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“BUT I AM A CITIZEN BY BIRTH.”

PAUL’S ROMAN CITIZENSHIP FROM A LEGAL POINT OF VIEW

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1. INTRODUCTION

It must have been nice to be a Roman citizen.

Even at the beginning, Roman citizenship included important rights that we take for granted nowadays but the lack of which would be unfortunate. To name but a few, it included the right to vote (*ius suffragii*), the right to hold office (*ius honorum*), the right to be a soldier (*ius militia*), the right to participate in religious ceremonies (*ius sacrorum*), the capacity to hold property (*ius commercii*), the right to marry under civil law (*ius conubii*).² The *ius exulandi*, the right to voluntary exile in lieu of the death penalty, was also a fairly civilised public right in Rome. Thus, we can see how important the advantages of citizenship were in the Empire before the *Constitutio Antoniana*,³ especially in the provinces, when Romans were still clearly separated according to their status from the *peregrini*,⁴ and where the mere fact of being a citizen could elevate a person from the ranks of commoners.

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² ANDRÁS FÖLDI – GÁBOR HAMZA: *A római jog története és intézményei*. Budapest, Nemzedékek tudása, 2014. 208.

³ In AD 212 Caracalla granted Roman citizenship to every free man in the Empire. Although the official reason was to honour the people of the Empire, the real purpose was probably to increase tax revenues on inheritances. See more: ALEX IMRIE: *The Antonine Constitution: An Edict for the Caracallan Empire*. Leiden, Brill, 2018.

ARNAUD BESSON: Fifty Years before the Antonine Constitution: Access to Roman Citizenship and Exclusive Rights. In: LUCIA CECCHET – ANNA Busetto: *Citizens in the Graeco-Roman World: Aspects of Citizenship from the Archaic Period to AD 212*. Mnemosyne, Supplements, Vol. 407. Leiden, Brill, 2017.

⁴ ÉVA JAKAB: Law and Identity: Considerations about Citizenship and Succession in Provincial Practice. In: KAJA HARTER-UIBOPUU (ed.): *Symposion 2019*. Wien, Austrian Academy of Sciences Press, 2021. 335.

Although some suspect that Simon of Cyrene was a Roman citizen as well,⁵ I believe that the fact that Paul was not only an apostle but also a Roman citizen creates a rather unique case, and offers important points for discussion. My aim in this paper is to highlight the significance of Roman citizenship in Paul's life and to underline some of its characteristics through – a rather short – biblical exegesis. Moreover, I shall present certain aspects of Paul's Roman citizenship that still may be of interest in light of modern constitutional law.

2. HIGHLIGHTS

The main source of information on Paul's life and works is the New Testament. According to Acts, Paul lived as a Pharisee and participated in the persecution of early disciples of Jesus. After his conversion,⁶ he went on three great missionary journeys. One of the three episodes I discuss in this paper happened during his second missionary journey was in Philippi. The two others happened after his successful return to Jerusalem.

Before we go any further, a few words about Paul's citizenship.

Most scholars agree that Paul was a Roman citizen. However, some,⁷ including ALBERT HARRILL, repeatedly express doubts by arguing that Paul's letters do not refer to the citizenship at all and the privilege is only mentioned in the Acts of the Apostles.⁸ According to Harrill: „*Paul's Roman citizenship in Acts functions as a literary device to heighten dramatic suspense and to move the main character, Paul, to his ultimate destination of the imperial capital.*”⁹

On the other hand, O'CONNOR explains why there is no mention of his citizenship in the Pauline letters. First, he had no reason to boast about his privilege to others, when the main goal was to convince a community that their citizenship was in heaven. Second, during his journeys, he probably did not carry the invaluable document with him, therefore, he would not have any chance to prove his claim.¹⁰

⁵ RICHARD WESTFALL: Simon of Cyrene, a Roman citizen? *Historia. Zeitschrift für Alte Geschichte*, 59/4, 2010. 489–500.

⁶ WALENTY PROKULSKI: The Conversion of St. Paul. *The Catholic Biblical Quarterly*, 19/4, 1957. 453–473.

⁷ For more information see: WOLFGANG STEGEMANN: War der Apostel Paulus ein römischer Bürger? *Zeitschrift für die neutestamentliche Wissenschaft*, 78/1987. 200–229.

⁸ ALBERT J. HARRILL: *Paul the Apostle: His Life and Legacy in Their Roman Context*. Cambridge, Cambridge University Press, 2012. 98.

⁹ HARRILL 2012, 99.

¹⁰ JEROME MURPHY-O'CONNOR: *Paul: A Critical Life*. Oxford, Clarendon Press, 1996. 40.

I agree with ADAMS, who states that denying Paul’s Roman citizenship “is not sustainable because of the fact that the entire final sequence of Acts, namely Paul’s appeal, protection and travel to Rome, hinges entirely on Paul’s Roman citizenship.”¹¹

3. LEGAL, AND HISTORICAL FOUNDATIONS

The current concept of citizenship was developed in the 19th century. It is a public law bond between a person and the state, the content of which is made up of rights and obligations.¹² However, it carries a similar meaning and content to its Roman legal archetype. In modern states, two approaches to citizenship by birth can be distinguished. In the Americas, the principle of *ius soli* – i.e. the principle of birth in the territory – prevails, whereby a child born in Brazil, or the USA acquires local citizenship regardless of the nationality of his or her parents. In Europe, on the other hand, the *ius sanguinis*, the principle of blood prevails. It means that a child born to a Hungarian mother or father is a Hungarian citizen.¹³

Paul was a Roman citizen by birth, as we would say today, by *ius sanguinis*. On more than one occasion – which will be discussed in more detail later – we can see how the very existence of Roman citizenship had a profound influence on his fate. Had he not disclosed his citizenship to the soldier (who was about to flog him in Jerusalem) and then to *chiliarch* Claudius Lysias, he would not have been transferred to Caesarea to face the governor Felix and then, his successor, Portius Festus. We may also assume that if he had stayed in Jerusalem, he would have been likely to be assassinated by the forty conspirators mentioned in the Acts.¹⁴ Furthermore, we can see later on, that the mere fact of citizenship led to an audience with King Herod Agrippa himself.¹⁵ In Caesarea, if he had not exercised his right of appeal¹⁶ which he was entitled to due to his citizenship, he would never have made it to Rome (and, by shipwreck, to Malta, where he spent two years establishing a local community)¹⁷. Also, his case would not have

¹¹ SEAN A. ADAMS: *Paul the Roman citizen: Roman citizenship in the ancient world and its importance for understanding Acts 22:22–29*. In: Paul: Jew, Greek, and Roman. Leiden, Brill. 2009. 315.

¹² BALÁZS SCHANDA: Államalkotó tényezők. In: TRÓCSÁNYI LÁSZLÓ et al. (ed.): *Bevezetés az alkotmányjogba*. Budapest, HVG-orac, 2020. 105.

¹³ SCHANDA 2020, 106.

¹⁴ Acts 23.

¹⁵ Acts 25, 13–26, 32.

¹⁶ For more information see: PETER GARNSEY: The Lex Iulia and Appeal under the Empire. *The Journal of Roman Studies*, 56/1-2., 1966. 167–189.

¹⁷ MARIO BUHAGIAR: St. Paul’s Shipwreck and Early Christianity in Malta. *The Catholic Historical Review*, 93/1, 2007. 1–16.

been brought before Emperor Nero, nor would his trial have taken place. We can see, then, how the possession of citizenship influenced the course of his life.

Before proceeding any further, let us look at the legal status of the persons of ancient Rome.

*Et quidem summa divisio de iure personarum haec est quod omnes homines aut liberi sunt aut servi.*¹⁸ – wrote Gaius in his *magnum opus*. The Institutes of Iustinian adds to this passage: “In the condition of slaves there is no distinction; but there are many distinctions among free persons; for they are either born free, or have been set free.”¹⁹

Further classification is needed for the freedmen, who could have been either peregrines, Latins or Roman citizens. The natural way to become a Roman citizen was to be born of a valid marriage to a Roman citizen,²⁰ in which case the child would assume the status of Roman citizen, even if the father married a peregrine or a Latin woman.²¹ If there was no valid marriage between the parents in the Roman legal sense, the child did not follow the status of the father,²² but that of the mother. If the mother was a Roman citizen, the child would have the same status.²³

There were many ways of acquiring Roman citizenship. As a rule, manumitted slaves²⁴ became Roman citizens, as did either Latins or Peregrines, if they were adopted by a Roman citizen. Ulpian lists several cases in which the Latins were able to become Roman citizens. “*Latins acquire the right of Roman citizenship in the following ways: by the favor of the Emperor, by children, by repetition, by service in the night-watch, by ship-building, by the construction of houses, by milling; and, in addition to this, a freeborn woman who has brought forth children three times, is entitled to this right under the Decree of the Senate.*”²⁵

The cases mentioned by Ulpian require some clarification. By shipbuilding, he was referring to an edict of Claudius by which Latins acquire the right of citizenship, if they build a ship which holds 10,000 *modii* of corn and the ship or another imports corn to Rome for six years.²⁶ By constructing houses, he was citing the decision of Nero, who further enacted that if a Latin owns property

¹⁸ Gai. 1, 9: The main legal division of all people is that they are either free or slaves.

¹⁹ Inst. 1, 3, 1: *In servorum condicione nulla differentia est, in liberis multae differentiae sunt: aut enim ingenui sunt aut libertini.*

²⁰ See below: *ius sanguinis*

²¹ Gai. 1, 56.

²² Gai. 1, 80.

²³ Gai. 1, 78.

²⁴ Inst. 1, 5, 2; Ulp. 1, 6.

²⁵ Ulp. 3, 1: *Latini ius Quiritium consequuntur his modis: beneficio principali, liberis, iteratione, militia, nave, aedificio, pistrino; praeterea ex senatus consulto mulier, quae sit ter enixa.*

²⁶ Gai. 1, 32c.

worth 200,000 sesterces or more by building a house at Rome on which he expends not less than half his property, he shall acquire the right of citizenship.²⁷ Furthermore, Emperor Traian ordered that if a Latin carries on the business of miller in Rome for three years and grinds each day not less than a hundred measures of wheat, he shall attain Roman citizenship.²⁸ Another means of acquiring citizenship was to purchase it (likely illicitly and at a very high price).²⁹

Moreover, Roman citizenship was conferred on Latins, who completed six years in the service of the night-watch,³⁰ or after three years of active military service³¹ which was a very popular way of acquiring citizenship for the inhabitants of provinces. Roman soldiers were forbidden by law from marrying during their military service, at least until the time of Septimius Severus.³² This restriction caused problems not only for soldiers and their families during long provincial service, but also in terms of property law. More than one papyrus records the struggle of illegitimate children to obtain their inheritance.³³ Interestingly, the illegitimate children of Roman citizens, whose father entered into military service, and got married during that time illegally, did not become Roman citizens after the end of their father’s service. However, those non-citizens, who joined the army already having a family, acquired the citizenship not only for themselves but also for their family respectively.³⁴

4. ORIGIN OF PAUL’S CITIZENSHIP

Scholars disagree on how Paul’s family acquired Roman citizenship. Paul came from a wealthy family in Tarsus, and we know from his own attestation that he did not acquire his citizenship in one of the ways listed above but was born a Roman citizen under the principle of *ius sanguinis*.³⁵ Tajra believes that it was through military service that Paul’s father or grandfather gained Roman citizenship.³⁶ Another theory is that his wealthy family purchased the citizenship

²⁷ Gai. 1, 33.

²⁸ Gai. 1, 34.

²⁹ As we see later: Acts 22, 28.

³⁰ Ulp. 3, 5.

³¹ Gai. 1, 32b.

³² BRIAN CAMPBELL: The Marriage of Soldiers under the Empire. *The Journal of Roman Studies*, 68/1978. 153–166.

³³ BGU I 140, M.Chr. 373, Sel. Pap. II 213, Alexandria, 119.

³⁴ JOHN ANTHONY CROOK: *Law and Life of Rome*. Ithaca, Cornell University Press, 1967. 41–42.

³⁵ Acts 22, 28.

³⁶ HARRY W. TAJRA: *The Trial of Paul*. Tübingen, Mohr, 1989. 83.

illegally. Others suggested his father (or grandfather) was a slave, who acquired citizenship by manumission.³⁷ PETER VAN MINNEN believes that one of Paul's ancestors was a freedman of the synagogue of the Libertini in Jerusalem. It can explain why Paul appears there during the stoning of Stephen.³⁸ Although others are very quick to dismiss van Minnen's theory, I find that one rather intriguing.

Adams argues that all the above reasons are highly unlikely: his theory is that his citizenship is strongly related to his city, Tarsus. Piracy developed into a large problem on the Cilician coast, which drew the attention of Pompey, who crushed the marauders in 67 BC and set up Tarsus as the new Roman capital of the province of Cilicia. Adams claims that it is possible that Paul's family, being part of the upper class of the city, was offered citizenship upon the capture of the city by Pompey, or that the privilege was gained through a service to Pompey at this time.³⁹

Ramsay points out that, given Paul's public status, he was first and foremost a Roman citizen, whose "*character superseded all others before law, and in general opinion in society, and placed him amid the aristocracy of any provincial town.*"⁴⁰ He also highlights the fact, that the citizenship in the first century (before the Antonine Constitution) was still jealously guarded, and probably meant that his family was (at least) of moderate wealth.⁴¹ Secondly, Paul was a Tarsian, not just a simple resident, but he also had citizenship rights.⁴² Although it may have had some traditional significance, or carried some meaning for the common people, but by the law of the nature, Roman citizenship preceded all. Thirdly, he was a Jew, which combined with Roman citizenship was quite a rarity.

Tarsus was a *civitas libera* located in Asia Minor, and therefore its citizens were exempt from normal provincial jurisdiction.⁴³ Tarsus is Paul's city, and he is proud of it.⁴⁴ The distinctive features of his hometown may have influenced his character. Tarsus was unique in the way that it successfully combined Western and Eastern influences and was able to create a unified society despite their

³⁷ O'CONNOR 1996, 39-41.

³⁸ PETER VAN MINNEN: Paul the Roman Citizen. *Journal for the Study of the New Testament*, 56/1994, 43-52.

³⁹ ADAMS (2009), 309-326.

⁴⁰ SIR WILLIAM MITCHELL RAMSAY: *St. Paul: the traveller and Roman citizen*. New York, G. P. Putnam's Sons, London, Hodder & Stoughton, 1898. 30.

⁴¹ RAMSAY 1898, 31.

⁴² RAMSAY 1898, 31.

⁴³ ADRIAN NICOLAS SHERWIN-WHITE: *Roman Society and Roman Law in the New Testament*. Oxford, Clarendon Press, 1963. 56-57.

⁴⁴ SHERWIN-WHITE 1963, 180.

differences.⁴⁵ According to Strabo, “the people at Tarsus have devoted themselves so eagerly, not only to philosophy, but also to the whole round of education in general, that they have surpassed Athens, Alexandria, or any other place that can be named where there have been schools and lectures of philosophers.”⁴⁶

Above all, Paul considers himself a citizen of Tarsus.⁴⁷ Interestingly, as we see in Acts 22, 3, while addressing the crowds in Hebrew,⁴⁸ he only mentions his Tarsian citizenship and that he is a Jew to create sympathy among his peers. On the other hand, he displayed his Roman citizenship to the provincial authorities only when it was necessary.

5. BEATING IN PHILIPPI

Acts records the moment Paul first mentions his citizenship. During Paul’s second journey, while walking the streets of Philippi he encountered and exorcised a slave girl, “who had a spirit of divination and brought her owners much gain by fortune-telling.”⁴⁹ This angered the owners. They grabbed Silas and Paul, took them to the forum before the magistrates, and accused them of causing a disturbance.⁵⁰ The city’s Roman magistrates ordered Paul and Silas to be publicly beaten, thrown into prison overnight, and be shackled.⁵¹ In prison, Paul converted his jailer, and expressed disapproval of their mistreatment.⁵² In the morning, the officials came by and told them that they have been let go. Instead of leaving, however, Paul lectured them on their rights as Roman citizens: “but Paul said to them, “They have beaten us publicly, uncondemned, men who are Roman citizens, and have thrown us into prison; and do they now throw us out secretly? No! Let them come themselves

⁴⁵ SIR WILLIAM MITCHELL RAMSAY: *The cities of St. Paul: their influence on his life and thought: the cities of eastern Asia Minor*. London, Hodder & Stoughton, 1907. 88-89.

⁴⁶ Strab. 14, 5, 13: τοσαύτη δὲ τοῖς ἐνθάδε ἀνθρώποις σπουδὴ πρὸς τε φιλοσοφίαν καὶ τὴν ἄλλην παιδείαν ἐγκύκλιον ἅπασαν γέγονεν ὥσθ’ ὑπερβέβληνται καὶ Ἀθήνας καὶ Ἀλεξάνδρειαν καὶ εἴ τινα ἄλλον τόπον δυνατὸν εἰπεῖν, ἐν ᾧ σχολαὶ καὶ διατριβαὶ φιλοσόφων γεγόνασι. Transl. HORACE LEONARD JONES.

⁴⁷ SHERWIN-WHITE 1963, 179.

⁴⁸ According to the Bible, he spoke to the crowd in Hebrew, which is highly unlikely; it was probably Aramaic. See more: KORNÉLIA KOLTAI: *A targumok – Elmélet és gyakorlat, különös tekintettel a bibliafordítási és interpretációs eljárásokra*. Targum, 1/2022, 2–29.

⁴⁹ Acts 16, 16.

⁵⁰ Acts 16, 19-20.

⁵¹ Acts 16, 22-24.

⁵² Acts 16, 27-36.

and take us out.”⁵³ After the officials reported these to the magistrates, they got afraid and apologized to Paul and Silas.⁵⁴

The magistrates’ fear can be easily explained by the contents of the citizenship rights. The Porcian laws prohibited the whipping, scourging and crucifixion of Roman citizens. They also established the *Provocationsrecht* which we will see later.⁵⁵ Mommsen confirms that Roman citizens are supposed to be exempt from arrest and chastisement.⁵⁶ Barnes adds that the Greek word used in this episode for the seizure of Paul and Silas (ἐπιλαμβάνεσθαι) throughout Acts (Corinth, Jerusalem etc.) usually refers to violence.⁵⁷

As we can see, this is the first time Paul mentioned his citizenship. He successfully asserted his privileges and earned a formal apology from the Roman magistrates of Philippi.

6. FLOGGING IN JERUSALEM

The next occasion when we can witness Paul’s successful enforcement of his citizenship rights happens after his third missionary journey when he is arrested upon returning to Jerusalem.

“Is it lawful for you to flog a man who is a Roman citizen and uncondemned?” – he asked the soldier, when they had stretched him out for the whips.⁵⁸ ‘When the centurion heard this, he went to the tribune and said to him, “What are you about to do? For this man is a Roman citizen.”’⁵⁹

From these words we can clearly understand the centurion’s surprise and fright which is also a strong argument for the importance of Roman citizen’s rights in the province. The centurion’s worry is completely understandable in light of the *lex Iulia de vi publica*:⁶⁰ [...] *damnatur, qui aliqua potestate praeditur civem*

⁵³ Acts 16, 37.

⁵⁴ Acts 16, 38-39.

⁵⁵ Liv. 10, 9, 4: *Porcia tamen lex sola pro tergo civium lata videtur, quod gravi poena, si quis verberasset necassetve civem Romanum, sanxit*. Yet the Porcian law alone seems to have been passed to protect the persons of the citizens, imposing, as it did, a heavy penalty if anyone should scourge or put to death a Roman citizen. Transl.: Benjamin Oliver Foster.

⁵⁶ THEODOR MOMMSEN: *Römisches Strafrecht*. Leipzig, Duncker & Humblot, 1899. 309¹.

⁵⁷ TIMOTHY D. BARNES: An Apostle on Trial. *The Journal of Theological Studies*, 20/2., 1969. 414.

⁵⁸ Acts 22, 25.

⁵⁹ Acts 22, 26.

⁶⁰ Ulp. D. 48, 6, 7: *Lege Iulia de vi publica tenetur, qui, cum imperium potestatemve haberet, civem Romanum adversus provocationem necaverit verberaverit iusseritve quid fieri aut quid in collum iniecerit, ut torqueatur. Item quod ad legatos oratores comitesve attinebit, si quis eorum pulsasse et sive iniuriam fecisse agetur*.

*Romanum antea ad populum, nunc imperatorem appellan-tem necaverit necarive iusserit, torserit verberaverit condemnaverit in ve publica vincula duci iusserit. Cuius rei poena in humiliores capitis in honestiores insulae deportatione coercetur.*⁶¹

It is noteworthy that, although not mentioned in the verse, it is likely that Paul's claim to be a citizen was not merely believed based on his testimony but verified, since they probably kept lists and records of local Roman citizens.⁶² Furthermore, it was clear to everyone that it was not worth pretending to be a Roman citizen, as an insightful passage from Suetonius attests: "*Those who falsely pretended to the freedom of Rome, he (Emperor Claudius) beheaded on the Esquiline.*"⁶³

After this episode, we can witness a rather interesting exchange between Paul and the chiliarch Lysias: "*So the tribune came and said to him, 'Tell me, are you a Roman citizen?' And he said, 'Yes.' The tribune answered, 'I bought this citizenship for a large sum.' Paul said, 'But I am a citizen by birth.'*"⁶⁴

This short dialogue is rather unique, because not only can we experience the astonishment Paul's aristocratic status causes, but witness an explicit status comparison.⁶⁵ As Harrill puts it: "*Paul holds the greater claim to be Roman than even a senior legionary commander does.*"⁶⁶ Harrill believes that it is Luke's conscious effort to defend the legitimacy of Christianity in the Roman Empire and portray the leaders of the early Church as model imperial citizens.⁶⁷

Regarding Lysias' purchased citizenship, it is worth mentioning, that during Claudius' first year as an Emperor, the value of the citizenship started to decrease rapidly. Dio even makes a snarky comment that a man could become a citizen

Also liable under the *lex Julia* on *vis publica* is anyone who, while holding *imperium* or office, puts to death or flogs a Roman citizen contrary to his [right of] appeal or orders any of the aforementioned things to be done, or puts [a yoke] on his neck so that he may be tortured. Again, so far as relates to ambassadors, pleaders, or those who accompany them, anyone who is proven to have beaten or done them an injury. Transl.: Alan Watson.

⁶¹ Paul. 5, 26, 1: Anyone invested with authority who puts to death or orders to be put to death, tortures, scourges, condemns, or directs a Roman citizen who first appealed to the people, and has now appealed to the Emperor to be publicly placed in chains, shall be condemned under the *Lex Julia* relating to public violence. The punishment for this crime is death, where the parties are of inferior station; deportation to an island, where they are of superior rank. Transl.: Samuel Parsons Scott.

⁶² SHERWIN-WHITE 1963, 146-149. ADRIAN NICOLAS SHERWIN-WHITE: *The Roman Citizenship*. Oxford, Oxford University Press, 1973. 314-316.

⁶³ Suet. Cl. 25, 3: *ciuitatem R. usurpantes in campo Esquilino securi percussit*. Transl: Alexander Thomson.

⁶⁴ Acts 22, 27-28.

⁶⁵ JOHN CLAYTON LENTZ JR.: *Luke's portrait of Paul*. Society for New Testament Studies Monograph Series Vol. 77. Cambridge, Cambridge University Press, 1993. 44.

⁶⁶ HARRILL 2012, 100.

⁶⁷ HARRILL 2012, 101.

for a price of a broken glass.⁶⁸ However Sherwin-White dismisses this as an over-exaggeration.⁶⁹

After Paul had barely escaped flogging, a conspiracy of forty Jews took place, who swore that they would neither eat nor drink until they had killed Paul.⁷⁰ To rescue Paul from the violence of this assassination attempt (which was told to the *chiliarch* by Paul's nephew), Lysias had prepared two hundred soldiers, seventy horsemen, and two hundred spearmen to safely escort of him to Felix, the governor of the province.⁷¹ While the number of escorts may seem somewhat exaggerated and doubtful, we can clearly see the haste and concern for Paul's physical well-being (due to the fact of his "aristocratic" status) that prompted Lysias to get Paul safely to Felix as soon as possible. Although many point out that the main reason may have been his desire to get rid of Paul ("the troublemaker" as soon as possible), I believe that the *chiliarch's* worry for his safety was a real consideration in this case. Had not been the case, the assassination plot would have served him well.

7. APPEAL IN CAESAREA

In addition to the aforementioned verses, the most important biblical passage is, in which Paul explicitly exercises his civil rights in Caesarea to appeal to Emperor Nero. *'But Festus, wishing to do the Jews a favor, said to Paul, "Do you wish to go up to Jerusalem and there be tried on these charges before me?" But Paul said, "I am standing before Caesar's tribunal, where I ought to be tried. To the Jews I have done no wrong, as you yourself know very well. If then I am a wrongdoer and have committed anything for which I deserve to die, I do not seek to escape death. But if there is nothing to their charges against me, no one can give me up to them. I appeal to Caesar."*⁷²

We can see that in this verse Paul exercises the *ius provocationis*, the right of appeal to the Emperor whom he was entitled to as a Roman citizen. Mommsen

⁶⁸ Dio 60, 17, 5-6: συχνοὺς δὲ δὴ καὶ ἄλλους καὶ ἀναξίους τῆς πολιτείας ἀπήλασε, καὶ ἐτέροις αὐτὴν καὶ πάνυ ἀνέδην, τοῖς μὲν κατ' ἄνδρα τοῖς δὲ καὶ ἀθροίοις, ἐδίδου. ἐπειδὴ γὰρ ἐν πᾶσιν ὡς εἶπεν οἱ Ῥωμαῖοι τῶν ξένων προεtetimῆντο, πολλοὶ αὐτὴν παρὰ τε αὐτοῦ ἐκείνου ἡτοῦντο καὶ παρὰ τῆς Μεσσαλίνης τῶν τε Καισαρείων ὠνοῦντο: καὶ διὰ τοῦτο μεγάλων τὸ πρῶτον χρημάτων πραθεῖσα, ἔπειθ' οὕτως ὑπὸ τῆς εὐχερείας ἐπεωνίσθη ὥστε καὶ λογοποιηθῆναι ὅτι καὶ ὑάλινά 4 τις σκεὺή συντετριμμένα δῶ τιμι πολίτης ἔσται.

⁶⁹ SHERWIN-WHITE 1963, 155.

⁷⁰ Acts 23, 12-22.

⁷¹ CHARLES B. WILLIAMS: The Caesarean Imprisonment of Paul. *The Biblical World*, 34/4., 1909. 271-280.

⁷² Acts 25, 9-12.

confirms that the Praetorian *imperium* was not competent to inflict the most severe means of punishment on Roman citizens: could not impose the death penalty, flogging or shackling on them, and had to grant the *Provocationsrecht* in the capital court proceedings.⁷³ Once the request for *ius provocationis* has been lodged, Festus was no longer entitled to deliver a verdict, not even an acquittal.⁷⁴ Nevertheless, the concentration of capital jurisdiction over Roman citizens in the city of Rome was probably not sustainable in the long term, and the more widespread the Roman citizenship became in the provinces, the more it became necessary to extend the criminal jurisdiction of the governors.⁷⁵

Garnsey mentions that the so-called *reiectio Romam* (the choice between local courts or trial in Rome) could have been associated with Roman citizenship in earlier times. However, at the time of the Roman Empire, “the governor was not compelled to grant the request for reference to Rome, and that only members of the Roman aristocracy domiciled or with interests abroad, and a few individuals who had received the right as a special privilege, were likely to lodge a successful petition.”⁷⁶ This also reinforces the idea of Paul’s aristocratic status in his province. LENTZ adds that, although the Roman citizens were privileged people in the province, in practice they did not always benefit from the protection of the law, only when they had not only citizenship but also wealth and influence.⁷⁷

Needless to say, it was not only Paul who defended himself with the plea of citizenship ‘*civis Romanus sum*’, but there are not many other known examples. It is probable, that the right of appeal was more commonly exercised in the Eastern parts of the Empire than in the West.⁷⁸ According to SCHWARTZ Paul’s objection was not only out of fear for his life as a result of the earlier assassination attempt, but also Paul, as mentioned earlier, was planning to visit Rome anyway.⁷⁹

⁷³ MOMMSEN 1899, 242.

⁷⁴ MOMMSEN 1899, 243.

⁷⁵ MOMMSEN 1899, 243.

⁷⁶ PETER GARNSEY: *Social status and legal privilege in the Roman Empire*. Oxford, Clarendon Press, 1970. 263-264.

⁷⁷ LENTZ 1993, 127.

⁷⁸ SHERWIN-WHITE 1973, 273.

⁷⁹ EARL SCHWARTZ: The Trials of Jesus and Paul. *Journal of Law and Religion*, 9:2. 1992. 501-513.

8. CONCLUSIONS

In conclusion, let me underline Adams' insightful words: "*it is clear that Roman citizenship in the ancient world was a coveted treasure that afforded its possessor numerous rights and privileges that were unattainable to the typical provincial.*"⁸⁰

Without doubt, Paul successfully utilizes these rights during his arrests in Philippi, in Jerusalem, and later at the office of Governor Festus in Caesarea.

Moreover, the great importance of Roman citizenship is evident not only from the effective use of Paul's rights but also from the reactions of those who interact with him. It is worth mentioning the apology of the Philippian magistrates, the shock of the soldier with the whip, the entourage to Caesarea, or the audience around Herod Agrippa.

But let us look again at this particular exchange. '*So the tribune came and said to him, "Tell me, are you a Roman citizen?" And he said, "Yes." The tribune answered, "I bought this citizenship for a large sum." Paul said, "But I am a citizen by birth.*'"⁸¹

Beyond the belief in the objective content of rights, we can observe something else, something subjective, namely, the self-esteem of a Roman citizen. Moreover, Paul's response reveals not only an underlying pride in his citizenship but also in the way he acquired it, i.e. the fact that he was born into it, which is in stark contrast with the visible embarrassment of Lysias.

Indeed, it seems that Paul's statement reflects pride. Is it possible that Paul, who went from persecutor to persecuted, from Jew to Christian, from soldier to missionary, from wealthy to pauper, still clung to the only part of his old life, namely, that he was a Roman citizen?

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⁸⁰ ADAMS 2009, 326.

⁸¹ Acts 22, 27-28.

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