



[Justin Martyr, First Apology LXVIII.1-LXX.4](#)

Hadrian's Rescript to Minucius Fundanus

Name of the author: Justin Martyr

Date: 153 CE

Place: Rome

Language: Greek

Category: Christian

Literary genre: Apologetic

Title of work: The First Apology of Justin

Reference:

LXVIII.1-LXX.4

Commentary:

For a general introduction to Justin and the Apologies, please see the commentary on [IV.1-V.4](#).

This extract, from the end of the *First Apology*, contains a quotation of the so-called Rescript of Hadrian to a governor, Minucius Fundanus (proconsul of Asia between 122 and 123 CE). It is to this text, written by the former emperor that Justin now turns for imperial legitimation of his request for better treatment of Christians in the Roman law courts.

Petitions (or *libelli*) like the *First Apology*, which Justin has addressed to the emperor Antoninus Pius and his adopted sons, were a method in Roman administrative practice by which one could submit a request to a governor or other official asking that they intervene in a particular problematic situation (see Tor Hauken, *Petition and Response*, p. 74-139). These would often climax, as Justin's does here, with some sort of appeal to a legal precedent. Indeed, Justin's vocabulary conforms to that which was common in such petitions. The Greek equivalent to the term *libellus* is ????????? (biblidion), and the official would commonly be asked to "subscribe" (*subscribere* in the infinitive form of the verb) (in Greek ?????????, *hupographein*) (literally to add their signature) to the petition to agree to the proposed action, and to "post up" (*proponere* in Latin, and ?????????, *protheinai*, in Greek) this response (see the uses of these terms in LXIV.1 of the present passage: "we therefore pray you to publish (post up) this little book, appending what you think right").

Justin begins the closing section of the *First Apology* by stating that while he does not expect the Roman emperor to be convinced by all the Christian truths that he has outlined (these truths are the "they" of the opening sentence of the present extract), he and those he commands should at least consider them. If, however, having done this, they find Christian teachings to be purely nonsense (see Luke 24:11 for the same term, ?????, *I?ros*, used by the disciples of the report of Jesus's resurrection by the women at the tomb, claiming it to be idle, silly talk), then they should simply pass them off as such (the implication being that they are harmless) and not treat those who believe in them as enemies (this recalls *First Apology* III.1 and VII.4). What follows this is a claim by Justin that he is able on the basis of a letter of "the greatest (?????, *megas*) and most illustrious (????????????????, *epiphanestatos*) Emperor Hadrian" to insist that the emperor and those he commands perform their duties according to the demands Justin has outlined in his petition; i.e. that Christians be treated in the Roman courts in the same manner as anyone else, and not be condemned purely on account of their claiming the name "Christian." However, he argues that his petition (which he has accompanied with an ?????????, *ex?g?sis*, of Christian doctrines) is in any case legitimate and just (????????, *dikaios*) on its own merit, regardless of the authority given to it by Hadrian (LXVIII.3).

Wolfgang Schmid has argued that the second superlative used by Justin to describe Hadrian (????????????????, *epiphanestatos*) is a translation of the superlative *nobilissimus*, an imperial title first attested of Commodus. Schmid therefore assumes that this section is from a later edition of the text, and that the Rescript of Hadrian was also added later. However, he does admit that the phrase ????????????????? ????? (epiphanestatos theos, "renowned/celebrated God") is used of deified emperors, and cites an inscription that similarly uses two



superlatives to describe Hadrian, just as Justin's text does (C/G II 2454) ("Ein Inversionsphänomen," p. 275-276). Justin, of course, will not go so far as to refer to Hadrian as divine, but his use of a recognisable formula to highlight his renowned status and authority is a logical tactic, and makes it more difficult for his addressees, who are Hadrian's successors, to ignore the instructions of the former emperor which Justin is claiming to draw upon (see Minns and Parvis, *Justin, Philosopher and Martyr*, p. 265).

The Rescript of Hadrian to Minucius Fundanus has been much debated by scholars, some of whom have doubted its authenticity (e.g. Herbert Nesselhauf, "Hadrians Reskript," p. 348; the most recent editors of Justin's text take it to be genuine; see Minns and Parvis, *Justin, Philosopher and Martyr*, p. 44). As such, it has not been viewed as nearly as important as Trajan's Rescript to Pliny (made governor of Bithynia in 110 CE), which states that Christians should not be specifically rooted out, and that the governor should be vigilant against false accusations made against them, which are not in-keeping with the spirit of the times. Our only evidence of Hadrian's Rescript is that found in the present text of Justin, Eusebius's translation of the Rescript in his *Ecclesiastical History* IV.9, and Rufinus's Latin translation of Eusebius's text (on the interpretation of the Rescript, see Paul Keresztes, "The Emperor Hadrian's Rescript," p. 120-122). According to Minns and Parvis, the Greek version of the Rescript in the manuscript of Justin's text is a copy of Eusebius's Greek translation for his *Ecclesiastical History*, not a translation of the Latin text itself. Similarly, Rufinus's Latin is his translation of Eusebius's Greek (*Justin, Philosopher and Martyr*, p. 44; see p. 268 for Rufinus's text). The *Ecclesiastical History* of Eusebius (IV.3.1-2) also tells us that Quadratus presented an apology on behalf of the Christians to Hadrian at the start of the emperor's reign, but it is not known whether this had any bearing on his decision to write the Rescript.

Adrian Sherwin-White viewed Hadrian's Rescript as giving Christians freedom from legal prosecution for their religious beliefs, stating that they could only be tried and punished for crimes against common law ("The Early Persecutions," p. 202). Scholars of the same persuasion as Sherwin-White generally argue that "persecutions" of Christians in the first two centuries CE were based on the *ius coercionis* ("right to punish," especially in cases where it was thought social order was being disturbed) held by higher magistrates. This position is taken by Minns and Parvis, who claim that no specific legislation is in mind in Hadrian's Rescript; rather, he defers to Fundanus's right to prosecute those whom he sees fit (*Justin, Philosopher and Martyr*, p. 267). Scholars such as Wolfgang Schmid believed that the Rescript provides no legal protection for followers of Christianity, and that persecution of them required specific legislation ("The Christian Re-Interpretation of the Rescript"; see also Paul Keresztes, "Law and Arbitrariness"). However, this latter position is not widely held anymore.

Hadrian claims that he has received a letter from the "most eminent" (a description usually reserved for those of the senatorial class) Serenius (likely a corrupted form of what was originally Licinius or Silvanus) Granianus. According to Minns and Parvis, if this letter from Granianus told the emperor that the governor had taken those accused into custody while he awaited a reply from Hadrian, then the term translated here as "unexamined" may originally have been *incognitus* ("not investigated, untried") in the Latin, or alternatively, if Hadrian's meaning is that he did not want the administrative procedure to be unresolved, then it might have been *inquisitus* ("not searched/inquired into") (LXVIII.7). Indeed, Pliny is instructed by Trajan (*Letters to Trajan* X.18.3) that his initial job in Bithynia is to examine the public accounts (*Justin, Philosopher and Martyr*, p. 265). Hadrian's statement that he wishes the people not to be subject to vexation/distress (the verb used is ???????, *tarass?*) also echoes Trajan's worries about disruptive, factious state of cities in the province of Bithynia (*vexo*, "distress/disturb/trouble") (see Pliny, *Letters to Trajan* X.33), and indicates that such disorder and disquiet among the people is what will lead to slanderous accusations being made against the Christians (LXVIII.7). The phrase used in LXVIII.9 for "give judgment upon it" is argued by Minns and Parvis to be a Greek obscuration of the Latin technical term *cognoscere* ("to determine judicially"), which implies that the emperor does not really want to be bothered by provincial governors in such matters about how to treat troublemakers, but rather should simply make the decisions themselves and act as they see fit within their own tribunals.

Justin supplements his final plea for the promulgation of the petition, which he wishes to be circulated to "all" (LXX.1-4), with an appeal to Christianity's superiority over certain philosophical doctrines, hoping that the Stoically-inclined emperor and his sons will share his negative feelings towards certain obscene writers who he claims are yet widely read and heard (see Athenaeus, *The Deipnosophists*, VIII.335b, d-e; VII.278.e-f; XIV.620e-621b for references to some of those named by Justin). His appeal to their own philosophical sensibilities and renowned piety then surfaces in his final words, just as it was these very qualities of his imperial addressees which he drew upon at the beginning of the *First Apology* (II.1-4; but see also the discussion of the *Second Apology* I-II). The sustained assertion throughout Justin's text that Christianity is a "superior philosophy," which Justin hopes will ring true with the ideological preferences of his addressees (even if his closing words are almost threatening, or at least extremely bold: "be just"), combines with as Minns and Parvis call it, a "hijacking" by Justin of a popular



piece of Roman administrative procedure, allowing him to get “his message, literally and symbolically, to the heart of the Roman world” (*Justin, Philosopher and Martyr*, p. 25).

Keywords in the original language:

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- [??????????](#)
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Thematic keywords in English:

- [accusation](#)
- [Hadrian](#)
- [petition](#)
- [philosophy](#)
- [piety](#)
- [rescript](#)
- [Roman authorities](#)
- [Roman court](#)
- [Roman emperor](#)
- [Roman governor](#)
- [Roman law](#)
- [slander](#)
- [tribunal](#)

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