

INFANTICIDE AND THE APOSTOLIC DECREE OF ACTS 15

david instone-brewer*

Infanticide was a pressing ethical problem for Jews living in the Graeco-Roman period because this was a normal method of birth control for Greeks and Romans, while Jews considered it to be murder. Their exegetical basis for this was not strong—a general prohibition of murder, the case of a pregnant woman whose baby was harmed in a fight (Exod 21:22–23) and prohibitions of child sacrifice—but their opposition to it was implacable. Jews strongly condemned this practice when writing for Gentile readers, even though this stance could cause offense, and the earliest post-NT Christian documents do the same. It is therefore strange that the NT, which was written largely for Gentile converts living in the Graeco-Roman world, appears to be silent on the subject. This paper argues that the Apostolic Decree specifically refers to infanticide when it condemns “smothering” (πνικτός)—a rare word which is used especially with regard to killing infant animals—not “strangling,” which is a very difficult way to kill an animal.

i. infanticide

The normal method of birth control in the Greek and Roman world was infanticide. Contraception was uncertain, and abortions were dangerous, so it was normal to let an unwanted pregnancy come to term and then dispose of the baby. This was especially common for any deformed, weak, illegitimate, or unwanted infants, such as girls who were an economic liability. A private letter sent in the first century ad expressed the common way of thinking: “If she bears offspring, if it is a male let it be; if a female, expose it.”¹ The motives for this were mainly financial; the poor could not afford to bring up too many children, and the rich did not want to divide up their estates among too many children. Caesar Augustus exposed his granddaughter Julia’s illegitimate child² and he was, for most Romans, the highest model of moral rectitude.

* David Instone-Brewer is senior research fellow in rabbinics and the New Testament at Tyndale House, 36 Selwyn Gardens, Cambridge, CB3 9BA, UK.

¹ P. Oxy. 4.744

² Suetonius, *The Twelve Caesars* 2.65: “He would not allow the child born to his granddaughter Julia after her sentence to be recognized or reared.” Soon after birth, the father (or head of the household) had to recognize the baby and agree to raise it, and if he did not do so, it had to be discarded by killing it or exposing it. See also Cicero, *Letters to Atticus* 11.9 where Evelyn Shuckburgh translates “would that I had never been born,” she notes that the literal Latin reads “would that I had never been taken up”—referring to the ceremony of recognition when the father traditionally picked the infant off the floor. See Cicero: *The Letters. The whole extant correspondence in chronological order; translated into English* (trans. E. S. Shuckburgh; 4 vols.; London, 1900–1905).

The term “exposed” started as a literal description of the practice—that is, the newborn infant was placed outside the house, perhaps on a hillside, and left to die or perhaps (as in many fanciful stories) to be found by a childless woman or suckled by wild animals. We do not know how many infants were disposed of in this way, but it is a commonplace in Graeco-Roman history and fiction. Stories of exposed infants who have survived span from the myths about Romulus and Remus to the novel *Daphnis and Chloe* (by Longus of Lesbos in the second century ad, the first novel by a named author). Their popularity was due partly to the appeal of rare events with unexpected consequences, and partly the hope they engendered in guilt-filled parents.

But the reality was different. Babies were often or usually killed before they were abandoned. Even if they were exposed while alive, they had little hope. It was known that abandoned babies often became the food of wild animals or dogs, and if they did attract the attention of a human they were likely to be sold to a brothel keeper. Therefore a conscientious parent would kill the baby before “exposing” it, to save it from this kind of fate. The term “exposed” was still used, but often as a euphemism. An example occurs in the NT where Acts 7:19 uses the common Greek term for exposing infants, ἔκθετος, “cast out,” but the context indicates that the actual practice was the killing of new-born babies in Moses’ time.

This euphemism was ignored by authors like Ovid and Apuleius who delighted in gritty and explicit language. When Ovid (first cent. bc) recorded words equivalent to the letter which was cited above, he expressed them as: “If by chance your child should prove to be a girl . . . let her be killed (*necetur*)”. Similarly, Apuleius (second cent. ad) says: “if she produced a child of the weaker sex, the baby was to be killed (*necaretur*) at once.”³ In Apuleius’s story, the mother “rebelled” against her husband’s order to kill it by letting the baby be rescued by a neighbor, and the trouble this caused was regarded as justification for the mother’s extreme punishment. In Ovid’s story, the mother disobeyed by pretending her daughter was a boy which, when she grew up, resulted in physical love between two women—a scandalously unnatural act in Roman society. Both authors were concerned to show that the death of the infant would have been far preferable to what happened when it survived.

However, a certain aspect of euphemism is found even in Ovid and Apuleius, because they both refer to killing in the passive.⁴ In both cases there was clearly a demand that the mother should personally kill the infant, and yet they are told that it should “be killed.” This same passive is found also in Acts 7:19. The passive helps to step back from the act to some extent, as if it is something which must be done, rather than something which an individual does. This perhaps indicates a certain abhorrence for the concept

³ Ovid, *Metamorphoses* 9.679; Apuleius *Metamorphoses* 10.23.

⁴ Ovid has *necetur* (3d sing. pres. subj. passive of *neco*) while Apuleius uses *necaretur* (3d sing. impf. subj. passive).

of killing an infant, which even explicitly outspoken authors like Ovid or Apuleius find difficult to express.⁵

Seneca, when dealing with the subject of anger, was keen to point out that such killing was done with purpose and not emotively:

Unnatural progeny we destroy, we drown even children who at birth are weak and abnormal (*liberos quoque, si debiles monstrosique editi sunt, mergimus*). Yet it is not anger, but reason that separates the harmful from the sound. (*De ira* 1.15.2)

Rabbinic law, in contrast, only allowed abortion if the mother's life was at stake (*m. Ohal.* 7.6) and their many laws about hermaphrodites, the mute, and imbeciles indicate that they did not practice infanticide even when there was a clear deformity such as genital ambiguity.⁶ Even Jews who were strongly influenced by Hellenism or who wished to mediate between Jews and Romans, such as Philo and Josephus, were outspoken critics of this aspect of Roman culture.

When Philo expounded the commandment “Thou shalt not kill,” he took the opportunity to describe the reality of an act of infanticide:

Some of them do the deed with their own hands; with monstrous cruelty and barbarity they stifle and throttle the first breath which the infants draw or throw them into a river or into depths of the sea, after attaching some heavy substance to make them sink more quickly under its weight. Others take them to be exposed in some desert place, hoping, they themselves say, that they may be saved, but leaving them in actual truth to suffer the most distressing fate. For all the beasts that feed on human flesh visit the spot and feast unhindered on the infants; a fine banquet. (*Spec.* 3.114–15)

Josephus's strongest statement against infanticide is made, significantly, in *Contra Apionem*, where he set out to contrast Judaism with Hellenistic and Roman cultures:

The [Mosaic] Law . . . forbids women to cause abortion of what is begotten, or to kill it afterward; and if any woman appears to have done so, she will be a murderer of her child, by killing a living creature and diminishing human kind. (*Contra Apionem* 2.202)

Philo and Josephus are part of a strong Jewish tradition of criticism for this aspect of Roman culture.⁷ Pseudo-Phocylides, a Jew of the first or second century who wrote in archaic Greek style, was keen to tell Hellenistic Jews what aspects of the new culture they should avoid:

⁵ This is similar to the way that modern English speaks about “having a termination” or “an abortion” so that more accurate phrases like “the surgeon killed it” or “she aborted it medically” sound strange.

⁶ Many Mishnaic laws refer to disabilities which would cause infants to be rejected by Roman fathers—e.g. “deaf mute” (חירש), “doubtful sex” (טומטום), and “hermaphrodite” or “androgynous” (אנדרוגינוס).

⁷ Erkki Koskenniemi, *The Exposure of Infants among Jews and Christians in Antiquity* (Sheffield: Sheffield Phoenix, 2008) as collected all the evidence for the first time. He makes a convincing case that this was one of the defining differences between Judaism and surrounding cultures.

“Do not apply your hand violently to tender children” and “Do not let a woman destroy the unborn babe in her belly, nor after its birth throw it before the dogs and the vultures as a prey. (150, 184–85)

These prohibitions of abortion and infanticide are also found in the earliest Christian writings after the NT. The Epistle of Barnabas and the Didache record very similar rules which probably both relied on an earlier source.

Do not abort a fetus or kill a child that is born. . . . For they love what is vain and pursue a reward, showing no mercy to the poor nor toiling for the oppressed nor knowing the one who made them; murderers of children and corruptors of what God has fashioned (*Did.* 2,2; 5,2).⁸

It is therefore surprising that the NT appears to have nothing to say about infanticide, especially when the practice was so widespread in the Gentile world, and the opposition to it was so strong within Judaism and early Christianity. The rest of this paper will attempt to show that this prohibition was implicit in the Apostolic Decree.

ii. the apostolic decree

When the church first welcomed Gentiles, they felt it necessary to lay down rules for Gentile converts concerning some issues. The list of four prohibitions have become known as the “Apostolic Decree.” It is proclaimed at Acts 15:20 and repeated (with minor variations) at 15:29 and 21:25, though some mss have further variations:

Acts 15:20	ἀλισγημάτων τῶν εἰδώλων	πορνείας	πνικτοῦ	αἵματος
Acts 15:29	εἰδωλόθυτων	αἵματος	πνικτῶν	πορνείας
Acts 21:25	εἰδωλόθυτον	αἷμα	πνικτόν	πορνείαν
℘ ⁴⁵	εἰδωλόθυτον		πνικτόν	
D etc.	εἰδωλόθυτον	αἵματος		πορνείαν

There is considerable variation between the three passages in Acts. The two versions in Acts 15 are a series of genitives following ἀπέχεσθαι (“to keep themselves away from”), while Acts 21 has a series of accusatives following φυλάσσεσθαι (“to guard themselves against”). The first item is ἀλισγημάτων τῶν εἰδώλων (“pollutions of idols”) in the first instance (15:20) and εἰδωλόθυτων (“idol-offerings”) in the other two. It is possible to read “pollutions” in the first list as applying to all four items, i.e. “pollutions of idols, and of blood, and of . . . ,” but this makes little difference to the meaning. Two items are consistently singular nouns (“sexual immorality” and “blood”), while the other two are adjectives (though the first list uses the noun “idols”). These

⁸ *The Epistle of Barnabas* is almost identical: “Do not abort a fetus or kill a child that is already born. . . . For they love what is vain, and pursue a reward, showing no mercy to the poor nor toiling for the oppressed; they are prone to slander, not knowing the one who made them; murderers of children and corruptors of what God has fashioned (*Barn.* 19.5; 20.2). Both translations from B. D. Ehrman, ed., *The Apostolic Fathers*, vol. II (Loeb Classical Library; Cambridge, MA: Harvard University Press, 2003).

variations demonstrate no pattern or development from one text to another, so it appears that the exact wording of the Decree was considered unimportant for the meaning of the four items.

The four items remain the same in each list, if we regard “pollutions of idols” as equivalent to “idol offerings.” The order of the list varies: in the first list (15:20), *πορνεία* is the second item and *αἷμα* is the last; in the two other lists they are reversed. A few manuscript variations exist, though the vast majority of manuscripts agree. The variation in \mathfrak{P}^{45} occurs nowhere else and may perhaps be regarded as a simple error. The variation in D and a few other “Western” mss may be an attempt to remove a difficulty, by omitting the obscure word *πικτός*. The differences in their orders suggests that we cannot group these items in pairs, and that they should each be regarded as important individually.

The meanings of each of the four terms elicits some uncertainty. First, the meaning of *εἰδωλόθυτον* (‘idol offering’) is relatively straightforward, but its source is problematic because it is neither a Jewish nor a Gentile term. Witherington points out that this term occurs only in Christian literature, except for two instances where it is likely to be a Christian interpolation (4 Macc 5:2; *Sib. Or.* 2.96), so he concludes that this was a Christian term.⁹ Similarly, *ἀλίογημα* (“pollution” in Acts 15:20) is found only in Christian or anti-Christian literature.¹⁰ Literally *εἰδωλόθυτον* should be translated as “idol-offered [things],” but this paper will use the participle “idol-offering” instead.

Second, “blood” (*αἷμα*) appears to be straightforward because it is easy to translate, but its meaning is ambiguous. In this context it could refer to either eating blood (Leviticus 17) or spilling blood, that is, murder (cf. the OT phrase “avenger of blood”¹¹).

Third, the term *πικτός* is very rare and an exhaustive search found only a couple of dozen examples in early Greek literature (see below). It is often translated “strangled,” though this does not fit the majority of its uses outside NT literature. The nearest English word which covers most of its semantic range is “smothered,” so this translation is used throughout this paper. Literally the adjective should be translated as “smothered [things],” but this paper will use the participle “smothering” instead.

Fourth, the term *πορνεία* poses an opposite problem, because it is very common and has a wide range of well-known meanings, from illicit marriages

⁹ Ben Witherington, *The Acts of the Apostles: A Socio-rhetorical Commentary* (Grand Rapids: Eerdmans, 1998) 460–61.

¹⁰ A TLG search for *ἀλίογημα* in its various forms in all Greek literature up to and including the 4th century ad (using an online search at www.tlg.uci.edu in May 2008) found it only in Ignatius (3x), 4 Baruch, Porphyrius *Contra Christianos*, Chrysostom (2x), and *Apostolic Constitutions*. The TLG or Thesaurus Linguae Graecae (TLG® Digital Library) of the University of California, Irvine contains virtually all Greek texts from the earliest up to about 1600, and it is continuing to grow as more recent texts are added.

¹¹ Num 35:19–28; Deut 19:6, 12; Josh 20:3–9; 2 Sam 14:11.

to prostitution and homosexuality. The English phrase “sexual immorality” covers most of its meanings.

The Apostolic Decree therefore prohibits four things: idol offerings, “blood” (i.e. eating blood and/or bloodshed), sexual immorality, and “smothered things.” Various attempts have been made to find a common theme or source to explain why these four, and only these four, were singled out as prohibitions which were especially relevant for Gentile converts.¹²

1. *Meal-time prohibitions.* It is possible that all four prohibitions of the Decree were linked to meal-time activities, which continued to be a particularly difficult problem between Jewish and Gentile believers. The “idol sacrifices” could be eaten in a temple or its meat could be sold in the market and bought by anyone. The consumption of “blood” was strictly prohibited in Judaism and animals killed by “smothering” would still contain this blood. The non-food item (πορνεία) is difficult to link to meal-time activities, though perhaps it refers to the prostitutes which an attentive Roman host would provide for his guests after a meal.¹³ Or perhaps it refers to potential impurity of guests or the host due to menstrual uncleanness.¹⁴

The problem with this solution is that “smothered” (πνικτός) is an extremely unusual word (as we will see below), and smothering is an unlikely way to kill an animal. A hunter, farmer, or priest normally slits an animal’s throat and it would be very strange to kill an animal by smothering or choking it. It is difficult to strangle a lamb and almost impossible to strangle an ox; and it is much easier to kill a bird by breaking its neck. Although it will be shown below that this word is occasionally used concerning food, the word is so rare that we would require some explanation for such usage here.

2. *Gentile temple activities.* Witherington suggests that the common link between the four items of the Apostolic Decree is pagan temple activities. Jews viewed the evils of pagan worship as including idolatry, consuming blood, temple prostitutes, and “choking” of sacrificial animals. He quotes a magical text that describes the worship of Eros, into whom the life-breath was supposed to transfer when you choked a bird in front of the statue:

¹² The extensive bibliography behind the standard solutions which have been proposed here is usefully summarized in C. K. Barrett, *A Critical and Exegetical Commentary on the Acts of the Apostles*, Vols. 1, 2 (ICC; Edinburgh: T & T Clark, 1994, 1998) 1:733–35.

¹³ Bruce W. Winter, *Roman Wives, Roman Widows: The Appearance of New Women and the Pauline Communities* (Grand Rapids: Eerdmans, 2003) 22 calls these the “after-dinners,” citing Philo, *Cont.* 54 where this delicate phrase describes the “luxurious portion of the entertainment . . . when they are completely tired with eating, having their bellies filled up to their very throats, but their desires still unsatisfied” (*Cont.* 54–55); translation from C. D. Young, *The Works of Philo Judæus: The Contemporary of Josephus* (London: G. Bell & Sons, 1894). The translation in F. H. Colson and Rev. G. H. Whitaker, *Loeb Classical Library*, Vol. 1 (London: William Heinemann, 1929) leans to the interpretation that this is merely referring to alcohol.

¹⁴ This is related to the sexual sins listed at Lev 18:19.

Take also on the first day seven living creatures and strangle them; one cock, a partridge . . . taking them in your hand, strangle them, while holding them up to your Eros, until each of the creatures is suffocated and their breath enters him.¹⁵

Philo and *Joseph and Asenath* also speak of “strangling” (ἀγγχόννη) as a despised Gentile method of sacrificing animals,¹⁶ and some early and later Christian authors criticize pagans for strangling animals (though they may have based this on the Apostolic Decree).¹⁷ Targum Malachi refers to wrongful sacrifices which “you have strangled,”¹⁸ and in Mishnah, certain methods of slitting the throat are banned because they tear the throat instead of cutting the arteries, so that the animal chokes to death (*m. Hul.* 1.2). It appears that some people may have choked sacrificial animals, either deliberately or by cutting their throat wrongly; or, at least, it appears that Jews believed that they did so.

This explanation succeeds in taking into account all four of the prohibitions in the Apostolic Decree. However, if the purpose of this Decree was to warn converts against taking part in activities within heathen temples, it is surprising that they picked on these four. Two of them were carried out only by the priests—i.e. killing without draining the blood and killing by suffocation—so there was no need to warn individuals not to carry these out. And there would be no need to add prohibitions about eating pagan sacrifices which were “smothered” or which still contained some “blood” because the first prohibition against idol offerings included these. It is also surprising that the list did not warn converts to avoid other more common activities within heathen temples, such as ritual drunkenness and non-sacrificial worship such as dancing, and prayers to the gods. Therefore, although all four of these can perhaps be linked to activities in pagan temples, only the warnings against eating offerings and temple prostitution were of any relevance for individual believers.

3. *Noachian commands.* The Apostolic Decree may originate from the list of so-called Noachian commandments which Jews regarded as universal. These were a set of commands which even Gentiles must obey. The earliest form of this list is at *Jub.* 7.20–21 (written in the second cent. bc):

¹⁵ Witherington, *Acts* 464, citing Hans D. Betz, *The Greek Magical Papyri in Translation* (PGM) XII.14–95.

¹⁶ Philo, *Spec. Leg.* 4.122; *Mut.* 62; *Aet.* 20; *Joseph and Asenath* 8.5—where the “bread of strangling” comes from “tables of idols.”

¹⁷ Terrance Callan lists Clement of Alexandria *Paid.* 2.1.17; Pseudo-Clement *Hom.* 7.8; 8.19; and Tertullian *Apol.* 9.13 which he feels are independent of the Jerusalem Decrees [“The Background of the Apostolic Decree,” *CBQ* 55 (1993) 289]. A TLG search shows that there are others where the Jerusalem Decrees are quoted.

¹⁸ Targum Mal. 1.13: “And *if* you say, ‘Behold *what we have brought from our property*’—*you have strangled it*”—italics indicate deviations from MT, from Kevin J. Cathcart and Robert P. Gordon, *The Targum of the Minor Prophets*, (The Aramaic Bible 14; Edinburgh: T & T Clark, 1989). The Hebrew is usually translated something like: “And you said, ‘Behold, what a burden’—you have sniffed at it [scornfully].”

to observe righteousness, to cover the shame of their flesh, to bless their Creator, honour father and mother, love their neighbour and guard their souls from fornication, uncleanness and all iniquity.¹⁹

The next example of this list is found in rabbinic literature after a gap of four centuries, during which it had changed a great deal:

Seven commandments have been prescribed for the children of Noah; [setting up] courts,²⁰ idolatry, blasphemy, uncovering nakedness [for sexual sin], bloodshed, theft and living flesh [i.e. eating a limb from an animal which is still alive].²¹

The two versions of the list in Jubilees and in later rabbinic texts have so little in common that we cannot know what this list contained in the first century or even if such a list existed. We can perhaps assume that a first century list included those commands which occur in both of these lists, that is, idolatry, uncovering nakedness (i.e. sexual sin) and blood (both eating it and shedding it). Taylor pointed out that this triad also had specific links with the life of Noah—the command concerning blood (Gen 9:4–6), uncovering of his nakedness when he was drunk (Gen 9:22) and (less convincingly) his altar which precluded idolatry (Gen 8:20).²² The different forms of the Noachian commands may therefore be expansions of this triad.

The Apostolic Decree contains these three plus one more, so it too may be regarded as an expansion of this triad. However, the addition is “smothering,” which is difficult to identify with any of the additional items in the Noachian commands.

4. *Three “mortal” sins.* The three items which the early and late lists of Noachian commands have in common are often found as a triad elsewhere in rabbinic literature. They can perhaps be called the three ‘mortal’ sins because they are offences which one must not commit even when a life is at stake. They are normally presented as a simple list, for example at *b. Sanh.* 74a:

לכ עבירות שבתורה אם אומרין לאדם עבור ואל תהרג - יעבור ואל יהרג, חז׳ מעבודה זרה וגילוי עריות ושפיכות דמים

All other Torah [laws], if they say to a man: Transgress and you will not be killed – he may transgress and not be killed, except for:

¹⁹ And later, do not shed blood or eat blood (7.28–29) and offer firstfruits (7.36–37). Translation based on F. García Martínez, *The Dead Sea Scrolls Study Edition* (Leiden: Brill, 1997–1998).

²⁰ These “courts” probably refer to the ability to inflict capital punishment, which was mandated in some OT commands—cf. *m. Abot* 9.5 which (among a similar list of laws) says: “Pestilence comes to the world because of the death penalties which are listed in the Torah but which are not in the hands of the court [to inflict].”

²¹ *T. Abod. Zar.* 8.4 cited at *b. Sanh.* 56a. Translation based on Jacob Neusner in *The Tosefta: Its Structure and Its Sources* (Brown Judaic Studies 112; Atlanta: Scholars, 1986) and *The Talmud of Babylonia* (Atlanta: Scholars Press, 1984). The exegetical basis of these commands is explored well in Markus Bockmuehl, “The Noachide Commandments and New Testament Ethics,” *RB* 102 (1995) 72–101.

²² Justin Taylor, “The Jerusalem Decrees (Acts 15.20, 29 and 21.25) and the Incident at Antioch (Gal 2.11–14),” *NTS* 47 (2001) 376.

- idolatry (זרה מעבודה; lit. “strange worship”), or
- sexual immorality (גילוי ערויות; lit. “uncovering nakedness”) or
- bloodshed (שפיכות דמים; lit. “spilling blood”²³)

This list was enacted officially at Lydda in the early second century,²⁴ though it probably existed earlier. It occurs frequently in rabbinic literature,²⁵ which suggests it originated from an early and widely held tradition. Hunkin²⁶ suggested that this list can be found also in early Christian literature, such as the start of the list of offenses in *Didache* 3 and possibly the list of those excluded from the New Jerusalem (Rev 22:15, in addition to “dogs and sorcerers . . . and liars”).

The order of the three suggests a pre-rabbinic origin because it follows a non-standard tradition in the order of the Ten Commandments, where adultery precedes murder. This variant order is very widespread, being found in Philo, four times in the NT, in some manuscripts of the Septuagint and the Nash Papyrus, while the order of the Hebrew Bible is found only in Matthew and Josephus.²⁷ Rabbinic traditions always followed the Standard Hebrew Text (i.e. the pre-Masoretic text) which has murder before adultery (*Exod. Rab.* 42.8; *Lev. Rab.* 2.10; *b. Shab.* 89a). Matthew and Josephus follow this order perhaps because they were probably close to the Pharisaic-rabbinic community. Therefore, if the tradition of the three “mortal” sins had originated in the rabbinic community, we would expect murder to precede adultery.

Hunkin suggests that the origin of this triad may be from Ezek 16:36 where Jerusalem is condemned as a whore: “because your lust was poured out and your *nakedness was uncovered* . . . because of your detestable *idols* and because of the *blood* of your children which you gave to them.” Another

²³ The plural is probably not significant. It may refer to multiple killings, though both singular and plural “blood” can be used of multiple killings—see, e.g., Ps 106:38 where the first two instances are singular and the last is plural, but all clearly refer to multiple killings.

²⁴ Lydda (or “Lod”) was destroyed by the Romans on their way to Jerusalem in ad 66, but it was soon rebuilt and became a center of rabbinic learning. The list was probably officially adopted in the early second century because Eliezer b. Hyrcanus was still alive to debate about it.

²⁵ Occurrences include: *m. Abot* 5.9; *t. Men.* 13.22; *t. Sot.* 6.6; *t. Sanh.* 13.8; *b. Yom.* 9b; *b. Ket.* 19a; *b. Qid.* 82a; *b. Yom.* 82a; *b. Pes.* 25a-b; *b. Sanh.* 74a; *b. Shebu.* 8a; *b. Arak.* 15b; *b. Abod. Zar.* 22a; *y. Qid.* 4.1,65b; *y. Abod. Zar.* 2.1, 40b; *y. Yom.* 1.1,38c; *Lev. Rab.* 33.3; *Num. Rab.* 7.10; *Lam. Rab.* II; *Ecl. Rab.* 5.2; *cf. t. Sot.* 6.9.

²⁶ J. W. Hunkin, “The Prohibitions at the Council of Jerusalem (Acts xv 28,29),” *JTS* 27 (1926) 272–83.

²⁷ Adultery precedes murder in lists of the Ten Commandments in Philo (*Her.* 1.173) and four times in the NT (Mark 10:19; Luke 18:20; Rom 13:9; Jas 2:11—following the most likely variants), some manuscripts of the Septuagint and the Nash Papyrus—see F. C. Burkitt, “The Hebrew Papyrus of the Ten Commandments,” *JQR* 15 (1903) 392–408 (reference is to p. 399). The traditional MT order is found in Jer 7:8–9 (reversed as: lie, steal, murder, adultery, idolatry), in *Jos. Ant.* 3.92 = 3.5.5, Matt 19:18, and possibly Matt 5:21, 27 (*cf. v. 33* regarding lying, so perhaps “divorce” in v. 31 is in the place of “stealing”) and in all the versions except some 1xx (i.e. in Syriac, Targums, Vulgate, and all Qumran texts and phylacteries—4QDt^a; 4QPhyl^b; 4QPhyl^c; 4QPhyl^d). Sidnie Ann White argues in “The All Souls Deuteronomy and the Decalogue,” *JBL* 109 (1990) 193–206 (here 202–3) that the alternative order was the original order in Exodus 20 and the standard order was the original order in Deuteronomy 5, because more 1xx mss have this order in Exodus than in Deuteronomy.

possible origin is Ezek 33:25–26, which complains that “you eat flesh with the *blood*, lift up your eyes to your *idols* and *shed blood* . . . you rely on the sword, you commit abominations and each of you *defiles his neighbour’s wife*.” This text from Ezekiel 33 is related to the Noachian commands in a second century debate in Tosephta (*t. Sot.* 6.9). Each of these texts in Ezekiel use language similar to one of the phrases found in the version preserved in rabbinic traditions,²⁸ but a closer match is found in Leviticus 17 and 18, where we find two almost identical phrases: “spill blood” (17:13—albeit referring to a positive command in this particular verse, but cf. 17:4) and “uncover nakedness” (18:6–19). These chapters are discussed further below.

There is a very clear link between these three “mortal” sins and three of the four Apostolic prohibitions: idol offerings, blood and sexual immorality. Their order in Acts 15:29 is identical to the common order of these “mortal” sins.

The main difficulty is the absence of a fourth “mortal” sin which might be related to “smothering.” The list would have been much more memorable if it matched the common list of three “mortal” sins. Perhaps “smothering” was inspired by the text of Ezek 16.36 (which Hunkin proposed as the origin of this list) because it refers specifically to the murder of children. Clues for the reason why “smothering” was included may lie in the earlier versions of this list.

5. *Sibylline universal law.* A very close parallel to the three “mortal” sins and to the Apostolic Decree is found in Sibylline Oracles Book 3—a Jewish work most probably written in the mid-first century bc, though based on older material.²⁹ Near the end of the book it describes a law which will apply to everyone, Jew and Gentile:

- 757 The Immortal in starry heaven
 758 will put into effect a common law for the people, valid over
 759 the entire earth, applying to everything done by miserable mortals.
 760 For he is the sole God and there is no other.
 761 He himself will burn down a race of grievous people.
 762 But quicken your thoughts in your breasts;
 763 evade unlawful cults; worship the Living One.
 764 Beware of adultery and homosexual intercourse with men.
 765 Raise your offspring and do not kill it.
 766 For the Immortal will be furious at anyone who commits these sins.³⁰

This law appears to have just three components which are each illustrated by a pair of phrases identifying specific activities which fall within the more general sin: idolatry is identified as actual worship, sexual immorality is specified as adultery and male homosexuality, and infanticide is regarded as an example of murder.

²⁸ Ezek 16:36: “nakedness was uncovered” (תגלה ערוותך); Ezek 33:25: “shed blood” (דם השפכו).

²⁹ See the detailed work of Rieuwerd Buitenwerf, *Book III of the Sibylline Oracles and Its Social Setting* (SVTP 17; Leiden: Brill, 2003) 124–34.

³⁰ *Sib. Or.* 3.762–66 (translated by Buitenwerf).

This set of commands is clearly not meant to be a complete set of laws. The particular activities identified in the list appear to be those which Gentiles regarded as part of normal life. This would explain why the list does not mention incest and murder (which most Gentiles recognize as wrong), but it does include homosexuality and infanticide (which Graeco-Roman society did not regard as morally reprehensible), and adultery (which was wrong, but very common in Gentile society).³¹

The Apostolic Decree had a similar purpose—it was a set of commands for Gentile converts, which Jewish converts felt that they especially needed to know about. Therefore it is not surprising to find a close correlation. If “smothering” is understood as infanticide then the Sibylline list is identical to the Apostolic Decree except for the inclusion of “blood.”

6. *Laws for resident foreigners.* The origins of the three “mortal” sins and the Noachian sins should be sought ultimately in the OT, but this is not an easy task. Later rabbis noticed that the phrase *ish ish* (ישׁוּשׁוּ, lit. “man man,” i.e. “whoever”) was often used for laws in the Noachian list, but they noticed that it was also used for the law of blasphemy (Lev 24:15), which was never applied to Gentiles.³² Callan³³ pointed out that if you identify all the laws which are actually stated to apply to both Israelite and foreign residents (he finds 25 of them) and then narrow this down to only those that also contain the phrase *ish ish*, this leaves four prohibitions.³⁴ They are:

- idolatry (Lev 17:8; Ezek 14:4, 7);
- consuming blood (Lev 17:10, 13);
- forbidden sexual relations (Lev 18:6);
- killing children in Molech worship (Lev 18:21; 20:2–5).

The first three can be clearly identified as the three “mortal” sins which are also found in the Apostolic Decree but, as usual, the prohibition of “smothering” creates difficulties. Callan solves this by dividing the law against blood into two laws (Lev 17:10–12 relates to “blood” while Lev 17:13–14 relates to “smothering” or “strangling” animals) and then bundling the killing of children in Molech worship together with the prohibition of idol offerings.

A more obvious solution is to regard “smothering” as a reference to infanticide. This would mean that Molech worship, the most infamous method

³¹ Terence L. Donaldson, *Judaism and the Gentiles: Jewish Patterns of Universalism (to 135 CE)*, (Waco, TX: Baylor University Press, 2007) 122–23 argues that the law is expressed in a similar way for Jews at *Sib.Or.* 3.218–64, 573–600, so that this is not a set of laws for Gentiles *per se*. However, although these two lists similarly list idolatry and sexual immorality, they both add a different emphasis which was very important for Diaspora Jews: offerings should only be brought to Jerusalem. This further highlights the significance of including infanticide in the list for Gentiles.

³² *b. Hag.* 11b; *b. Zeb.* 108b; *y. Qid.* 1.2, 58b; *b. Sanh.* 57a.

³³ Terrance Callan, “The Background of the Apostolic Decree,” *CBQ* 55 (1993) 284–97.

³⁴ Hunkin did not list the references for the other occurrences of this phrase. This phrase occurs 18 times in the OT, mostly in contexts unrelated to commands, though occasionally it occurs with commands which do not apply to foreigners, i.e. Lev 15:2; 17:3; 20:9; 22:4, 18; 24:15; Num 5:12; 9:10.

of infanticide in the OT, was being used to criticize the practice of infanticide in NT times.

7. *Laws in Leviticus 17–18.* The four prohibitions which Callan identified are all found in Leviticus 17–18, and if “smothering” is related to Molech infanticide, there is a very good fit between the Apostolic Decree and the laws for foreigners in these two chapters.

- εἰδωλόθυτον (‘idol offering’) from Lev 17:1–9
- αἷμα (‘blood’) from Lev 17:10–16
- πνικτός (‘smothered’) from Lev 18:21
- πορνεία (‘sexual immorality’) from Lev 18:1–20, 22–23

Although these chapters are part of a larger unit (the Holiness Code in chapters 17–20), chapters 17–18 can be regarded as a self-contained unit because they end with end with a general conclusion which warns Israel not to be defiled with Gentile practices (18:24–29).

The wording of the last verse urges: “And you should keep/guard (שָׁמַרְתֶּם) my charge . . . and do not pollute yourselves by them” (Lev 18:30), which may be alluded to at the start of the Apostolic Decree: “Keep yourselves from pollutions of . . .” (Acts 15:20) or “Guard yourselves from . . .” (Acts 21:25).

One problem with this solution is that there are other prohibitions in these chapters, such as not eating an animal which has died by itself (17:15). Richard Bauckham has pointed out a possible solution similar to Callan above—that these four are the only commands in these chapters which are specifically related to statements applying the commands to foreigners living in Israel as well as to Israelites (17:8, 10, 12, 13; 18:26).³⁵ This solution is not ideal, because one of these statements concerns idolatry (17:8), and three of them concern “blood” (17:10, 12, 13), while the last one applies generally to all of “these abominations” (18:26; תְּהוֹעֵבֹת). However, it could be said that “these abominations” includes sexual immorality and infanticide because “abomination” (תְּהוֹעֵבֹת) is used concerning homosexuality in these chapters (18:22), and it is also frequently used concerning Molech infanticide.³⁶

8. *Three “mortal sins” plus a new emphasis.* Of the foregoing proposals, the one which would be most easily recognized by a first century Jew would be the three “mortal” sins, because these were widely recognized.³⁷ They occurred

³⁵ Richard Bauckham, “James and the Jerusalem Church,” in Richard Bauckham, ed., *The Book of Acts in its Palestinian Setting* (Grand Rapids: Eerdmans/Carlisle: Paternoster, 1995) 459.

³⁶ See Deut 12:31; 18:9–12; 2 Kgs 16:3; 2 Chr 28:3; 33:2–6. It is probably significant that in the Pentateuch the word תְּהוֹעֵבֹת (“abomination”) is mainly used concerning idolatry (Deut 7:25–26; 13:14; 17:4; 20:18; 27:15; 32:16); sexual immorality (Lev 20:13; Deut 22:5; 23:19; 24:4); and Molech infanticide, though it is also used for a handful of other things: Deut 14:3 regarding eating forbidden animals; Deut 17:1 regarding blemished offerings; Deut 25:16 regarding false measures.

³⁷ See the list of references at 4. above.

not only as a list of three, but they were often amplified into longer lists such as the Noachian commands and others.³⁸

A common way to expand these three was by adding one extra. This was probably based on the repeated phrase in Amos, “For three sins, and for four . . .” (Amos 1:3, 6, 9, 11, 13; 2:1, 4, 6), in which Amos cites only the fourth sin. The purpose of adding a fourth was to emphasize a sin which might not normally be considered to be serious, by linking it to these three heinous sins. Abot de R. Nathan has an example which probably originated in the middle of the first century:

There are four things that a man performs, for which punishment is exacted from him in this world and also in the world to come. They are: idolatry, uncovering nakedness, bloodshed, and slanderous talk, which is the worst of them all.³⁹

This precise form is preserved only in rabbinic literature, but it is so common there that it is likely to be based on a tradition from before rabbinic times. More than half of the occurrences of the three “mortal” sins in rabbinic literature are accompanied by an additional fourth in this way, though the additional sin varies:

- slander (*m. Abot* 5.9; *ARN.A* 40; *b. Arak.* 15b; *Gen. Rab.* 70.4; *Eccl. Rab.* 5.2);
- neglecting the Sabbath Year (*m. Abot* 5.9; *Num. Rab.* 7.10);
- unwarranted hatred (*b. Yom.* 9b = *y. Yom.* 1.1, 38c = *t. Men.* 13.22);
- robbery (*Lev. Rab.* 33.3);
- rejection of the Torah (*Lam. Rab.* II)
- unfulfilled promises of charity (*y. Qid.* 4.1,65b).

None of these rabbinic lists refer to a fourth command that is similar to “smothering.” The list of universal laws in *Sibylline Oracles* 3 therefore remains the closest parallel, though these rabbinic texts demonstrate that the tradition of adding a fourth prohibition remained popular and that it was applied to a wide range of additional sins.

One problem with regarding “smothering” as an additional fourth sin is that we would then expect it to be the emphasis of the whole passage, but the apparent obscurity of the term would suggest that it was in fact less important than the others. In order to understand the term, we need to look at extra-biblical Greek literature.

³⁸ For example, the “seven” or “ten sins for which leprosy came into the world” (*Lev. Rab.* 17.3; *b. Ker.* 26a) and the Sibylline universal law (see 5.).

³⁹ *ARN A 40* based on the translation in I. Epstein, ed. *The Soncino, Hebrew-English Edition of the Babylonian Talmud* (London: Soncino, 1967). In the context, this appears to be a saying of R. Eliezer b. Zadok—the name of a rabbi in the mid-first century and also a rabbi of the late second century. Probably this is the former, because his related saying which immediately precedes this one became the starting point for the tractate Peah and is therefore likely to be part of the early strata of that work. *ARN* itself was edited centuries later, so it is very difficult to be certain about specific attributions within it.

3. *The meaning of πνικτοῖ.* The meaning of πνικτός is not explained in Acts so original recipients were presumably expected to understand its meaning. However, the word πνικτός is relatively rare. A search of the TLG found only 20 occurrences before the third century ad.⁴⁰ It occurs more frequently in later centuries, but mainly in Christian works where the meaning is dependant on its use in the Apostolic Decree.

Its translation as “strangled” in most Bibles has been influenced mainly by related words such as πνικτήρ “to wrestle”; πνίξ “choking”; πνίγος “stifling heat” and especially πνίγω “to choke, stifle, drown” and metaphorically “to oppress” (to “put the squeeze on” as one might say in modern colloquial English). These meanings of πνίγω are reflected in its occurrences in the Greek Bible and other Jewish Greek literature where it means “torment” (1 Sam 16:14–15), “drown” (Mark 3:13) and mostly “choke” (Matt 13:7; 18:28; *Test. Sol.* 4.5; 13.3). The last reference is interesting, because a female demon says her role is “visiting women and, divining the hour (when they give birth), I search (for them) and choke their newborn infants (πνίγω τὰ βρέφη).”

The word πνικτός itself has a narrower usage. In the early centuries it was used as an engineering term for something which is airtight, and as a culinary term for animals which are killed in infancy in order to create very tender meat. In later centuries it came to mean something which is tender by being lightly cooked.

a. *Engineering term.* Horon or Hero of Alexandria was a remarkable engineer who developed a number of engines based on vacuums, steam and moving water. His applications tended to be trivial by our standards—he created a steam engine in order to make figurines dance, and he built a water clock to restrict the interval between successive drinks measured out by wine dispenser.⁴¹

Seven of his inventions required the use of an airtight siphon, by which water could be moved in a steady stream which, once started, would continue, so long as the destination was lower than the origin. This “siphon” principle (which is understood by any youth trying to steal gasoline) can be used, for example, to completely empty a vessel when it fills beyond a certain point:

There is another kind of siphon called the concentric or *smothered* diabetes, the principle of which is the same as that of the bent siphon . . .

⁴⁰ The TLG dataset was searched online at www.tlg.uci.edu in May 2008 for all forms of the word πνικτός. Results from earliest time up to the end of the second century were used as the basis of this research. This dataset is reputed to be exhaustive for Greek literature in the early centuries, though new texts from the medieval period and beyond are still being added. Extrabiblical Greek texts cited in this paper are quoted as entered in this dataset. The number of results in the search appears to be larger, but they contain many duplications and quotations of one author by another.

⁴¹ These inventions are surprisingly cogently described in his *Pneumatica* 2.11 and 2.21 respectively. For a translation with illustrations see *The Pneumatics of Hero of Alexandria, from the Original Greek* (ed. Bennet Woodcroft; London: Taylor Walton and Maberly, 1851), online at www.history.rochester.edu/steam/hero.

In this case, again, all the water in the vessel will be drawn out. This instrument is called, as we said before, the *smothered* siphon, or the *smothered* diabetes.⁴²

In later centuries this discovery was developed into the toilet cistern, but Heron applied it in his fifteenth invention in order to make mechanical birds sing in his patron's garden.

The meaning of *πνικτός* in all of his inventions has the sense of being "smothered." The joints had to be completely airtight in order for the siphon to work, so they were engineered as exactly as possible and then smothered with airtight material.

b. *Culinary term.* A few ancient authors use *πνικτός* to refer to a particularly tender type of meat, which is characterized by originating from infant or unborn animals. For example:

"Baked in another mansion of its mother,
Which holds within its net the tender milk-fed
Offspring of new-born flocks untimely *smothered*."⁴³

"And chief of all, not to be missed, a lightly boiled young [lit. unmarried] *smothered* kid was served up."⁴⁴

"Some tender limbs of *smothered* goats, set round with herbs, a young and tender meat."⁴⁵

The last of these is one of five quotations from older authors which were cited to illustrate the meaning of *πνικτός* for a dinner guest, Ulpian, who had not come across the term before.⁴⁶ When another guest had asked for the tray of "smothered meat" [*πνικτῶν κρεαδίων*] Ulpian joked: "I myself shall be smothered [*ἀποπνίγω*] if you do not tell me where you found any mention of meat of that kind." His host (the author of the work) replied with a list of citations from classical literature which refer to "smothered meat" and its

⁴² Heron of Alexandria, *Pneumatica* 1.3.1, 37, translated as in Woodcroft, *Pneumatics* 2. The underlined indicates *πνικτός* which was translated "inclosed" by Woodcroft.

⁴³ Athenaeus, *Deipnosophistae* 10.70.23, translated as in Athenaeus of Naucratis: *The Deipnosophists*, or, *Banquet of the Learned of Athenæus* (ed. C. D. Yonge; London: Henry G. Bohn, n.d.), 2.709. The underlined word was translated from *πνικτός*, though Yonge translated it as "choked."

⁴⁴ Athenaeus, *Deipnosophistae* 4.28.48. The translation in Yonge, *Banquet of the Learned*, 1.238, is much more loose and very misleading: "Cutlets of kid, and well-boil'd pettitoes" [i.e. pigs' trotters] (1:238). The explanation for this strange translation lies in a footnote: "I have only attempted here to extract a few of the sentences and words which appeared a little intelligible. The whole quotation is perhaps the most hopelessly corrupt in all Athenaeus." Here Yonge did translate it as "smothered."

⁴⁵ Athenaeus, *Deipnosophistae* 9.53.21, translated as in Yonge, *Banquet of the Learned* 2.624. The underlined word was were Yonge translated *πνικτός* as "suffocat'd."

⁴⁶ Ulpian would rather discourse on a rare word than eat the food. See, for example, 2:605-6: "When a large fish was served up in sour pickle (*ὄξάλη*) . . . Ulpian, picking out the small bones, and contracting his brows, said, "Where do you find the word *ὄξάλη*? . . . However, at that time the guests all desired him to settle that as he pleased, and themselves preferred eating. . . . But Myrtilus in a pleasant manner declared that he subscribed to Ulpian's sentiments, so as to be willing to have nothing to eat, as long as he might talk."

preparation. Two of the five citations used the verb πνίγω instead of πνικτός which suggests that they were sometimes regarded as synonymous. After discussing this term, the conversation moved naturally to the subject of suckling pigs and other very young “lambs and pigs not taken from their dams.” Then, after some quotations about killing infant animals for food, the subject concluded with citations concerning infanticide and ended with a sinister story about someone who ate human infants:

And Simonides represents Danae as speaking thus over Perseus:

O my dear child, what mis'ry tears my soul!
But you lie sleeping,
You slumber with your unwean'd heart.

And in another place he says of Archemorus:

Alas the wreath! They wept the unwean'd child,
Breathing out his sweet soul in bitter pangs.

And Clearchus, in his *Lives*, says that Phalaris the tyrant had arrived at such a pitch of cruelty, that he used to feast on sucking children.

The term πνικτός was therefore used for very tender meat which was prepared by killing and lightly cooking infant animals.⁴⁷ When the term had established itself in culinary circles, it came to be used for other forms of tender food which required little cooking, such as flat fish, or food such as eggs which was especially tender when it was lightly cooked.

The general meaning of πνικτός in culinary usage is therefore “tender.” It appears that this word was used because of a rare process by which meat was prepared in an especially tender form. Instead of killing grown animals, they smothered infant animals to produce extremely tender meat. The core meaning in culinary circles is therefore meat prepared from infant animals which were “smothered” with the secondary meaning of “especially tender.”

iv. why did the apostolic decree use the word πνικτός?

We have found that the occurrences of πνικτός outside the NT before the end of the first century ad had three related meanings:

- (1) smothering of very young animals for tender meat: 7 times by 6 authors;⁴⁸

⁴⁷ Nunamiut Eskimos used to eat foetal caribou because the meat is so tender—see Murielle Ida Nagy, “Caribou Exploitation at the Trail River Site (Northern Yukon)” (M.A. thesis, Dept. of Archaeology, Simon Fraser University, 1988), online at ir.lib.sfu.ca/bitstream/1892/6687/1/b14986127.pdf (accessed October 22, 2008).

⁴⁸ πνικτός refers to killing infant animals at:

- Antiphanes Comic., *Fragmenta* 1.4 = Sophocles Trag., *Fragmenta* 754.4 = Athenaeus, *Deipnosophistae* 9.53.21;
- Antiphanes Comic., *Fragmenta* 52.4 = Athenaeus, *Deipnosophistae* 10.70.23;
- Athenaeus, *Deipnosophistae* 9.53.6;
- Strattis Comic., *Fragmenta* 29.1 = Athenaeus, *Deipnosophistae* 9.53.11;
- Eubulus Comic., *Fragmenta* 47.1 = Julius Pollux Gramm., *Onomasticon* 10.107.6 = Athenaeus, *Deipnosophistae* 9.53.13;
- Philoxenus Lyr., *Fragmenta* B.29 = Athenaeus, *Deipnosophistae* 4.28.48;
- Alexis Comic., *Fragmenta* 124.2 = Athenaeus *Deipnosophistae* 9.30.10;

- (2) gentle cooking of very tender food: 3 times by 3 authors;⁴⁹ and
 (3) smothering a joint to make it airtight: 10 times by one author.⁵⁰

Of these, the only meaning which easily fits into the context of the Apostolic Decree is that of “smothered [meat]”—i.e. extremely tender meat made by suffocating animals when they were very young. This was apparently so rare that Ulpian, a widely experienced diner, had to admit that he had never heard of this type of meat.⁵¹ If this is the meaning, it would imply that one the prohibitions of the Apostolic Decree was concerned with forbidding a delicacy similar to veal but much less common, which few believers would ever come across. It is therefore more likely that *πικτός* has a wider interpretation. The most likely one is infanticide, which was implied by a word describing the killing of infant animals.

The normal way to refer to infanticide was to speak about “expelling” or “exposing” an infant, using a variety of words including:

- ἐκβολῆ and ἐκβάλλω - thrown out, to throw out
- ἔκθετος - cast away
- ἔκκειμαι - left bare
- ἐκτίθημι - to set outside, isolate
- ἐξορίζω - to banish
- ἐγχυρρίζω - to expose in a vessel

However, the use of any of these words would have been misleading in a simple list like the Apostolic Decree because they all have more common meanings: ἐκβολῆ and ἐκβάλλω are commonly used for divorce, while the others are commonly used for banishment (a punishment which could be imposed by a father on his child). So if any of these words had been included in the list, the plain interpretation would be that divorce or banishment were prohibited.

Also, the use of such euphemisms can be used to defend the practice. Critics of infanticide, such as Philo, demonstrate the misleading nature of words like “expose” by pointing out that in practice many parents “stifle and throttle the first breath which the infants draw” (*Spec. Leg.* 3.114–15). When condemning this practice, it was more forceful to point out this reality by using a word which indicated the death of infants.

1. *Two possible meanings of the Apostolic Decree.* In the context of Acts 15, the Apostolic Decree was a response to those who demanded believers should

⁴⁹ *πικτός* refers to cooking very tender food at:

- Athenio Comic., *Fragmentum* 1.30 = Juba II Rex Mauretaniae, *Hist.*, *Fragmenta* 82.36 = Athenaeus, *Deipnosophistae* 14.80.36;
- Pherecrates Comic., *Fragmenta* 175.2 = Athenaeus, *Deipnosophistae* 2.48.15;
- Antiphanes Comic., *Fragmenta* 132.2 = Athenaeus, *Deipnosophistae* 7.46.21;

⁵⁰ *πικτός* refers to making airtight joints at: Heron Mech., *Pneumatica* 1.3.1,37; 1.13.5; 1.29.8; 1.16.16,36,41; 2.19.14; 2.21.15; 2.25.10.

⁵¹ See Athenaeus, *Deipnosophistae* 10.70.23, discussed above.

be circumcised (vv. 1, 5) which the apostles regarded as “troubling” and “disturbing” for Gentile believers (vv. 19, 24). The reason given for making these restrictions was that practicing Jews were found in every city (v. 21), which implied that at least one of the purposes for this Decree was to aid the relations between Gentile believers and Jews. This context, together with the possible meanings we have already found, suggests two probable purposes for these prohibitions: they could be rules for meal preparation; or they could be guidelines for moral lifestyles.

If the Apostolic Decree was a set of rules for meal preparations, this would help to remove barriers between Gentile believers and Jewish believers. Although it was possible for Jews to eat with Gentiles,⁵² Jews could not necessarily eat the food which Gentiles brought to these communal meals. The Gentile believers needed to know a few rules, though the majority of Jewish laws did not need stating. Gentiles did not need to tithe the food they brought, because Jews could tithe it themselves on their plate just before they ate it.⁵³ Also, Gentiles did not need to be warned to avoid meat from an animal which had died by itself without being slaughtered, and even if they were insensitive enough to bring some pork, it was simple for a Jew to identify a forbidden species of meat. Gentiles did need to know and follow some rules, especially regarding practices which could not be detected by the eater. They had to avoid meat or wine of which part had been offered to an idol, or meat which had not been properly drained of its blood. They also had to make sure the food was not prepared by women who were unclean during their menstrual period, which was listed among the rules of sexual immorality at Lev 18:19.

If, on the other hand, the Apostolic Decree was a set of rules concerned with moral lifestyle, they would also help their relationships with Jews. Gentiles did not need an exhaustive set of rules, because they agreed with Jews on most aspects of morality. However, Gentiles needed to know about behavior which Gentile culture did not condemn but which Jews would recognize as scandalous. Gentile converts knew, of course, that they had to avoid idolatry, sexual immorality, and bloodshed, but some behavior which falls into these categories was regarded as permissible to Gentiles and abhorrent to Jews. In particular, eating temple offerings, homosexual practices, and extreme violence to slaves were all normal in Greek society and abhorred by Jews.

The problem in both cases is that the meaning of word *πνικτός* is not straightforward. If all four prohibitions related to helping Jewish and Gentile believers eat together, *πνικτός* would perhaps refer to the rare

⁵² James G. Crossley, *The Date of Mark's Gospel: Insight from the Law in Earliest Christianity* (JSNTSSup 266; London, New York, 2004) 145–54, points out that although non-Jews thought that Jews simply would not eat with Gentiles, this was a misunderstanding. Most Jews were happy for Gentiles to eat food with them (except, of course, extremists like the Haverim of *m. Dem.* 2.3) but Jews could not share food which Gentiles had prepared, or eat in Gentile homes which might contain corpse impurity.

⁵³ It was normal practice for a pious Jew to tithe his food when eating at the house of someone whose scrupulousness was not entirely trusted—see, e.g., *m. Dem.* 7.1–6.

“smothered meats.” It might also refer to the Jewish suspicion (which was probably unfounded), that Gentiles sometimes killed animals by slitting the windpipe, so that the animal effectively suffocated instead of bleeding to death. But in this case it is unclear why the list needed to contain both a prohibition of “blood” and “smothering,” because animals killed by smothering or strangling would retain blood in the carcass. If, on the other hand, the four prohibitions referred to matters of morality, the word *πνικτός* would refer to infanticide, which was a widespread pagan practice.

The Apostolic Decree could therefore be interpreted in two possible ways:

- (1) How to prepare food when eating with Jews:
 - idol offerings: i.e. do not buy meat which may have been an idol offering
 - blood: i.e. do not buy meat which has not been properly drained—including smothering—i.e. from animals which may have been killed by asphyxiation
 - sexual immorality: i.e. do not let a woman in her menses prepare the meal
- (2) How to avoid the immorality of the Gentile world
 - idol offerings: i.e. avoid idolatry including social functions in temples
 - blood: i.e. avoid bloodshed and violence – especially including:
 - smothering: i.e. infanticide (or abortion) used for birth control
 - sexual immorality: i.e. all *πορνεία*, from prostitutes to homosexual practice

2. *Possibility of deliberate ambiguity.* These two possible interpretations of the Apostolic Decree are both made difficult by the word *πνικτός*, and there is still some mystery concerning why such a rare word was chosen. Perhaps its difficult and ambiguous meaning was a deliberate choice, so that some could regard it as further teaching about food laws, while others could regard it as a prohibition of infanticide.

Whichever interpretation of the Decree was intended by the apostles, the Gentiles would need some help in unpacking and understanding the list of four words. Peter Head has shown that the role of a letter carrier in the first century world was often that of an emissary and representative of the writer, and not just that of a trusted delivery man.⁵⁴ They were trusted representatives who were expected to expand and emphasize the message both by words and by lifestyle. They are named not just to thank them, but to identify them as the messengers who were authorized by the author. It is therefore significant that Acts specifically named those who accompanied the letter carrying this Decree to the churches and stated that their roll was “telling you the same things by word of mouth” (Acts 15:27). Paul and Barnabas

⁵⁴ Peter M. Head, “Letter Carriers in the Ancient Jewish Epistolary Material,” in *Jewish and Christian Scripture as Artifact and Canon* (ed. C. A. Evans and H. D. Zacharias; Library of Second Temple Studies and Scripture in Early Judaism and Christianity, forthcoming)

were accompanied for this task by Judas and Silas (Acts 15:22, 25, 27). We know nothing about Judas, but Barnabas and Silas accompanied Paul for long periods so they presumably saw eye to eye on many things, including a love for evangelizing Gentiles,⁵⁵ and they probably shared Paul's *laissez-faire* attitude to food laws.⁵⁶

Therefore at least three of the messengers whom James sent to accompany and explain the Apostolic Decree were keen on evangelism among the Gentiles, without any enthusiasm for teaching them about the niceties of food laws or any other halakhic rules. On the assumption that the fourth person, Judas, was similarly minded, these letter carriers could be expected to interpret the Apostolic Decree in a way which deemphasized the food laws. This was easy to do, by interpreting them as rules against offerings to idols, against bloodshed, against infanticide and against sexual immorality.

It is very likely that this is exactly what James intended. The purpose of the Apostolic Decree was to help promote unity in a church where some Jewish believers wanted all Christian believers to become Jews by following the law of circumcision (Acts 15:1, 5). Presumably they also wanted them to obey all the food laws and laws of cleanliness as well, as implied when Peter referred to the entire Jewish oral law as "placing a yoke on the neck of the disciples that neither our fathers nor we have been able to bear" (Acts 15:10).⁵⁷ It is possible that these believers would be mollified by the Apostolic Decree because although James was clearly not in favor of imposing Jewish oral law on Gentile believers, he did propose a list of prohibitions which they were able to interpret as a list of culinary regulations.

When Paul and his company went round telling Gentile converts about the Apostolic Decree, the natural force of the passage would highlight the presence of "smothering" as the emphasis of the Decree. This item would be emphasized in two ways. Firstly "smothering" would naturally be regarded as a fourth item in the normal structure of the three "mortal sins" plus one. Secondly, the use of the rare word *πικτός* would necessitate some explanation.

Did they emphasize that Gentiles should avoid "smothered meat," or that they should avoid infanticide? There is little doubt that they would take the opportunity to point out to the new converts that the practice which Gentiles considered to be a normal method of birth control was, for Jews and Christians, a forbidden act.

v. conclusions

The survey of *πικτός* in ancient Greek literature has failed to produce a clear meaning for this term in the Apostolic Decree. None of the normal

⁵⁵ Cf. Acts 16:25–34 where they convert a Gentile without any mention of Jewish law, and agree to eat in his house; Acts 17:4–5 where Jews revolted when they converted too many Gentiles; Acts 18:5, 13 where Silas came to join Paul just before he was accused of "persuading people to worship God contrary to the law."

⁵⁶ 1 Cor 8:1–13; 10:25–33; Rom 14:13–23; Col 2:16–17.

⁵⁷ The term "yoke" was an early metaphor for the burden of the law—cf. *m. Ber.* 2.2; *m. Abot* 3.5; *b. Shebu.* 13a; *b. Ker.* 7a.

meanings fits well into the context, though the dual connotations of a culinary context and the killing of infants would both have influenced the interpretation. The Jewish literature of the time speaks of choking sacrifices in pagan temples (a practice which may have occurred but was probably very rare) and smothering infants—a practice which most non-Jews regarded as a normal form of birth control.

Reading between the lines of Acts 15, we may conclude that this list was written in a deliberately ambiguous way. The issue to which it responded had been raised by Christian Pharisees who felt that Gentile converts should be circumcised and “keep the law of Moses” (Acts 15:5). Although their concerns were not fully addressed by this Decree, they would be mollified by the use of the traditional three-fold list of “mortal” sins as the basis of the Apostolic Decree. They would also be pleased to see that the Decree was written in such a way as to emphasize the application of this list to food requirements—i.e. the list includes “idol offerings” instead of “idolatry” and “blood” instead of “bloodshed.” For them, the addition of “smothering” would convey its culinary connotations, though for Gentiles (who were unaware of the Jewish belief that offerings were “choked” in heathen temples) the connotations of killing infant animals would cause them to inquire which ethical issue was being addressed.

The official meaning would be conveyed by those who carried the Apostolic Decree to the churches. The chosen individuals, Judas and Silas (Acts 15:22), were presumably picked because they would present the list and expound it in the way that the leaders wished. From what we know of Silas, and of Paul and Barnabas who were also sent, we can be sure that they concentrated on wider ethical requirements instead of on food laws.

Therefore the adjective “smothered” was chosen as a deliberately pejorative reference to infanticide. Normally Romans used the adjective “exposed.” Jewish and early Christian authors were outspoken critics of abortion and infanticide, and these practices were never accepted in the church, even though Gentiles made up the majority of the church and even though the Christian Bible appeared to be silent on the subject, except for a semi-obscure reference in Exod 21:22–23.

On the basis of the findings in this paper, it is likely that none of the authors of the NT felt it necessary to forbid infanticide or abortion because this was clearly forbidden in the Apostolic Decree that had been propagated to the Gentile churches. By the means of this Decree, the first generation of the church was taught an absolute ban on infanticide which was continued in early Christian literature.