Read it in Rome: miracles, documents, and an empire of knowledge in Justin Martyr's *First Apology*

Abstract: Roman ruling ideology stressed imperial control of knowledge, as well as of material and people. A range of evidence from across the empire suggests that these knowledge claims were commonly accepted, and often mobilised, by ruled communities. In his First Apology, Justin Martyr leverages these ideals for his own knowledge claims concerning the life of Jesus and his fulfilment of Hebrew Bible prophecies. It has already been recognised that Justin engages with the machinery of empire through packaging his Apology as a petition presented to the emperor. On the other hand, his citation of Roman documents at several points in the text has been neglected. A close examination reveals the importance of these citations to Justin's project, in which he utilises the supposed fidelity of Roman documents, and the idea of the emperor as a guarantor of collected knowledge, to authenticate his Christian claims. Finally, proceeding from suggestions about an internal audience for Christian apologetics, it is argued that these references should be seen as alleviating the concerns of an internal Christian readership, and not as overtures to non-Christian Graeco-Romans.

Rome ruled—and claimed to be entitled to rule—the *oikoumenē* not (purely) on the basis of its possession of arms, or of wealth, but also of knowledge, and truth. The imperial project was one that sought to count, document, circumscribe, define, taxonomise, and incorporate everything from the everyday (say, an individual provincial subject and his property; a plot of land in a centuriated grid; or the exact limits of a waterway) to the fantastical (for example, an island at the edge of the world claimed from the strange, sluggish ocean; oracular utterances by which a state might be led; and magical creatures languishing in imperial storehouses).[1] These claims, and the acceptance of them, relied on a set of technologies, institutions, practices, and principles (or beliefs), such as: documents, and the forms, inviolability, and value thereof;[2] systems of correspondence, imperial secretariats, and ideals of communicative accessibility;[3] practices of archival, retrieval, copying, and authentication;[4] and the idealised image of the cultured, humane administrator who on the basis of his supreme *virtus* was capable of divining truth.[5]

[1] For Britain as a mythical locale tamed by Rome, see Katherine Clarke, 'An island nation: re-reading Tacitus' *Agricola*', *Journal of Roman Studies* 91 (2001) (94–112); for the Sibylline Oracles as a recourse in times of crisis at Rome see Eric M. Orlin, *Temples, Religion and Politics in the Roman Republic* (Mnemosyne Supplements 164; Leiden, 1997), esp. 76–115; for magical creatures, see p. 15–16 below.

[2] On the importance of documents to Roman legal practice see Elizabeth Meyer, *Legitimacy and Law in the Roman World* (Cambridge, 2004).

[3] See the overview at Simon Corcoran, 'State correspondence in the Roman Empire: imperial communication from Augustus to Justinian', in Karen Radner (ed.), *State Correspondence in the Ancient World from New Kingdom Egypt to the Roman Empire* (Oxford, 2014) (172–209).

[4] Jeremiah Coogan, 'Notes', in *Writing, Enslavement, and Power in the Roman Mediterranean* (ed. Joseph Howley and Candida R. Moss, Oxford, Forthcoming), collects these various practices and technologies under the term 'notes'.

[5] See Ari Bryen, 'Martyrdom, rhetoric, and the politics of procedure', *Classical Antiquity* 33.2 (2014) (243–280), 246–253 focusing in particular on justice, and Jon Lendon, *Empire of Honour: The Art of Government in the Roman World* (Oxford, 1997) more generally.

In this article, I wish to explore a specific way in which Justin Martyr—writing in Rome, in the 150s AD, ostensibly to a Roman emperor—engaged with these claims and the practices and institutions in which they were grounded, making them work for his own particular purpose. That his framing of the *First Apology* as a petition represents such an engagement has been recognised; I push forward this understanding by exploring several speculative references to Roman documents which have largely been passed over by scholars. Taken together, these elements represent the sincere leveraging of Roman documentary ideals and archival practice—and, by extension, imperial knowledge claims more broadly—in order to enhance the credibility of the truths he himself was attempting to communicate, and to bring his own elements of fantastical knowledge into the inhabited, understood, and known world. In effect, he was riding on the coat-tails of Roman imperialism. Through a close examination of these details I suggest that these elements were not some second-order evidence that he adopted rhetorically to convince non-Christians, but were rather a literary authentication strategy—grounded in the realia of life in the Roman empire—which he himself found convincing, and expected others to as well. His manoeuvres can be paralleled by other contemporary (non-Christian) authors, helping to demonstrate that they were historically contingent on his existence under Roman dominion, at a particular place and time. As a sincere Roman subject—i.e., not as someone simply adopting the language of 'the other' to make a case—and writing at Rome, Justin was affected by imperial knowledge claims, and put these to his own purposes. This suggests that when we read Christian apologetics, we need also to bear in mind a key motivation for their production: the need to counteract the destabilisation of identity which existence within a system of domination—especially one which paints you as deviant—entails, often accomplished through the incorporation of aspects of that very same system into the identities of the ruled. This is demonstrated in the increasingly feverish search for authentication, from Jewish, Christian, but also Graeco-Roman sources, for Christian claims; the quest both for the conversion of new believers, and for the comfort of Christians themselves, demanded recourse to a wide spread of authentication strategies.[6]

1. A Documentary Russian Doll

Justin's petitionary styling has been well-discussed. The *First Apology* opens with an appropriate address, with Justin's name in the nominative, and the addressed emperor(s) in the dative.[7] A comparison with Greek petitions to Roman emperors preserved on inscriptions shows that Justin uses a range of accurate technical terms to refer to his own text, such as

[6] William H.C. Frend, 'Some North African turning points in Christian apologetics', *Journal of Ecclesiastical History* 57/1 (2006) (1–15) linked this shift—in which Christian apologists began to move beyond LXX prophecies and sought to make their arguments in prevailing philosophical and religious language—to the late-third century; but the search for external validation began earlier. In this connection see Jeremy Hudson, *Worshipping a Crucified Man: Christians, Graeco-Romans and Scripture in the Second Century* (Cambridge, 2021), 61–2, on Justin paralleling LXX prophecies to the Sibylline Oracles.

[7] Justin, *1 Apologia* 1.1 (OECT, 81,1-5 Minns/Parvis). For discussion see Wolfram Kinzig, 'Der „Sitz im Leben" der Apologie in der Alten Kirche', *ZKG* 100.3 (1989) (291–317); Brandon Cline, *Petition and Performance in Ancient Rome: The Apologies of Justin Martyr* (Gorgias Studies in Early Christianity and Patristics 75; Piscataway NJ, 2020), 68–86; and Denis Minns and Paul Parvis, *Justin, Philosopher and Martyr: Apologies* (OECT; Oxford, 2009), 24–5. Their edition, which I follow here, moves also the most 'petition-like' aspect of the *Second Apology—2 Apologia* 14—to the end of the *First Apology*, at *1 Apologia* 69, following their 'leaf-shedding' theory regarding the mutilated state of the text from which our only surviving witness of the *Apologies*, *Parisinus graecus* 450, was copied; Minns and Parvis, *Justin*, 19–31. This has been accepted by several scholars, e.g. Jörg Ulrich, *Justin, Apologien* (Kommentar zu frühchristlichen Apologeten 4/5; Freiburg, 2019): 48–51.

ἔντευξις, ἀξίωσις, and βιβλίδιον.[8] The term βιβλίδιον in particular characterises petitions from the Antonine period, demonstrating Justin's adherence to contemporary practice. He regularly uses the verb ἀξιοῦμεν, "we ask", to introduce requests in his *Apologies*, another technical marker from real petitions. Moreover, in his appending of the letter (ἐπιστολή) of Hadrian, and his request that his petition be subscribed (ὑπογράψαντας) and "posted up" (προθεῖναι), he again conforms to contemporary procedure.[9]

As is frequently asserted, the *First Apology* is many times longer than any known 'real' petition, and this alone renders it highly unlikely that it was submitted as a petition to the imperial *a libellis* as is.[10] Similarly, scholars suggest that the more hostile aspects of Justin's argument are alien to the petitionary form. However, by utilising the formal aspects of a petition, Justin communicates that he is sited within the normative network of petition-and-response, at once supporting the emperor's own judicial narrative, but also presenting Justin himself as a respectable Roman subject (or citizen)[11] who is entitled to a response.

This much is recognised. Comparatively neglected is his citation (and use) of Roman documents within the text of the *Apology*.[12] At one point, he refers to Roman provincial census documents written under the governor of Syria, Quirinus. Elsewhere, he twice cites Pontius Pilate's judicial documentation. Finally, he refers to a petition which a Christian had submitted to the prefect of Egypt.[13]

After the bombastic opening of Justin's *First Apology*, he settles into a lengthy section—maligned by many modern readers,[14] though vital for ancient Christians—seeking to prove Christ's messiahship by reference to Hebrew Bible prophecies, and their fulfilment by Jesus.

In Chapter 34, he cites Micah's prophecy that a ruler will emerge from Bethlehem to shepherd the people (Mic. 5.1-2). Justin then explains:

> κώμη δέ τίς ἐστιν ἐν τῇ χώρᾳ Ἰουδαίων, ἀπέχουσα σταδίους τριάκοντα πέντε Ἱεροσυλύμων, ἐν ᾗ ἐγεννήθη Ἰησοῦς Χριστός, ὡς καὶ μαθεῖν δύνασθε ἐκ τῶν

[8] See Tor Hauken, *Petition and Response: An Epigraphic Study of Petitions to Roman Emperors, 181—249* (Bergen, 1988), 106; 174.

[9] Justin, *1 Apologia* 69.1 = *2 Apologia* 14.1 (266,9-10 M./P.). Answered petitions were posted publicly for copying by the petitioners. For an example of a witness-authenticated copy of a response to a petition to the Egyptian prefect, see *P. Oxy*. LXV: 159–168 (no. 4481). The Skaptopara petition to Gordian III (*CIL* 3, 12336 = *AE* 1994, 1552 = Hauken, *Petition and Response*, no. 5) records that the response was copied from the original posted *in porticu thermarum Traianarum* (Col. I, ll. 2-7).

[10] Most forcefully, Patricia Buck, 'Justin Martyr's *Apologies*: their number, destination and form', *JThS* 54.1 (2003) (45–59). Two recent students of Justin are more positive about his chances of having petitioned the emperor: David Nyström, *The Apology of Justin Martyr: Literary Strategies and the Defence of Christianity* (WUNT II/462; Tübingen, 2018): 42–3, Cline, *Petition and Performance*, 131. Ulrich, *Justin*, 52–55, harmonises theories by positing an original petition which was submitted, followed by a subsequent process of editing and republication—giving us the *Apologies* we now possess. Stefan Heid, 'Iustinus Martyr I', *RAC* 19 (2001) (802–847), 823, also denies that the *Apology* is simply "eine fiktive Bittschrift".

[11] Justin probably was a Roman citizen: on this see the Introduction to the present issue.

[12] Heid, 'Iustinus', 803 notes that "Die apologetische Verwendung von Urkunden ist üblich" in Justin.

[13] These have been recently discussed by Cline *Petition and Performance*, 76–77, 131 n. 34, showing that Justin's verbiage when discussing these petitionary stories match up with how he describes his own work. Cline also includes the petition which the unnamed *matrona* submits to the emperor in *2 Apologia* 2.8 (274,7-10 M./P.) requesting a stay in prosecution.

[14] Justin's other text, the *Dialogue with Trypho*, is inordinately interested in this kind of argument, without any of the forensic material of the *First* and *Second Apology*, leading Erwin Goodenough, *The Theology of Justin Martyr* (Jena, 1923), 87, to write: "The piece … as a whole is so astonishingly dull that to a general theological reader it can by no means have the same attraction as the *Apologies*".

> ἀπογραφῶν τῶν γενομένων ἐπὶ Κυρηνίου, τοῦ ὑμετέρου ἐν Ἰουδαίᾳ πρώτου γενομένου ἐπιτρόπου.[15]
>
> This is a village in the territory of the Jews, thirty-five stadia from Jerusalem, in which Jesus Christ was born, as you are able to learn from the census-lists made under Quirinius, your first procurator in Judaea.[16]

Nowhere does Justin claim to have seen these census-lists themselves, but he rather assumes that the readers—ostensibly, the emperors—will have access to them. Shortly thereafter, Justin cites another Roman document. In the following chapter, he quotes Psalms references to pierced hands and feet (Ps. 21(22):17) and casting lots for clothing (Ps. 21(22):19), and explains that these prophecies were fulfilled by the crucifixion and the Roman soldiers' division of Jesus' clothing.[17] He tells us:

> καὶ ταῦτα ὅτι γέγονε δύνασθε μαθεῖν ἐκ τῶν ἐπὶ Ποντίου Πιλάτου γενομένων ἄκτων.[18]
>
> And you are able to learn that these things happened from the *acta* recorded under Pontius Pilate.

Nine chapters on, Justin returns to these *acta*, this time to authenticate a series of prophecies from Isaiah which foretell a Messiah who will cure stutterers, the blind, lepers, and raise the dead (Isa. 26:19, 35:6, 35:5). Justin employs the now-familiar phrase: "You are able to learn that he did these things from the *acta* recorded under Pontius Pilate" (ὅτι τε ταῦτα ἐποίησεν, ἐκ τῶν ἐπὶ Ποντίου Πιλάτου γενομένων ἄκτων μαθεῖν δύνασθε).[19] At three points in the *First Apology*, then, Justin conjures the idea of Roman documentation to which he himself claims no access, but which he suggests his readers do, and which he posits as evidence for Christ's Messiahship and divinity.

Justin makes another reference to a Roman document in a different context. In order to disprove the calumny that Christians regarded incestuous sex as an initiation ritual,[20] he writes that "one of our own" (τις τῶν ἡμετέρων) recently "submitted a petition (βιβλίδιον ἀνέδωκεν) in Alexandria, to Felix who was then governor (Φήλικι ἡγεμονεύοντι), asking (ἀξιῶν) him to allow a doctor to remove his testicles".[21] Castration was supposedly forbidden without

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[15] Justin, *1 Apologia* 34.2 (174,14-18 M./P.).
[16] Translations my own throughout. I take it that Justin is citing census records to prove that Jesus was born in Bethlehem, rather than Bethlehem's existence or distance from Jerusalem. Quirinius was not governor of Judaea, but of Syria in 6/7 BC, and governors of Judaea were in this early period not called *procuratores*/ἐπίτροποι, but *praefecti*/ἔπαρχοι. However, this is a mistake made by most sources mentioning Pilate from the vantage point of a time when *procurator* had become the standard term for the governor of a minor province. Tacitus *Annales* 15.44 (SCBO, 362,11 Fisher) calls Pontius Pilate a *procurator*, as Justin does at *1 Apologia* 40.6 (186,6 M./P.).
[17] Justin, *1 Apologia* 35.7-8 (176,16-19 M./P.).
[18] Justin, *1 Apologia* 35.9 (176,19-20 M./P.).
[19] Justin, *1 Apologia* 48.3 (202,14-15 M./P.).
[20] For the history of this and similar accusations see Jakob Engberg, 'Condemnation, criticism and consternation: contemporary pagan authors' assessment of Christians and Christianity', in Jakob Engberg, Anders-Christian Jacobsen, and Jörg Ulrich (eds.), *In Defence of Christianity: Early Christian Apologetics* (Early Christianity in the Context of Antiquity 15; Frankfurt, 2014) (201–227), and Bart Wagemakers, 'Incest, infanticide, and cannibalism: anti-Christian imputations in the Roman Empire', *Greece & Rome* 57.2 (2010) (337–354).
[21] *1 Apologia* 29.2 (160,3-7 M./P.).

gubernatorial approval.[22] Unfortunately, Felix was unwilling to "subscribe" (ὑπογράψαι) and thus authorise the petition, and the young man was forced to endure an unaided chastity. As we have seen above, βιβλίδιον is the term which Justin uses to refer to his own text at *2 Apologia* 14.1, which, in the edition of Minns and Parvis, is transposed back to *1 Apologia* 69.1. Moreover, the verb Justin used to describe the young Christian's request to the governor—ἀξιόω—is one which he regularly uses to make requests of his own (ἀξιοῦμεν, "we ask"), in imitation of the formulaic language of petitions. Finally, the act of 'subscribing' the petition—which Felix refuses—is exactly that which Justin requests of the emperor. Within Justin's documentary-styled apology, then, he embeds a number of references to imagined (or imaginary) Roman documents which he uses to support Christian truth-claims.

2. Stretching Credulity?

As stated, Justin did not have any census data to hand. He is relying entirely upon Luke's account of the census:

> Ἐγένετο δὲ ἐν ταῖς ἡμέραις ἐκείναις ἐξῆλθεν δόγμα παρὰ Καίσαρος Αὐγούστου ἀπογράφεσθαι πᾶσαν τὴν οἰκουμένην. αὕτη ἀπογραφὴ πρώτη ἐγένετο ἡγεμονεύοντος τῆς Συρίας Κυρηνίου. καὶ ἐπορεύοντο πάντες ἀπογράφεσθαι, ἕκαστος εἰς τὴν ἑαυτοῦ πόλιν.[23]
>
> It occurred in those days that a decree from Caesar Augustus went out to register the whole known world. This first census occurred while Quirinius was governing Syria. And everyone went to be registered, each to their own city.

Luke uses the idea of the census as an administrative process to explain why Mary and Joseph travelled from Nazareth to Bethlehem: the census apparently required each to return to their ancestral home. This may be a reflection of the experience of provincial censuses which required tenants to make declarations from their registered domiciles.[24] Quirinius, as legate of Syria, indeed undertook a provincial census which also included the newly-annexed territory of Judaea.[25] Luke, like Justin, uses the *terminus technicus* ἀπογραφή. However, there is no corroborating evidence for a universal census of all Roman subjects under Augustus.[26]

Justin changes the emphasis. Luke was not interested in the product of the census, but in the process, as an explanation for human movement. Justin, however, asks the reader to consider the documentation this process produced, and to regard this documentation as proof for Jesus'

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[22] Minns and Parvis cite *Digesta* 48.8.4 (ed. Theodor Mommsen and Paul Kreuger, *Corpus Iuris Civilis* [Berlin, 1954], 820,7-22) in which Ulpian quotes a rescript of Hadrian that states that castration is punishable under the *lex Cornelia de sicariis et veneficiis*. However, the law goes further than Justin suggests, explicitly outlawing voluntary castration.

[23] *Evangelium Secundam Lucam* 2:1-3 (NA28, 183–4). Justin is relying, and re-using, Luke's wording here; the theme of priority is also prominent in both, though Justin has transferred it from the census ("this first census") to the governor ("your first governor").

[24] See Claude Nicolet, *Space, Geography, and Politics in the Early Roman Empire* (Ann Arbor, 1991), 134–5. This is not to say that Luke does not distort, but that is not my topic. Emil Schürer, Geza Vermes, and Fergus Millar, *The History of the Jewish People in the Age of Jesus Christ* (London, 1973), 399–427, offer a discussion of the census.

[25] Josephus, *Antiquitates Judaicae* 18.12.15; *ILS* 2583 for epigraphic confirmation.

[26] For the universal censuses of Roman citizens under Augustus, see Peter Brunt, *Italian Manpower 225 BC–AD 14* (Oxford, 1971), 113–120.

birth in Bethlehem—thus fulfilling Micah's prophecy. Oral, 'barbarian' knowledge is thus authenticated with written Roman evidence.[27] This rests on the idea, not only that census records were produced, but that they are still accessible. He shifts the focus, therefore, from context and chronology to content and accessibility.

It is easy to dismiss Justin's argument here as specious; modern commentators have generally not been kind to the idea that someone in the mid-second century could consult census data recorded a century-and-a-half earlier. However, I argue that both in terms of content and accessibility, Justin's claim would have been convincing—or at least plausible—to a mid-second-century Roman audience. Quirinius' census of AD 6/7 would have produced documentation enumerating the names, ages, property, registered abode, and distinguishing features of the inhabitants of Bethlehem. Likely this documentation would have been kept—at least—in Antioch, Syria's capital.[28] If one takes it as a priori true that Jesus was born in Bethlehem—as Justin does—then it follows that Jesus' birth, or Mary and Joseph's presence, would have been recorded.

Justin supposes that these documents could be consulted, in Rome, a century and a half later. This seems more fantastical, but a contemporary audience could have found the idea plausible. Returns of the Roman census—the census which recorded all Roman citizens across the empire—were certainly sent to, and archived in, Rome.[29] The situation concerning provincial censuses (which recorded the property of all the inhabitants of a province to assess the proper tax demand) is less clear, and there is no solid evidence that systematic centralisation of records occurred. Augustus assumes that local data relating to non-Roman citizens—which he does not possess—is available at Cyrene (*Fontes Iuris Romani AnteIustiniani* I, 68), suggesting that provincial census returns were cached locally but not sent to Rome. However, some degree of communication, if only to assess provincial tax liabilities, can be assumed. Moreover, notwithstanding the lack of comprehensive data centralisation, some provincial returns were forwarded to Rome.

Thus Josephus, writing in Rome, inserts population figures for Egypt—likely from the provincial census—into a speech of Agrippa II, embedded amidst an enumeration of Roman forces stationed in the provinces.[30] Bérenger hypothesises that this information comes from a document like the Augustan *Breviarium totius imperii*[31] which supposedly recorded the military forces, revenues, and population for each province.[32] The population component of such a document must have been derived from census data. However, this does not prove that

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[27] For the ways in which Christian authors adopted the charge of being 'barbarians', see Stamenka Anatova, *Barbarian or Greek? The Charge of Barbarism and Early Christian Apologetics* (Studies in the History of Christian Traditions 187; Leiden, 2018). Justin himself positions Jews and Christians as 'barbarians' at *1 Apologia* 5.4, 7.3, and 46.3 (90,11; 92,10; 200,5 M./P.).

[28] Agnès Bérenger, 'Les recensements dans la partie orientale de l'empire: le cas de l'Arabie', *Les Mélanges de l'École française de Rome–Antiquité* 113.2 (2001) (605–619), 612 argues that census records were cashed in the provincial capital from the evidence of documents in Babatha's 'cave of letters', a second-century archive.

[29] Municipal *leges*, such as the *Tabulae Heracleensis* and the *Lex Irnitana* clearly show this: see Nicolet, *Space, Geography, and Power*, 127. Augustus knows the number of Roman citizens in his empire (*Res Gestae Divi Augusti* 8), and in his Cyrene edict of 7/6 BC, he knows the number and wealth of Roman citizens in Cyrene from his second Roman census of 8 BC.

[30] Josephus, *Bellum Iudaicum* 2.385 (CUFr *Guerre* 2, 75,7-15 Pelletier).

[31] Suetonius, *Vita divi Augusti* 101.4 (SCBO 145,11-12 Kaster); Cassius Dio 56.33.2 (ed. Ursul Philip Boissevian, *Cassii Dionis Cocceiani Historiarum Romanarum* [Berlin, 1898], 545,21-4; Tacitus, *Annales* 1.11.4 (9,11-15 F).

[32] Agnès Bérenger, 'Gouverneurs de province, bibliothèques et archives', in Yves Perrin and Manuel de Souza (eds.), *Neronia VIII: Bibliothèques, livres et culture écrite dans l'empire romain de César à Hadrien* (Brussels: Éditions Latomus, 2010) (182–191), 183.

complete records were sent to Rome, and the fact that only Egypt is given specific numbers in Agrippa's speech hints at the spottiness of any centralisation.[33] Phlegon of Tralles apparently draws on provincial census data in his *On Long Lived Persons*: this text draws in part on Pliny the Elder's list of centenarians from the Po Valley recorded in Vespasian's Roman census;[34] as we have seen, Roman census data was archived centrally. But Phlegon also lists non-Romans—from Macedonia, Bithynia-Pontus, and Lusitania (47-54; 55-60; 62; 66). If this information does come from census lists—and Phlegon claims that it does in the opening of his work[35]—then it is provincial census data upon which he is drawing. Shannon-Henderson suggests Phlegon's proximity to Hadrian may have granted him access.[36] Such claims in imperial-era literature appear to assume the acceptability of the idea that census data was (at least sometimes) collected at Rome, and was retrievable. The suggestion, then, that Quirinius' census could have proven a claim about Jesus birth, and be accessible to an emperor in Rome, would not seem ridiculous to a Roman audience.[37]

What of the *acta* made under Pontius Pilate, referred to by Justin in Chapters 35 and 48? First, we must establish what these are. I suggest that Justin here means judicial records, as is supposed by Minns and Parvis.[38] Hill, however, has recently argued that Justin refers to some Christian document—a gospel—written *under* Pilate, accepted in Ulrich's recent commentary.[39] It is true that ἐπὶ Ποντίου Πιλάτου can simply mean "in the time of Pilate", as it may do in Ignatius' letters, in credal mentions of Pontius Pilate,[40] and some of Justin's usages.[41] However, when used with the name of a ruler in the genitive, ἐπὶ has not purely a chronographic sense, but also a jurisdictional one.[42] For example, in Justin's *Second Apology*, he writes of things done in the city of Rome ἐπὶ Οὐρβίκου, "under Urbicus".[43] This accomplishes a dual purpose of chronology and agency/jurisdiction, since Justin is concerned with trials before Urbicus' tribunal as urban prefect. The implication of agency is particularly strong in judicial settings, and in the *First Apology* Justin likewise uses the term ἐπὶ (ἐφ᾽) ὑμῶν to mean "before your tribunal".[44] Moreover, as we have already seen, Justin describes Roman census data on Judaea as having been "made under Quirinius" (γενομέναι ἐπὶ Κυρηνίου), for

[33] As noted by Bérenger, 'Les recensements', 619, Pliny had to send census data concerning his Egyptian doctor Harpocras to Trajan.
[34] Pliny the Elder, *Naturalis Historia* 7.162-4 (CUFr *Histoire* 2, 99-100 Schilling).
[35] Phlegon of Tralles, *De Longaevis* 1 (BSGRT, 61,1-2 Stramaglia).
[36] Kelly Shannon-Henderson, 'Constructing a new imperial paradoxography: Phlegon of Tralles and his sources', in Alice König, Rebecca Langlands, and James Uden (eds.), *Literature and Culture in the Roman Empire, 96 – 235: Cross Cultural Interactions* (Cambridge, 2020) (159–178), 175, n. 60.
[37] The chronological problem with Luke's census—Quirinius' census occurred in AD 6/7, yet Luke and Matthew claim that Jesus was born under Herod, who died in 4 BC—are well known.
[38] Minns & Parvis, *Justin*, 177, n. 9.
[39] Charles Hill, 'Was John's Gospel among Justin's Apostolic memoirs?', in Sara Parvis and Paul Foster (eds.), *Justin Martyr and His Worlds* (Minneapolis: Fortress Press, 2007) (88–94); Ulrich, *Justin*, 335. This idea had been previously proposed by Luise Abramowski, 'Die 'Erinnerungen der Apostel' bei Justin', in *Das Evangelium und die Evangelien: Vorträge vom Tübinger Symposium 1982* (ed. Peter Stuhlmacher, Tübingen, 1983) (241–253).
[40] See Reinhardt Staats, 'Pontius Pilatus im Bekenntnis der frühen Kirche', *Zeitschrift für Theologie und Kirche* 84 (1987) (493–513), who however argues that ἐπί evokes the act of Jesus giving testimony *before* Pilate.
[41] Justin, *1 Apologia* 13.3, 46.1, 61.13 (110,3-4, 198,25, 242,4-5 M./P.).
[42] It is interesting to note here that Justin says that Jesus was crucified ἐπὶ Ποντίου Πιλάτου (*1 Apologia* 13.3 [110,2-4 M./P.]), but in the same sentence that Pontius himself was governor ἐν Ἰουδαίᾳ **ἐπὶ χρόνοις** Τιβερίου Καίσαρος. The specific temporal inflection of the latter of these two phrases may be intended to signal that Justin is attaching no agency to Tiberius in Jesus' death, unlike Pilate.
[43] Justin, *2 Apologia* 1.1 (270,1-2 M./P.).
[44] Justin, *1 Apologia* 4.4 (86,13 M./P.).

which he certainly intends to attribute agency. These are the precise words used for the *acta* of Pilate (ἐκ τῶν ἐπὶ Ποντίου Πιλάτου γενομένων).[45] The use of the term *acta*, also, is a clear sign of Pilate's involvement. Hill takes the word to mean "deeds" or "things done" under Pilate,[46] akin to Papias' description of the Gospel of Mark as "the things said or done (τὰ ἢ λεχθέντα ἢ πραχθέντα) by the Lord",[47] or Eusebius' reference to "the acts of Jesus" (αἱ τοῦ Ἰησοῦ πράξεις) in connection with the contents of the Gospels.[48] However, Justin does not choose a natural Greek word for "deeds" or "acts"—such as πράξεις—but a technical Latin word transliterated to Greek, ἄκτα. As a technical term, *acta* does not have the broad sense of "things done", but "minutes", "proceedings",[49] and refers to the official documentation produced by Roman magistrates, often specifically judicial records, as this context implies.[50] The conjunction of a technical term for a Roman document, and the claim that it was made ἐπί a Roman governor is identical to the census data reference. Justin therefore means to refer to Pilate's judicial records.[51]

Some have hypothesised that Justin refers to an apocryphal Christian text, presented as a document of Pilate, which he possessed;[52] however, this is unlikely. Justin refers to these *acta* in identical terms to his reference to Quirinius' census data, which he did not have. Secondly, the extant 'Pilate apocrypha' which could relate to Justin's Pilate *acta* are demonstrably late antique productions,[53] and most scholars now contend that they were produced in order to fill the void of speculative references by Justin, Tertullian, and Eusebius.[54] There is no reason to

[45] Justin, *1 Apologia* 48.3 (202,14-15 M./P.).
[46] Hill, 'Justin's apostolic memoirs', 89–91.
[47] Quoted in Eusebius, *Historia ecclesiastica* (SC 31, 156,25 Bardy).
[48] Hill, 'Justin's Apostolic memoirs', 91.
[49] See also the *Martyrdom of Apollonius*, in which the judge, Perennius, calls for the *acta* of a previous hearing to be read out: Ἀναγνωσθήτω τὰ ἄκτα Ἀπολλώ, "have the *acta* of Apollonius read"; *Martyrium Apollonii* 11 (OECT, 92,27 Musurillo). Evidently no Christian text is meant here.
[50] Wilhelm Kubitschek, 'Acta', in *PRE* Band I.1 (1893), s.v. *Acta* (285–300).
[51] Tibor Grüll, 'The legendary fate of Pontius Pilate', *Classica et Mediaevalia: Danish Journal of Philology and History* 61 (2010) (151–176), 161 agrees.
[52] e.g. A.S. Barnes, 'The *Acta Pilati* and the passion document of St. Luke', *The Dublin Review* 137.55 (1905) (99–112); Johannes Quasten, *Patrology, Volume I: The Beginnings of Patristic Literature* (Utrecht, 1950), 115–16 suggests some connection, noting the tendency of early Christian authors to use Pilate as a witness for Jesus (on which see Ben Kolbeck, 'Pontius' Conscience: Pilate's afterlives and apology in late antique Antioch', *The Journal of Late Antiquity* Forthcoming (2024)). Felix Scheidweiler, 'The Gospel of Nicomedus: Acts of Pilate and Christ's descent into Hell', in *The New Testament Apocrypha I: Gospels and Writings* (ed. W. Schneemelcher, trans. R. McL. Wilson, London, 1991) (501–536) 501–2 argues that this idea "cannot seriously be disputed". Eckhard Schnabel, *Jesus in Jerusalem: The Last Days* (Grand Rapids, 2018), n. 672 assumes Justin had access to some form of Pilate apocrypha. Markus Vinzent, *Resetting the Origins of Christianity: A New Theory of Sources and Beginnings* (Cambridge, 2023), 32, assumes that references to reports of Pilate by Justin, Tertullian, and Orosius all correspond to the *Acts of Pilate* extant in late antiquity and the Middle Ages. Hudson, *Worshipping a Crucified Man*, 55–6 dismisses the possibility of judicial documentation, interpreting the document as a letter of Pilate to Tiberius, similar to the apocryphal productions with circulated in late antiquity.
[53] For a survey of these texts see Rémi Gounelle, 'Genèse d'un personage littéraire. Ponce Pilate dans la literature apocryphe chrétienne', in *Ponce Pilate* (ed. Jean-Marc Vercruysse, Arras, 2013) (29–40); and Anne-Catherine Baudoin, 'Gouverneur, juge et Romain: la figure de Pilate chez les auteurs patristiques', in *Ponce Pilate* (ed. Jean-Marc Vercruysse, Arras, 2013) (41–56).
[54] On the dates of these texts see Hans-Josef Klauck, *Apocryphal Gospels: An Introduction* (Trans. B. McNeil, London, 2003), 90; J. Keith Elliott, *The Apocryphal New Testament* (Oxford, 1993), 164; Anne-Catherine Baudoin and Zbigniew Izydorczyk, *The Oldest Manuscript on the Acts of Pilate: A Collaborative Commentary on the Vienna Palimpsest* (Strasbourg, 2019), 14; and Anne-Catherine Baudoin, 'Truth in the details: the Report of Pilate to Tiberius as an authentic forgery', in *Splendide Mendax: Rethinking Fakes and Forgeries in Classical, Late Antique, and Early Christian Literature* (eds. Edmund P. Cueva and Javir Martínez, Groningen, 2016) (219–238).

believe that Justin is doing anything other than speculating that such a document must exist, without claiming autopsy.[55]

As with the census data discussed above, I suggest that Justin's claim that documents produced by Pontius Pilate could authenticate aspects of Jesus' life could have been taken seriously by a second-century Roman audience. Roman trials generated documentation. In the Republican period, magistrates kept journals of their activities, called *commentarii*, which were worked-up 'authorised' records based on more barebones documents.[56] Initially, these were not intended for public consumption, and were kept in the magistrate's private *tablinium* where they would remain even after the magistrate's term of office ended.[57] In the imperial period, record keeping—especially judicial record-keeping—became more systematised. Roman courts, including those of provincial governors, kept detailed records and minutes of trial proceedings (sometimes also called *commentarii*, at other times *acta*).[58] These documents recorded what was said at trial, though they were usually in shorthand before the third century.[59] Our best evidence for this system comes from Egypt: here, magistrates of even relatively lowly office (e.g. nome *strategoi*) kept detailed records. Copies of trial *acta* were stored at Alexandria, as well as in the nome where the trial occurred.[60] These included the minutes of trials held before the equestrian prefect.[61] They may have been exhibited publicly before archival. The governor exercised control over this system, displaying an interest in their maintenance and accessibility.[62] Though the degree of hierarchy and complexity in the Egyptian system may have been exceptional, there is evidence for archives and court documents from other provinces.[63] Therefore, it would have seemed entirely sensible to a second-century Roman observer that had Pilate dealt with Jesus in an official capacity, documents recording this would have been produced.

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[55] Gilbert Dagron, 'Pilate apres Pilate: l'Empire chretien, les Juifs, les images', in *Ponzio Pilato. Storia di un mito* (ed. Giacomo Jori, Florence, 2013) (31–49), 35.

[56] Meyer, *Legitimacy and Law*, 30–33. The most famous example is Caesar's *commentarii*, which were sent to Rome for public consumption.

[57] Ernst Posner, *Archives in the Ancient World* (Cambridge MA, 1972), 165. This practice was also normal in many Greek cities: Gaëlle Coqueugniot, *Archives et bibliothèques dans le monde grec: Édifices et organisation. Ve siècle avant notre ère – IIe siècle de notre ère* (Oxford, 2013), 35.

[58] Revel Coles, *Reports of Proceedings on Papyri* (Brussels, 1966); for a recent catalogue of such records from Egypt see Benjamin Kelly, *Petitions, Litigation, and Social Control in Roman Egypt* (Oxford Studies in Ancient Documents; Oxford, 2011), 368–380.

[59] Coles, *Reports of Proceedings* shows that trial records proliferate in the Roman period, and innovate with the inclusion of direct speech.

[60] Walter Cockle, 'State archives in Graeco-Roman Egypt from 30 BC to the reign of Septimius Severus', *The Journal of Egyptian Archaeology* 70 (1984) (106–122), and Fabienne Burkhalter, 'Archives locales et archives centrales en Egypte romaine', *Chiron* 20 (1990) (191–216) for state archives in Egypt in general; Barbara Anagnostou-Canas, 'La documentation judiciaire pénale dans l'Égypte romaine', *Mélanges de l'École française de Rome—Antiquité*112.2 (2000) (753–779) focuses on judicial records. See more generally Rudolf Haensch, 'Das Statthalterarchiv', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte* 109 (1992) (209–317).

[61] Burkhalter, 'Archives'.

[62] Several Egyptian prefects intervened nomes where record-keeping was known to be poor; see e.g. Junius Rufus in *P.Lug.* Bat. 6.15.48-50 (AD 98), and Mettius Rufus, *P. Oxy*. II. 237 (AD 89). On these crises see Willy Clarysse, '*Tomoi Synkollēsimoi*', in *Ancient Archives and Archival Traditions: Concepts of Record-Keeping in the Ancient World* (ed. M. Brosius, Oxford, 2003) (344–359), 344–5 and Cockle, 'State archives', 114–5.

[63] e.g., local archives are mentioned in the *lex Irnitana*: Tablet VA, Ch. 3 (*tabulae minicipii*); Julián González and Michael Crawford, 'The Lex Irnitana: a new copy of the Flavian Municipal Law', *Journal of Roman Studies* 76 (1986) (147–243), 159, 185, 210.

As with the census data, Justin's reference to the *acta* presupposes that the documents were accessible, and had been cached in Rome. That the *acta* were retrievable is amply clear.[64] Trial records were often submitted as supporting evidence in later lawsuits.[65] They formed the basis of textual productions like Christian martyr narratives, and the similarly styled *Acts of the Alexandrians*, which purport to be court documents.[66] The trial in which Justin himself would later lose his life would come to be publicised in exactly such a way.[67] Whatever stance one takes on the level of editing (or invention) these productions have undergone, their existence demonstrates a belief in the plausibility of accessing such court documents.[68] As with census data, evidence is lacking to suggest that provincial court records were routinely centralised in Rome.[69] But this is beside the point: the idea that governors sent documents to Rome was a common one,[70] and, if one accepted that records of Jesus' trial had been made, the idea that copies would have been sent to Rome would have seemed plausible.

That Rome possessed large imperial archives in which historical material could be consulted (at the whim of the emperor) has been a powerful idea in both antiquity and the modern world. Scholars today conversely emphasise the importance of private-collections, non-intuitive ancient motivations for archival practices,[71] and the balkanisation of 'official' holdings at Rome under the principate.[72] However, this scattered system was thought capable of preserving and delivering data. Aulus Gellius consulted the praetor's edict at the *bibliotheca Ulpia* in

[64] Caligula quotes trial records in the Senate at Cassius Dio 59.16 (634,14-35,33 B). The imperial petition of Skaptopara (Hauken, *Petition and Response* no. 5 = *CIL* 3, 12336 = *IGR* I, 674 = *AE* 1994, 1552), Asia Minor, includes a section quoting proceedings from the provincial governor's court (col. IV, ll. 108–164). An inscription from Phrygia presents a record of several hearings: William Frend, 'A third-century inscription relating to Angareia in Phrygia', *Journal of Roman Studies* 46.1-2 (1956) (46–56). The imperial tenants on the estate at Saltus Burunitanus in Africa (*CIL* 8, 10570 = *ILS* 6870 = Hauken no. 1, AD 182) utilised material generated by the imperial procurator they found at a provincial archive in Carthage (Col. III, ll. 9-11).

[65] e.g. John Rea, 'Proceedings before Q. Maeclius Laetus, Praef. Aeg., etc.', *The Journal of Juristic Papyrology* 19 (1983) (91–101).

[66] See Gary Bisbee, *Pre-Decian Acts of the Martyrs and Commentarii* (Philadelphia, 1988) for a comparison of 'real' and 'literary' *acta*. Silvia Ronchey, 'Les procès-verbaux des martyres chrétiens dans les *Acta Martyrum* et leur fortune', *Mélanges de l'École française de Rome—Antiquité* 112.2 (2000) (723–752) explores how Christian martyr narratives use realistic formulaic elements.

[67] See Timothy D. Barnes, *Early Christian Hagiography and Roman History* (Tria Corda. Jenaer Vorlesungen zu Judentum, Antike und Christentum 5; Tübingen, 2010), 63–64 on the earliest recension (A) of this text as translated from the original Latin court documents.

[68] In a letter preserved in Eusebius, the mid-third century Alexandrian bishop Dionysius, quotes from what he claims are the trial records of his own arraignment before the Egyptian prefect, presented as a trump card in a dispute with another bishop: Eusebius, *Historia ecclesiastica* 7.11.6 (SC 41 180,14-15 Bardy).

[69] The *lex Iulia de repetundis*—which required governors to deposit copies of their records in the principal cities of their province, and also in the *aerarium* in Rome—has been cited in support: e.g. Bérenger, 'bibliothèques et archives', 186; Posner, *Archives*, 184. On the other hand, it is *rationes*—financial accounts—which are specified here, and both the connection with the *aerarium* (the state treasury), and the *lex Iulia de repetundis*' focus on extortion and corruption, suggests that *commentarii*/*acta* were not covered by this requirement.

[70] See still Fergus Millar, *The Emperor in the Roman World* (London, 1977), 313–341 for the normativity of reports sent by both imperial and senatorial officials to the emperor in the imperial period. Hudson, *Worshipping a Crucified Man*, 55, strangely takes Millar as arguing that communication was *not* regular.

[71] Phyllis Culham, 'Archives and alternatives in Republican Rome', *Classical Philology* 84.2 (1989) (100–115).

[72] In the late Republic, the *aerarium* had begun to function as quasi-archive for some financial documents, and perhaps also *leges* and *senatus consulta*. These functions were taken over by the *tabularium* sometime after its construction in 83 BC: Posner, *Archives*, 172–184, Fergus Millar, 'The aerarium and its officials under the empire', *Journal of Roman Studies* 54 (1964) (33–40). However, Augustus also built new libraries that maintained archival material, as did subsequent emperors. The imperial ministries and palace had their own collections. See Ewen Bowie, 'Libraries for the Caesars', in *Ancient Libraries* (ed. Jason König, Katerina Oikonomopoulou, and Greg Woolf, Cambridge, 2013) (237–260) and Giorgio Cencetti, 'Tabularium principis', in *Studi in onore di Cesare Manaresi Vol. I* (ed. A. Giuffrè, Milan, 1952) (133–166).

Trajan's forum.[73] Domitian supposedly read Tiberius' private documents from his own archives.[74] Pliny requested Trajan look through his records to see whether there had ever been an imperial decision relating to foundlings in Bithynia.[75] Finally, in AD 139, Antoninus Pius gave permission to a delegation from Smyrna to copy a constitution of Hadrian which the delegation believed to be in the imperial archives (*CIL* 3, 411 = *ILS* 338 = *IGRR* 4, 1397 = *FIRA* I/2, 82).[76] The idea that the emperor had access to accumulated imperial knowledge was widespread.[77]

The age of the documents is no necessary objection either. Had these putative census data and documents of Pilate still existed in Justin's time, they would have been between 120 and 160 years old. Contemporary Romans believed it possible for manuscripts and records to survive for a couple of centuries.[78] Legal documentation more than a century old was used as supporting evidence in Roman Egyptian court cases.[79] Indeed, archaeological evidence supports the idea that documents and manuscripts could survive for a century or two without recopying in antiquity.[80]

On this basis, I submit that Justin's claim that the emperor could authenticate aspects of Jesus' life and death by consulting his own archives—however speculative (even specious) it may seem to modern readers—could well appear credible to a mid-second century Roman audience (especially if one already accepted truth of the claims concerning Jesus, as Justin did). Justin's references are therefore meant to be convincing—and not only to non-Christian, 'Roman' outsiders, but to Justin's immediate circle, as well.

3. Identity, Empire, and Epistemology

If it is granted that Justin's claims would have struck a contemporary audience as plausible, I want to go one step further, and suggest that Justin himself found the idea of Roman documents vouchsafing his claims as convincing. I believe that Christian apologies, though written ostensibly for 'external' Graeco-Romans were in intended for, and consumed by, Christian audiences.[81] There is no good evidence that Justin's work was ever read by Roman

[73] Aulus Gellius, *Noctes Atticae* 11.17.1 (SCBO, 354,4-6 Marshall).
[74] Suetonius, *Vita Domitiani* 20 (419,9-11 K).
[75] Pliny the Younger, *Epistulae* 10.65, 66 (SCBO, 323-4 Mynors).
[76] Ulrich Wilcken, 'Zu den Kaiserreskripten', *Hermes* 60 (1920) (1–42); 16f; Wynne Williams, 'The *libellus* procedure and the Severan papyri', *Journal of Roman Studies* 64 (1974) (86–103). Comment on the text, and the *subscriptio*, is at Wynne Williams, 'Epigraphic texts of imperial subscripts: a survey', *Zeitschrift für Papyrologie und Epigraphik* 66 (1986) (86–103), and the full text is available at Hauken, *Petition and Response*, 329.
[77] Cassius Dio explicitly makes the point that the imperial system has seen the monopolisation of knowledge and documentation by the emperor and his archives: 53.19.1-4 (429,4-22 B).
[78] Aulus Gellius, *Noctes Atticae* 13.21.4 (404,16-18 M) refers to manuscripts he owned which he believed to be in Virgil's hand; Quintilian, *Institutio oratoria* 1.7.20 (SCBO, 52,12-16 Winterbottom) writes of original manuscripts of Cicero and Virgil existing in his time. For other examples of old manuscripts in Roman sources see Rex Winsbury, *The Roman Book: Books, Publishing and Performance in Classical Rome* (Bristol, 2009), 18, n. 40.
[79] *P. Stras*. 22 contains—on the same papyrus—excerpts from a hearing before the Egyptian prefect in AD 90, and another from AD 207; see Williams, 'The *libellus* procedure', 90.
[80] George Houston, *Inside Roman Libraries: Book Collections and Their Management in Antiquity* (Chapel Hill, 2014), 155; Roger Bagnall, 'Alexandria: library of dreams', *Proceedings of the American Philosophical Society* 146.2 (2002) (348–362), 359. My thanks to Luise Marion Frenkel for the references.
[81] See further Section 2 of the Introduction to this special issue.

officials or educated non-Christians.[82] It cannot have been submitted to the emperor in its current form, and the antagonistic references to aspects of Graeco-Roman culture and history (e.g. the mocking comment on the deification of Antinous) and assumption of Christian knowledge betray that the framing is likely a literary fiction.[83] Literature in antiquity was overwhelmingly consumed by those in close social proximity to the author, and, as with Jewish apologetic,[84] all characteristic elements of Christian apology make best sense as seeking to alleviate Christian concerns about their place in the world and relationships to other groups.[85] Though references to Roman documents may appear a gesture to outsiders, such an understanding presupposes that neither Justin, nor his fellow Christians, considered themselves Romans. I dispute this framing and suggest that Justin's references to Roman documents are intended as evidence for his sincere assertion that Christianity and Roman-ness were congruent.

Tom Geue has recently argued that Justin's references to Roman documents are supplements "for the benefit of his poor Roman doc-mongers"—rhetorical overtures to a sceptical Roman reader, subordinate in importance to Judaeo-Christian (and fundamentally oral) religious knowledge.[86] I hope to have already shown in the previous section that the references are more serious than this assumes. Indeed, I aim to demonstrate Justin's particular interest in the documentary passages, suggest that these are part of a wider landscape of written evidence in Justin's work, and finally argue that the motivation behind this is Justin's position as a Roman subject—the subject of an empire which made powerful claims on the ownership of knowledge—and that this tactic of making empire work for his own idiosyncratic purposes is a sincere one which can be paralleled by other authors of his period. Justin was a Roman doc-monger with the rest of them.

Although modern readers are generally unenthused by the 'proof from prophecy' sections in Justin's *Apology*, they were of central importance to him and his project,[87] so the presence here of his three references to Roman census data and trial documents (34.2, 35.9, 48.3) deserves attention. In the 'proof from prophecy' sections in both his *First Apology* and his *Dialogue with Trypho*, as well as having some biblical texts which correspond closely to our LXX manuscripts (but which he labelled corrupt and 'Jewish'),[88] Justin also made use of Christian compilatory texts (which he thought represented the 'true' LXX readings) that excerpted prophetical statements about the Messiah and described their fulfilment by Christ.[89] Justin did not compose these collections, making errors of attribution that could not have been made by the original excerptor.[90] (Later authors—such as Tertullian—apparently had access to some of

[82] *Pace* Carl Andresen, *Logos und Nomos: Die Polemik des Kelsos wider das Christentum* (Berlin, 1955), 345–72.
[83] Buck, 'Justin Martyr's *Apologies*'.
[84] Victor Tcherikover, 'Jewish apologetic literature reconsidered', *Eos* 48 (1956) (159–193).
[85] For a reading of this as the essential purpose of the Apologists, see Ben Kolbeck, 'Doing Justice? Christians, Courts, and Constructions of Empire', unpublished PhD thesis, King's College London (London, 2022).
[86] Tom Geue, 'Keeping/losing records, keeping/losing faith: Suetonius and Justin Do the Document', in *Literature and Culture in the Roman Empire, 96 – 235: Cross Cultural Interactions* (ed. Alice König, Rebecca Langlands, and Jon Uden, Cambridge, 2020) (203–222), 209.
[87] See the recent treatment of Hudson, *Worshipping a Crucified Man*, 35–100, demonstrating the centrality of the section to Justin's project, motivated chiefly by his desire to explain Jesus' humiliating crucifixion.
[88] Justin probably did source these LXX manuscripts from synagogues: Oskar Skarsaune, *The Proof from Prophecy. A Study in Justin Martyr's Proof-Text Tradition: Text-Type, Provenance, Theological Profile* (Supplements to Novum Testamentum 56; Leiden, 1987), 44–5.
[89] Skarsaune, *Proof from Prophecy*, revisited in Oskar Skarsaune, 'Justin and his bible', in *Justin Martyr and His Worlds* (ed. Sara Parvis and Paul Foster, Edinburgh, 2007) (53–76).
[90] For example, his ignorance that what he believes to be the authentic text of Ps. 96(95) is in fact primarily drawn from 1 Chron. 16: Skarsaune, *Proof from Prophecy*, 39.

the same compilations Justin used).[91] Skarsaune identified a tripartite structure shared between these 'proofs', likely hailing from his source material: A) a non-LXX scriptural phrase is quoted (prophecy); B) exegesis of the scriptural phrase (exposition); C) historical narrative fulfilling the prophecy (fulfilment report).[92] Do the references to census data and judicial *acta* fit into this pattern, and do they come from Justin's testimony compilations?

In my view, they do not. Close examination reveals Justin's hand in their inclusion, strengthening the idea that these references were important to him. The first factor is the position of the documentary references within the structure of the 'proofs'. The two references to Pilate's *acta* are similarly structured: a normal prophecy or chain of prophecies are quoted; they are explained; and Justin then describes how Christ fulfils them (in Ch. 35, through being crucified and having lots cast for his clothes, in Ch. 48 through his healing miracles). Finally, Justin adds the phrase "you may learn from the *acta* made under Pontius Pilate that these things happened" as an authenticating tag at the end of the account. The references to Pilate's *acta* exist outside this three-part structure, as an additional element. In *1 Apologia* 34, however—the reference to Quirinius' census data—the documentary notice actually constitutes the fulfilment report. Justin A) quotes Micah; B) explains that Bethlehem is a town in Judaea; and C) states that census records show that Jesus was born here, thus fulfilling the prophecy.

In both cases, I think we can discern Justin's hand at work. There is reason to believe that the entire passage of Chapter 34 is Justin's own creation. Skarsaune notes that the Micah quotation in this passage (Micah 5:1-2) is not a 'deviant' LXX reading from one of the testimony sources, but is copied directly from Matthew 2:6.[93] In other words, though it exhibits a similar structure to the other 'proofs', Justin has composed this himself from his own reading of Matt. 2:6—and has chosen to authenticate it with this imaginative reference to Roman census data, which as we have seen, was itself based on Justin's reading of Luke.[94]

The 'proofs' in Chapters 35 and 48 (authenticated with Pilate's *acta*) seem more likely to come from a compilatory source. *1 Apol*. 35 cites Psalms 21(22):17 and 19; these readings are not deviant from the LXX, and in another work Justin accurately cites them as coming from Psalm 21 (suggesting that he was at least able to check the provenance himself),[95] but he elsewhere combines these same passages both in the *First Apology* and the *Dialogue with Trypho*—along with two passages of Isiah (65.2, 50.6-8)—which may indicate dependence on a compilatory source combining passages of Psalms and Isaiah.[96] Strengthening this supposition is the fact that the same constellation of references appears in the *Epistle of Barnabas* 5:13-14, suggesting a common source.[97] Similarly, for the healing prophecies authenticated by Pilate's *acta* at *1 Apologia* 48, the material is culled from Isaiah, and the same

[91] See Anni Maria Laato, *Jews and Christians in De duobus montibus Sina et Sion. An Approach to Early Latin Adversus Iudaeos Literature* (Åbo, 1998), 51–2 on the same collection being used by Justin, Tertullian, and pseudo-Cyprian.
[92] Skarsaune, *Proof from Prophecy*, 140.
[93] See Skarsaune, *Proof from Prophecy*, 145, and 112 (synoptic study 12): "In this case there can be no doubt: Justin copies his text from Mt 2:6 in both *1. Apol*. 34:1 and *Dialogus cum Tryphone* 78.1".
[94] Another indication that Justin composed this passage himself is that the phrase "of your first procurator in Judaea" (τοῦ ὑμετέρου ἐν Ἰουδαίᾳ πρώτου γενομένου ἐπιτρόπου), referring to Quirinius', is very similar to the way Justin refers to Pilate at *1 Apologia* 40.6 (186,5-6 M./P.): Πιλάτου τοῦ ὑμετέρου παρ' αὐτοῖς (scil. 'the Jews') γενομένου ἐπιτρόπου.
[95] Justin, *Dialogus cum Tryphone* 97.3 (ed. Pierre Bobichon, *Justin Martyr: Dialogue avec Tryphone*, Paradosis 47/1 [Fribourg, 2003], 448,1-17).
[96] Justin, *1 Apologia* 38.4-6 (180,18-22 M./P.); *Dialogus cum Tryphone* 97.1-3 (446,25-448,17 B.).
[97] Skarsaune, *Proof from Prophecy*, 80.

combination of sources is elsewhere cited by Justin.[98] It seems to go back to a non-LXX testimony source.[99] However, as we have seen, in both of these cases, the documentary reference sits *outside* the normal tripartite structure, as an additional confirmation. Moreover, while the same assemblages of prophecies cited in both passages are used elsewhere by Justin (suggesting repeated use of another source), only in the passages under discussion are the references to Pilate's *acta* added. If they were part of the original 'proof-texts', why were they not utilised in Justin's other usages of the same source? Finally, Justin introduces, and describes, the *acta* of Pilate in exactly the same way as he does Quirinius' census data: they are each introduced with the phrase, that these things happen, "you may learn" (μαθεῖν δύνασθε) from (ἐκ) a document "made under (γενομένων ἐπί)" a governor.[100] I suggest, then, that each of these documentary authentications were added specifically by Justin—either as part of a proof-text he himself concocted from scratch (census data), or as additional confirmation of a proof-text he already possessed (Pilate's *acta*).

A more speculative point about Justin's documentary engagement may be made here. I said above that Justin believes his *testimonia* excerpts to be more faithful reproductions of the 'true' biblical readings than the LXX manuscripts produced by Jewish scribes. It is worth considering the materiality of these two types of text. The Jewish manuscripts would have been traditional papyrus scrolls; on the other hand, it is very likely that Justin's *testimonia* collection would have been in codex-format, which was being adopted by Christian communities at this time.[101] Elizabeth Meyer has argued that Christians in the second century adopted the codex due to the impression that Roman *tabulae* guaranteed the authenticity of their contents—a very similar mobilisation of Roman documentary forms to the process described in this article.[102] So, we have then here Justin asserting that 'his' prophetic texts are the most authentic, partly because they are transmitted in a documentary format, and buttressing his interpretation of those prophecies with references to other administrative records.

At this point, it might be objected: if these references were important to Justin, why did he not quote the documents? The answer is simple: he would have done, but he did not have them; because his belief that they did exist was (I argue) legitimate, he was unwilling to invent the text. His claims are not based on autopsy, but rather on his faith in the life and miracles of Jesus, and his understanding of the machinery of the Roman Empire. His insistence that these documents must exist is a logical conclusion from those prepositions. A failure to quote them does not imply that they were unimportant; on the contrary, it underscores his certainty that they would be found, if only the emperors would look.[103]

There are two related motivations at work here. Firstly, the importance of written evidence in general to Justin, and to the contemporary literary environment. Though early Christian

[98] Justin, *1 Apologia* 22.6, 54.10 (136,19-138,2, 224,1-3 M./P.); *Dialogus cum Tryphone* 69.5 (374,18-28 B.).
[99] Skarsaune, *Proof from Prophecy*, 58; Pierre Prigent, *Justin et l'Ancien Testament* (Paris, 1964), 165–169.
[100] Recognised by Anne-Catherine Baudoin, 'la figure de Pilate', 46.
[101] Skarsaune, *Proof from Prophecy* 43-4; Frances M. Young, *Biblical Exegesis and the Formation of Christian Culture* (Cambridge, 1997), 123; Martin C. Albl, *And Scripture Cannot be Broken: The Form and Function of the Early Christian Testimonia Collections* (Supplements to Novum Testamentum 96; Leiden, 1999), 98-9: "these collections would have been in codex form".
[102] Elizabeth Meyer, 'Roman tabulae, Egyptian Christians, and the adoption of the codex', *Chiron* 37 (2007) (294–347).
[103] It should also be pointed out that a lack of explicit quotation should not automatically be taken as indicating low importance; Justin avoids explicitly citing (though he does paraphrase, and quote without attribution—*1 Apologia* 15-17, 33.5, 34.2 [112,18-120,22, 172,23-174,1, 174,14-18 M./P.] etc.) the Gospels. See Hudson, *Worshipping a Crucified Man*, 42, 98–9: "In the *Apology* authoritative texts are ancient and are inspired by the Prophetic Spirit; recent Christian writings do not have these characteristics".

authors—Justin included—have been presented as advancing an 'oral', 'barbarian' epistemological system in opposition to Greek literary culture,[104] this 'oral' knowledge was transmitted textually (as is latent in alternative presentations of Christianity as a religion of 'the book').[105] Narratives of Jesus' life are, above all, textual; and this was recognised by early Christian authors. As Hudson argues, Justin's innovation was bringing "prophecy into the sphere of the literary."[106]

Justin is intensely interested in books and written evidence, beyond the documentary forms we have explored so far. For example, when introducing the proof from prophecy section in the *First Apology*, he explains that ancient Jewish prophecies are accessible because "kings of the Jews" recorded them and preserved them ἐν βίβλοις, "in scrolls".[107] This occasions his notice of Ptolemy Philadelphos' collection and translation of scripture, based on the *Letter of Aristeas*, finishing with the important point that these βίβλοι remain in Egypt to this day, available to all for perusal.[108] The implication is clearly that the emperors could read these texts for themselves if they wished—similar to his documentary citations discussed above. When discussing the heresy of Simon Magus, Justin asserts that he was honoured as a god at Rome, and his trump-card is the citation of an honorific inscription which he not only quotes (Σίμωνι Δέῳ Σάγκτῳ), but locates in Rome on the Insula Tiberina.[109] That he is almost certainly mistaken here does not change that various forms of written evidence were important to his arguments.[110] As we have seen, in his *Dialogue with Trypho*, he is repeatedly concerned by the idea that Jewish communities have edited LXX texts to make them less amenable to a Christian interpretation—betraying again a concern for the integrity and proper use of written evidence. He is repulsed, too, by attacks on Christian scriptural integrity closer to home—for example, Marcion's 'heretical' canon. When, in the *Apology*, he refers to the gospels, he calls these the "memoirs" (ἀπομνημονεύματα) of the Apostles, trying to imbue these texts with a documentary authenticity.[111] Finally, he conceives of his own project in terms of providing written evidence

[104] See Geue, 'Keeping/losing records'; Hyun Jin Kim, 'Justin Martyr and Tatian: Christian reactions to encounters with Greco-Roman culture and imperial persecution', in *Old Society, New Belief: Religious Transformation of China and Rome, ca. 1st – 6th Centuries* (ed. Mu-Chou Poo, Oxford, 2017) (69–79); Judith Perkins, 'Jesus was no sophist: education in early Christian fiction', in *The Ancient Novel and Early Christian and Jewish Narrative: Fictional Intersections* (ed. M.P. Mutre, Judith Perkins, and R. Pervo, Groningen, 2012) (109–131); and Loveday Alexander, 'The living voice: skepticism towards the written word in early Christian and in Graeco-Roman texts', *Journal for the Study of the Old Testament* 87 (1990) (221–247), who in fact demonstrates the proximity of this kind of presentation to the way some Graeco-Roman authorities approached philosophical knowledge. Young, *Biblical* Exegesis, 15, 27-8, compares Jewish exegetical culture—based on the written word—to Christian, in which, supposedly, "the living and abiding voice of witness had the greater authority".

[105] On the special status that this accorded scribes in early Christian culture—who, unlike scribes of more 'mainstream' texts, were members of the communities the texts were produced for—see Kim Haines-Eitzen, *Guardians of Letters: Literacy, Power, and the Transmitters of Early Christian Literature* (Oxford, 2000). For books in early Christianity generally see Harry Gamble, *Books and Readers in the Early Church: A History of Early Christian Texts* (New Haven, 1995).

[106] Hudson, *Worshipping a Crucified Man*, 62.

[107] Justin, *1 Apologia* 31.1 (162,8-164,2 M./P.).

[108] Justin, *1 Apologia* 31.2-5 (164,2-166,7 M./P.). See Hudson, *Worshipping a Crucified Man*, 50–51, on how Justin gives these texts "a complete manuscript history".

[109] Justin, *1 Apologia* 26.2 (146,12-148,1 M./P.).

[110] See Minns & Parvis, *Justin*, 149; Peter Lampe, *From Paul to Valentinus: Christians at Rome in the First Two Centuries* (trans. M. Steinhauser, Minneapolis, 2003), 269.

[111] On documentary *commentarii*/*hypomnemata* see Ulrich Wilcken, '*Hypomnematismoi*', *Philologus* 53 (1894) (80–126). Wally Cirafesi and Gregory Peter Fewster, 'Justin's ἀπομνημονεύματα and ancient Greco-Roman memoirs', *Early Christianity* 7 (2016) (186–212) discuss Justin's use of the term ἀπομνημονεύματα, arguing that he is tapping both into the rhetorical value of 'memoirs' as proof, as well as the philosophical/cultural cachet of the term, positioning the Apostles as composers of literature; Skarsaune, 'Justin and his bible', 71–2 likewise

for Christianity's claims: he is writing to educate, that his exposition of Christianity be publicly posted and published,[112] to "allow everyone an inspection of our life and our teachings" (καὶ βίου καὶ μαθημάτων τὴν ἐπίσκεψιν πᾶσι παρέχειν).[113] Writing is thus fundamental to Justin, for its ability to authenticate, record, and be consulted. His citation of Roman legal documents fits perfectly into this scheme.

Such an interest in written texts and all their forms—in writing as evidence, in letters, legal documents, inscriptions—and in their accessibility, retrievability, and (in)corruptibility, is a particular feature of literature under the empire.[114] Paratextual framing devices, like Justin's *Apology*-cum-petition, are also notable characteristics of the period. Justin participates in this and makes it work for his Christian claims.

The specific passages we have investigated here correspond to a related phenomenon: the activation of Roman imperial knowledge claims for the purposes of authentication. Justin's claim that Roman documents could prove Jesus' Messiahship, his divinity, his miracles, and Christian chastity, depended upon an ideology of imperial knowledge about the world and its inhabitants, which was underpinned by documentary words and figures. This ideology affected those who lived within the Roman empire, and opened the door for its use and abuse by those same subjects.

Roman imperial ideology stressed constant communication between the periphery and the centre, delivering not just material, but also knowledge—knowledge to be collected, guarded, and utilised by rulers. In his *Res Gestae* exhibited outside his Mausoleum, Augustus not only boasts of his census operations, but constructs a metaphorical map—a catalogue of the places under Roman sway. Nearby, also part of the Augustan complex on the Campus Martius, was Agrippa's world-map, exhibited in the Porticus Vipsania—also intimately connected to the documentary record, since the measurements were based on Agrippa's *commentarii*.[115] Whatever the reality, this discourse built up a powerful image in subjects' minds about Roman

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notes the importance of Xenophon's *Memoirs* of Socrates as a model. Christoph Markschies, *Kaiserzeitliche christliche Theologie und ihre Institutionen: Prolegomena zu einer Geschichte der antiken christlichen Theologie* (Tübingen, 2007), 263 sees Justin as positioning himself as a philosophical teacher. Similarly, in his *Life of Apollonius*, Philostratus tells us that he produced his texts from the "writing-tablets of the notebooks" (δέλτοι τῶν ὑπομνημάτων) kept by Damis, one of Apollonius' disciples—which, interestingly for our purposes, happened to be in the possession of the empress Julia Domna: *Vita Apollonii* 1.3 (ed. Cristopher P. Jones, *The Life of Apollonius of Tyana Vol. I* [Loeb Classical Library 16; Cambridge MA, 2005], 38,8-10).

[112] Justin, *1 Apologia* 69.1 = *2 Apologia* 14.1, *1 Apologia* 70.1 = *2 Apologia* 15.2 (266,9-268,1, 268,7-9 M./P.).

[113] Justin, *1 Apologia* 3.4 (84,8-9 M./P.). As Cline, *Petition and Performance*, 124–130 recognises (building upon Kinzig, 'Sitz im Leben'), this taps into the documentary framework upon which the *Apologies* are predicated, and the concrete realia of petitionary practice in which they are situated, by mobilising the Roman practice of *propositio* to reach his audience. However, we should be sceptical about the practicability of using this mechanism to reach new readers; given the numbers of such petitions being posted, it is unlikely that anyone would be reading answered petitions in which they did not have a prior interest.

[114] On the use of letters to frame texts the imperial period, see Patricia Rosenmeyer, *Ancient Epistolary Fictions: The Letter in Greek Literature* (Cambridge, 2001), 234–252; for texts presented as documents on tablets, see Karen Ní Mheallaigh, 'Pseudo-documentarism and the limits of ancient fiction', *The American Journal of Philology* 129/3 (2008) (403–431); for the use of inscriptions in imperial literature see Peter Liddel and Polly Low, 'Introduction: the reception of ancient inscriptions', in *Inscriptions and Their Uses in Greek and Latin Literature* (ed. Peter Liddel and Polly Low, Oxford, 2013) (1–21), David Langslow, 'Archaic Latin inscriptions and Greek and Roman Authors' in the same volume (167–196) (Justin's 'Simon Magus' inscription is discussed at 175) and Erkki Sironen, 'The role of inscriptions in Greco-Roman novels', in *The Ancient Novel and Beyond* (ed. Steilos Panayotakis, Maaike Zimmerman, and Wytse Keulen, Leiden, 2003) (289–300). These tactics—which seek to lend authenticity and verisimilitude to their narratives—become particularly common and elaborated in this period. See William Hansen, 'Strategies of authentication in ancient popular literature', in *The Ancient Novel and Beyond* (Leiden, 2003) (301–314) for authentication strategies in the period more generally.

[115] Nicolet *Space, Geography, and Power*, 16–24; 101–2.

control over knowledge. This image, as much as the actual *imagines* of the emperor around the empire, was vital to the idea of an emperor who was simultaneously in Rome and everywhere else: in a judicial mode, Pliny has Trajan "in the manner of the swiftest star (*velocissimi sideris more*), watching over and listening to all, and from wherever you are invoked, to immediately be there and render aid".[116] Similarly, Aelius Aristides says that when Roman administrators have doubt, they immediately write to the emperor to ask what is to be done, and "wait until he signals"; the system of imperial communications and dispatched documents means that "it is very easy for him—while seated—to rule the entire world by letter (πᾶσαν … τὴν οἰκουμένην δι' ἐπιστολῶν).[117] These ideals of documentary creation, communication, and archiving were interconnected and fundamental to Roman epistemological claims.

Development of documentary and archival practice had its impact on the minds of elites and sub-elites alike.[118] The cultivation of personal archives in Egypt, for example, becomes more pronounced in the Roman period; meanwhile, scholars have identified heightened impulses of cataloguing and encyclopaedic ordering in imperial literature that correspond to imperial claims of universalising and ordering knowledge from across the *oikoumenē*.[119] Roman documents tapped into, and strengthened, these knowledge claims, guaranteeing the veracity of the content within (and Roman authorities were concomitantly affronted by suggestions of tampering).[120] Justin's own reference to Roman documents within his work represents an attempt to make this aspect of empire work for the purposes of the group he represented.[121]

On this note, I want to close this discussion with an example of a near contemporary to Justin adopting a similar rhetorical manoeuvre, tapping into Roman epistemological ideals to convince his readers of a miraculous tale. We have already met Phlegon of Tralles, a freedman of Hadrian who wrote the *On Long Lived People*.[122] He also left us another text: *On Marvels*. Here he narrates the story of a centaur found in a town called Saune, sited on a high mountain in Arabia.[123] The captive beast was sent by the local king to the Roman emperor as a gift. While transiting through Alexandria, the centaur died, affected by the climate. The Egyptian prefect had the creature embalmed and sent on to Rome, where it was put on display: a fearsome sight for all who came to see, though smaller than one might expect.

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[116] Pliny the Younger, *Panegyricus* 80.3 (SCBO *XII Panegyrici*, 69,8 Mynors).
[117] Aelius Aristides, *Orationes* 26.23-33 (ed. Bruno Keil, *Aelii Aristides Smyrnaei quae supersunt omnia Vol. II* [Berlin, 1898], 101,18-23).
[118] Posner, *Archives*, 154–5.
[119] Jason König and Tim Whitmarsh, 'Ordering knowledge', in *Ordering Knowledge in the Roman Empire* (eds. Jason König and Tim Whitmarsh, Cambridge, 2007) (3–39).
[120] See Meyer, *Law and Legitimacy*, 235–6 on an interesting case of documentary tampering, and the Egyptian *idios logos*' attempt to explain it away. Maliciously editing documents such as wills was punishable by condemnation to the mines for *humiliores*, and exile for the elites: *Digesta* 47.11.6.1, 48.10.1.13 (784,30-5; 824,6-9 M./K.).
[121] On the hopeful and persistent use/abuse of Roman documents to serve the purposes of provincial petitioners see Ari Bryen, 'Judging empire: courts and culture in Rome's eastern provinces', *Law and History Review* 30/3 (2012), (771–811).
[122] Information on Phlegon comes from the *Suda*, s.v. Φλέγων Τραλλιανός, as well as from a notice preserved by Photius that his *Olympiads* were dedicated to one of Hadrian's bodyguards (*FrGrHist* II B, 257 T3). The *Historia Augusta* also connects Phlegon and Hadrian: Scriptores Historiae Augustae, *Vita Hadriani* 16.1 (CUFr *Histoire* 1, 35,10-13 Callu).
[123] Saune is not securely identified; Stephanus of Byzantium refers to a Σαῦνις πόλις Αραβίας in *Arabia Felix*, modern-day Yemen, which Lucas Holstenius, *Notae et castagationes postumae in Stephani Byzantii Ethnica* (Leiden, 1684), 286, identified as the city mentioned by Phlegon in his posthumously published commentary.

Phlegon cannot claim to have seen this centaur himself.[124] Perhaps aware that an account of this nature lacking autopsy might stretch credulity, he closes with an authenticating tag:

> τὸν δὲ πεμφθέντα εἰς Ῥώμην εἴ τις ἀπιστεῖ, δύναται ἱστορῆσαι· ἀπόκειται γὰρ ἐν τοῖς ὁρ<ρ>ίοις τοῦ αὐτοκράτορος τεταριχευμένος, ὡς προεῖπον.[125]
>
> If anyone does not believe in the centaur which was sent to Rome, it is possible to investigate: for it is laid up in the storehouses of the emperor, embalmed, as I have said.

This tactic is almost identical to Justin's "as you may learn" clauses. An unconvinced reader is conjured; the reader is then told that they are able (δύναται) to authenticate the information for themselves, by reference to a physical object that it is assumed must be cached away in imperial archives. In both cases the author does not claim to have seen the item in question. Phlegon's passage makes no direct use of documents as such. However, the idea of the Roman state as a possessor and guarantor of knowledge—the same system of recording, archiving, and retrieving—is harnessed by both, and made to serve the needs of two very different authors seeking to support their tales of miracles.[126]

What connects Phlegon and Justin is their imperial context: both provincial Greeks who had spent time in Rome, they were part of an environment in which documentary evidence gained a new status, and in which archival and encyclopaedic ordering of material reached a unique pitch. This was a response to the ways in which the Roman empire worked, and claimed to work. Justin's comment about census data should not be seen as an insincere concession to unconvinced Roman readers—it was a potentially powerful authentication strategy which resonated with Roman imperial subjects, of which Justin was one.

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[124] Shannon-Henderson, 'Phlegon of Tralles and his sources', for Phlegon's authentication strategies. See Adrienne Mayor, *The First Fossil Hunters: Paleontology in Greek and Roman Times* (Princeton, 2003): 240 on the centaur story. For Phlegon's knowledge of existing medical discourses which discounted the possibility of centaurs, see Kelly Shannon-Henderson, 'Phlegon's Paradoxical Physiology: Centaurs in the *Peri Thaumasion*', in *Medicine and Paradoxography* (ed. George Kazantzidis, Berlin, 2019) (141–162). For his project in the *On Marvels* more generally, see Kai Brodersen, *Das Buch der Wunder und Zeugnisse seiner Wirkungsgeschichte* (Darmstadt, 2002).

[125] Phlegon of Tralles, *De rebus mirabilibus* 35 (BSGRT, 60,2-4 Stramaglia).

[126] Examining the Greek novels, Hansen, 'Strategies of authentication', terms such instances—where the author directs the reader to a location where the veracity of the story will be demonstrated—'light pseudo-documentarism'. This tactic was well-enough known that Seneca satirised it: "And so I count myself amongst those witnesses with second-hand evidence, who in fact deny they have seen the thing": Seneca, *Naturales quaestiones* 4B.3.1 (BSGRT, 190,17-18 Hine); see Lydia M. Spielberg, 'The rhetoric of documentary quotation in Roman historiography', PhD dissertation submitted to the University of Pennsylvania (2015), 1–3. Note, also, Livy's apparent bemusement at being corrected by Augustus on the basis of a questionable documentary citation: an inscription on a linen breastplate of the early Roman hero Cornelius Cossus (Livy, *Ab Urbe Condita* 4.20.5-11 [SCBO 268,26-269,24 Ogilvie]). This supposedly proved that Cossus had been a consul when he had dedicated the *spolia opima* in the temple of Jupiter Feretrius, the second to do so, following Romulus. Tradition (and Livy) had previously held that Cossus had been a tribune, but this would not do in the Augustan context, since, as triumvir, Octavian had argued that only someone commanding an army under their own auspices could dedicate the *spolia*—thus denying the right to M. Licinius Crassus, proconsul of Macedonia. Livy is apparently unconvinced by this episode of pseudo-documentarism, hinting that Jupiter and Romulus were figures "hardly to be held in contempt by false witnesses of documents". For more on this episode see Frederik Vervaet, *Augustus and the Public Triumph—From Republican Ritual to Imperial Monopoly* (Berlin, Forthcoming).

The afterlife of Justin's claims suggests their purchase. Likely depending on him, Tertullian cited Quirinius' census data half a century later in his *Against the Jews* and *Against Marcion*.[127] That Tertullian took Justin's idea and applied it not to apologetic purposes, but to anti-Jewish and heresiological rhetoric (i.e. texts which were ostensibly directed, not at Roman authorities, but at Christians and other religious minorities), shows that Roman authority was marshalled because it was viewed as convincing by Christians themselves, *qua* Romans. The same is suggested by the use of Roman documentary forms in martyr texts, and perhaps even by the Christian adoption of the codex.[128] As for his idea that Pilate's *acta* proved Jesus' miraculous doings, this was also picked up by Tertullian in his own *Apology*, writing that Pilate actually became a Christian and sent a report on him to Tiberius.[129] Eusebius elaborated on this account, reporting Tertullian's statements and seeking to buttress their historical credentials by explaining that such reports from governors to emperors were commonplace so that "nothing having happened might escape his notice (ὡς ἂν μηδὲν αὐτὸν διαδιδράσκοι τῶν γινομένων)".[130] In Eusebius' hands, Pilate's documents now contained proof not only of Jesus' Messiahship, divinity, and healing miracles, but also his resurrection and paradosis (*Historia ecclesiastica* 2.2.1-3).[131] It is from this point on that apocryphal Christian productions emerge purporting to be such letters and documents of Pilate. However, the idea of Pilate's documentation—first encountered in Justin—did not excite only Christians. Eusebius tells of a competing tradition: 'forged' memoirs of Pilate, written and circulated by the persecutor Maximin Daia in order to discredit the claims Christians made of Jesus.[132] That both Christians and their adversaries were mobilising hypothetical legal documents produced centuries earlier shows the deep penetration of Roman knowledge claims into the minds of subjects and the rhetorical value they provided to those who could marshal them; and the close mirroring of the tactics (as with Phlegon) shows that Christian authors were not doing anything unique, but were simply using the tools of their society—a society in which Rome and its claims were supreme.[133] Justin and his ilk may be better characterised as epistemological opportunists, rather than the usual charge of epistemological supercessionism[134].

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[127] Tertullian, *Adversus Iudaeos* 9.27 (CCSL 2, 1373,206-8 Kroymann); *Adversus Marcionem* 4.19.10 (CCSL 1, 593,4-6 Dekkers). Orosius, writing in North Africa and likely influenced by Tertullian, picks this up and develops it in his early-fifth-century *Seven Books of History against the Pagans* (6.22.6-8, 7.3.4), in which he regards Jesus' enrolment in the census of Quirinius—as a Roman citizen!—as "the first important salvation event": Vinzent, *Resetting the Origins of Christianity*, 29–31.

[128] Meyer, 'Roman tabulae and the adoption of the codex'.

[129] Tertullian, *Apologeticum* 5.2, 21.24 (CCSL 1, 94,7-95,12; 127,124-8 Dekkers). Vinzent, *Resetting the Origins of Christianity*, 32, considers Orosius the innovator of this tradition—in fact he has received it from Tertullian and Eusebius/Rufinus.

[130] Eusebius, *Historia ecclesiastica* 2.2.1 (SC 31, 52,16 B).

[131] Eusebius, *Historia ecclesiastica* 2.2.1-3 (SC 31, 52-3 B).

[132] Eusebius, *Historia ecclesiastica* 1.9 (SC 31, 34-5 B), 9.5 (ed. Edward Burton, *Eusebius' Ecclesiastical History* [Oxford, 1872], 313).

[133] The *absence* of such strategies by other authors (e.g. Athenagoras, Tatian, Theophilus, etc.) may attract some comment. Certainly, Justin stands out in his hijacking of documentary forms. Naturally, Justin was writing in Rome; it is also surely relevant that he had, uniquely, adopted a petitionary format for his *Apology*, representing a natural context for documentary citation not shared by, for example, Athenagoras' embassy-style address, Tatian's angry diatribe, or Theophilus' correction of a private enemy. Moreover, as I have said elsewhere, other early Christian material—such as the martyr narratives—and letters (e.g. Dionysius of Alexandria, in Eusebius *Historia ecclesiastica* 7.11.6 [SC 41, 180,14-15 B.], and Cyprian, *Epistulae* 77.2 [CSEL 3/2, 834,17-18 Hartel]) do make use of Roman documentary forms and citations. The tactic examined here is not unique, even if Justin is an enthusiastic adopter.

[134] Young, *Biblical Exegesis*, 49.

This helps to demonstrate the enmeshment of early Christian literature in the everyday ideologies and realia of the Roman empire. It is not just that the apologies were written against a Graeco-Roman backdrop, as has become commonplace in scholarship. It is that apology—as we know it, as a Christian 'genre'—could only have emerged in the period it did: a period in which the idea (I leave aside the reality) of persecution threatened the Christian right to exist, forcing believers to navigate the difficult relationship between their religion and their political allegiances; a period in which different ethnic, religious, and philosophical groups competed against each other in an intensely agonistic public environment for followers, legitimacy, and tolerance; and a period in which the empire of Rome spanned the known world, and claimed to know the world better than anyone else. These are the conditions which forged apology—a literature of self-justification, antagonism, and insecurity: a literature of empire.