1998], pp. 416-37).

33. Armand Puig i Tàrrach, 'The Birth of Jesus and History: The Interweaving of the Infancy Narratives in Matthew and Luke', in B. Estrada et al. (eds.), *The Gospels: History and Christology: The Search of Joseph Ratzinger Benedict XVI* (2 vols.; Vatican: Libreria Editrice, 2013), I, pp. 353-97 (368-69); Stanley E. Porter, 'The Witness of Extra-Canonical Literary Sources to the Infancy Narratives of the Synoptic Gospels', in Estrada et al. (eds.), *The Gospels*, I, pp. 419-65 (452-60).

34. But Mussies delivers the *coup de grâce* for the possibility of an earlier census than 6 CE: 'According to Josephus (*Ant.* 18.26), however, the first census in Judaea was carried out by Quirinius and concluded "in the thirty-seventh year after the Battle of Actium" (2 Sep. 31 BCE), that is 6–7 CE. There can be little doubt that Josephus and Lk speak about the same event, for in Acts 5.37 there is a second reference to it, when Gamaliel I briefly refers to "(the days of) the registration", a well-known event by which he dates the rebellion of Judas the Galilaean' (Mussies, 'Date of Jesus' Birth', p. 418).

35. Except for the possibility of an earlier census, I believe Luke intended it to be that of Quirinius's in 6 CE (see Joseph Ratzinger, *Jesus of Nazareth, Part Three: The Infancy Narratives* [New York: Image, 2012], pp. 61-62).

Rightly or wrongly, scholars have since been engaged in some kind of chronological gymnastics to reconcile the two possible datings of Jesus' birth before the death of Herod the Great in 4 BCE and at the census of Quirinius in 6 CE. This paves the way for Jesus' birth to be dated to 3/2 BCE or earlier and suggests that Quirinius in fact conducted an earlier census before the clearly documented one in 6 CE. However, it is important to note that what we are dealing with here, ultimately, is a question of Synoptic harmony between Matthew and Luke. Do the Gospels, in their composition, contain chronological and historical errors like Josephus's composition of *The Jewish War* and *The Antiquities of the Jews*, but nevertheless reveal the more profound truth that the Word was made flesh with the birth of Jesus of Nazareth sometime before or after, the exact timing undetermined, the death of the pivotal, but tragic figure of Herod the Great?