

ΠΕΡΙ ΤΩΝ ΕΝ ΜΕΡΕΙ ΔΙΑΤΑΓΜΑΤΩΝ

ΠΕΡΙ ΤΩΝ ΑΝΑΦΕΡΟΜΕΝΩΝ ΕΝ ΕΙΔΕΙ
ΝΟΜΩΝ ΕΙΣ ΔΥΟ ΚΕΦΑΛΑΙΑ ΤΩΝ ΔΕΚΑ
ΛΟΓΙΩΝ, ΤΟ ΤΕ ΜΗ ΝΟΜΙΖΕΙΝ ΕΞΩ ΤΟΥ
ΕΝΟΣ ΘΕΟΥΣ ΕΤΕΡΟΥΣ ΑΥΤΟΚΡΑΤΕΙΣ
ΚΑΙ ΤΟ ΜΗ ΧΕΙΡΟΚΜΗΤΑ ΘΕΟΠΛΑΣ-
ΤΕΙΝ

[210]

- 1 I. Τὰ μὲν γένη τῶν ἐν εἵδει νόμων, οἱ προσαγο-
ρευόμενοι δέκα λόγοι, διὰ τῆς προτέρας ἡκρίβωνται
συντάξεως, τὰ δ' ἐν μέρει διατάγματα κατὰ τὴν τῆς
γραφῆς ἀκολουθίαν νῦν ἐπισκεπτέον. ἄρξομαι δ'
2 ἀπὸ τοῦ γελωμένου παρὰ τοῖς πολλοῖς. γελᾶται δὲ
ἡ τῶν γεννητικῶν περιτομή. πρᾶγμα σπουδαζό-
μενον οὐ μετρίως καὶ παρ' ἑτέροις ἔθνεσι καὶ
μάλιστα τῷ Αἰγυπτιακῷ, ὃ καὶ πολυανθρωπότατον
καὶ ἀρχαιότατον καὶ φιλοσοφώτατον εἶναι δοκεῖ.
3 παρὸ καὶ προσῆκον ἦν παιδικὴν χλεύην μεθεμένους
φρονιμώτερον καὶ σεμνότερον ἀναζητῆσαι τὰς αἰ-

^a Or "gods with absolute powers," see § 13.

^b In the mss. this chapter is headed *Περὶ περιτομῆς*.

^c Or (as Mangey and Heinemann) "in the order indicated in the scriptures," *i.e.* though the laws are not actually grouped in the Pentateuch under the Ten Commandments, such an order is suggested by the Decalogue. *γραφῇ*, however, in this sense seems to be regularly coupled with *ἱερά*.

THE SPECIAL LAWS

BOOK I

ON THE SPECIAL LAWS WHICH FALL UNDER THE TWO HEADS OF THE TEN COMMANDMENTS, ONE OF WHICH IS DIRECTED AGAINST THE ACKNOWLEDGEMENT OF OTHER SOVEREIGN GODS ^a SAVE THE ONE, AND THE OTHER AGAINST GIVING HONOURS TO THE WORKS OF MEN'S HANDS

I. ^b The Ten Words, as they are called, the main 1 heads under which are summarized the Special Laws, have been explained in detail in the preceding treatise. We have now, as the sequence of our dissertation ^c requires, to examine the particular ordinances. I will begin with that which is an object of 2 ridicule among many people. Now the practice 2 which is thus ridiculed, namely the circumcision of the genital organs, is very zealously observed by many other nations, particularly by the Egyptians, a race regarded as pre-eminent for its populousness, its antiquity and its attachment to philosophy. ^d And 3 therefore it would be well for the detractors to desist from childish mockery and to inquire in a wiser and more serious spirit into the causes to which the For the meaning given in the translation *cf. De Ebr. 1, De Som. i. 1.*

^a For circumcision in Egypt see App. p. 615.

PHILO

τίας, ὧν χάριν ἐκράτησε τὸ ἔθος, καὶ μὴ προεξαναστάνας καταγινώσκειν μεγάλων ἐθνῶν εὐχέρειαν, [211] λογιζομένους, ὡς εἰκός,¹ τοσαύτας | μυριάδας καθ' ἐκάστην γενεὰν ἀποτέμενεσθαι, μετὰ χαλεπῶν ἀλγυδόνων ἀκρωτηριαζούσας τὰ τε ἑαυτῶν καὶ τῶν οἰκειοτάτων σώματα, πολλὰ δ' εἶναι τὰ προτρέποντα τὴν εἰσῆγησιν τῶν παλαιῶν διατηρεῖν καὶ 4 ἐπιτελεῖν, τὰ δ' ἀνωτάτω τέτταρα· ἐν μὲν χαλεπῆς νόσου καὶ δυσιάτου, ποσθῆνης,² ἀπ' ἀλλαγῆν, ἣν ἄνθρακα καλοῦσιν, ἀπὸ τοῦ καίειν ἐντυφόμενον, ὡς οἶμαι, ταύτης τῆς προσηγορίας τυχόντα, ὅπερ εὐκολώτερον τοῖς ἀκροποσθίας ἔχουσιν 5 ἐγγίνεται· δεύτερον δὲ τὴν δι' ὅλου τοῦ σώματος καθαριότητα πρὸς τὸ ἀρμόττον τάξει ἱερωμένη, παρὸ καὶ ξυρῶνται τὰ σώματα προσυπερβάλλοντες οἱ ἐν Αἰγύπτῳ τῶν ἱερέων· ὑποσυλλέγεται γὰρ καὶ ὑποστέλλει καὶ θριξὶ καὶ ποσθίαις ἔνια τῶν ὀφει- 6 λόντων καθαίρεσθαι· τρίτον δὲ τὴν πρὸς καρδίαν ὁμοιότητα τοῦ περιτμηθέντος μέρους· πρὸς γὰρ γένεσιν ἄμφω παρεσκευάσται, τὸ μὲν ἐγκάρδιον πνεῦμα νοημάτων, τὸ δὲ γόνιμον ὄργανον ζώων·

¹ So Cohn with some mss. in preference to the ὡς οὐκ εἰκός of the better mss. This would mean "reflecting that it is not likely that so many nations would," etc. (without some good reason). But this last can hardly be understood, and Mangey suggests the insertion of μάτην.

² Perhaps, as Cohn suggests, read πόσθης. See *Hermes*, 1908, p. 185. The suggestion of ποσθαίνης (H. Grégoire, *Hermes*, 1909, p. 319) is open to the objection that the names

THE SPECIAL LAWS, I. 3-6

persistence of this custom is due, instead of dismissing the matter prematurely and impugning the good sense of great nations. Such persons might naturally reflect that all these thousands in every generation undergo the operation and suffer severe pains in mutilating the bodies of themselves and their nearest and dearest, and that there are many circumstances which urge the retention and performance of a custom introduced by the men of old. The principal reasons are four in number. One ⁴ is that it secures exemption from the severe and almost incurable malady of the prepuce called anthrax or carbuncle, so named, I believe, from the slow fire ^a which it sets up and to which those who retain the foreskin are more susceptible. Secondly, it pro- ⁵ motes the cleanliness of the whole body as befits the consecrated order, and therefore the Egyptians carry the practice to a further extreme and have the bodies of their priests shaved. For some substances which need to be cleared away collect and secrete themselves both in the hair and the foreskin. Thirdly, it assimilates ^b the circumcised member to the ⁶ heart. For as both are framed to serve for generation, thought being generated by the spirit force in the heart, ^c living creatures by the reproductive organ,

^a Or "inward and secret fire." Lit. "burns smouldering." Heinemann less accurately, I think, "stark brennt." Mangey "urit cum inflammatione."

^b Lit. "the likeness," not meaning that they are naturally alike, but that they are made so by circumcision, for *ὁμοιότητα*, like *ἀπαλλαγὴν* and *καθαριότητα* above, must give the result of the process.

^c See App. p. 615.

of diseases in *-αῖνα*, like *φλύκταινα* and *γάγγραινα*, do not seem to be formed like the names in *-ιτις* from the part attacked. The text is very confused in the different mss.

- ἐδικαίωσαν γὰρ οἱ πρῶτοι τῷ ἀφανεῖ καὶ κρείττονι,
 δι' οὗ τὰ νοητὰ συνίσταται, τὸ ἐμφανὲς καὶ ὁρατόν,
 ᾧ τὰ αἰσθητὰ γεννᾶσθαι πέφυκεν, ἐξομοιωσάι·
 7 τέταρτον δὲ καὶ ἀναγκαιότατον τὴν πρὸς πολυγονίαν
 παρασκευήν· λέγεται γὰρ ὡς εὐδοεῖ τὸ σπέρμα μήτε
 σκιδνάμενον μήτε περιρρέον εἰς τοὺς τῆς ποσθίας
 κόλπους· ὅθεν καὶ τὰ περιτεμνόμενα τῶν ἐθνῶν
 πολυγονώτατα καὶ πολυανθρωπότατα εἶναι δοκεῖ.
 8 II. Ταῦτα μὲν οὖν εἰς ἀκοὰς ἦλθε τὰς ἡμετέρας,
 ἀρχαιολογούμενα παρὰ θεσπεσίοις ἀνδράσιν, οἱ τὰ
 Μωυσέως οὐ παρέργως διηρέυνησαν. ἐγὼ δὲ πρὸς
 τοῖς εἰρημένοις καὶ σύμβολον ἡγοῦμαι τὴν περι-
 9 τομήν δυοῖν εἶναι τοῖν ἀναγκαιοτάτοι· ἐνὸς μὲν
 ἡδονῶν ἐκτομῆς, αἱ καταγοητεύουσι διάνοιαν·
 ἐπειδὴ γὰρ τὰ νικητήρια φέρεται τῶν ἐν ἡδοναῖς
 φίλτρων ἢ ἀνδρὸς πρὸς γυναῖκα συνουσία, τὸ
 ὑπηρετοῦν ταῖς τοιαύταις ὁμιλίαις ὄργανον ἀκρωτη-
 ριάζειν ἔδοξε τοῖς νομοθέταις, αἰνιττομένοις περι-
 τομήν περιττῆς ἐκτομῆς καὶ πλεοναζούσης ἡδονῆς,
 οὐ μιᾶς, ἀλλὰ διὰ μιᾶς τῆς βιαστικωτάτης καὶ τῶν
 10 ἄλλων ἀπασῶν· ἐτέρου δὲ τοῦ γυνῶναί
 τινα ἑαυτὸν καὶ τὴν βαρεῖαν νόσον, οἷησιν, ψυχῆς
 ἀπώσασθαι· ἔνιοι γὰρ ὡς ἀγαθοὶ ζωοπλάσται ζώων
 τὸ κάλλιστον, ἀνθρωπον, ἡὔχησαν δύνασθαι δη-
 μιουργεῖν καὶ φυσηθέντες ὑπ' ἀλαζονείας ἑαυτοὺς
 [212] ἐξεθειώσαν, | τὸν ὡς ἀληθῶς αἴτιον γενέσεως ὄντα
 θεὸν παρακαλυψάμενοι, καίτοι γε ἐκ τῶν συνήθων

^a Lit. "For the earliest men." Here as often in Philo γάρ refers to the sentence before the last, and gives the reason why they adopted circumcision. For the attribution of wisdom to the πρῶτοι cf. *De Dec.* 23 σοφοὶ γὰρ ἦσαν, though there, as in *De Op.* 133, it is concerned with the giving of names to things. In *De Plant.* 49 it is as here more general.

THE SPECIAL LAWS, I. 6-10

the earliest men ^a held that the unseen and superior element to which the concepts of the mind owe their existence should have assimilated to it the visible and apparent, the natural parent of the things perceived by sense. The fourth and most vital reason is its ⁷ adaptation to give fertility of offspring, for we are told that it causes the semen to travel aright without being scattered or dropped into the folds of the fore-skin, and therefore the circumcised nations appear to be the most prolific and populous.

II. These are the explanations handed down to us ⁸ from the old-time studies of divinely gifted men who made deep research into the writings of Moses. To these I would add that I consider circumcision to be a symbol of two things most necessary to our well-being. One is the excision of pleasures which be- ⁹ witch the mind. For since among the love-lures of pleasure the palm is held by the mating of man and woman, the legislators thought good to dock the organ which ministers to such intercourse, thus making circumcision the figure of the excision of excessive ^b and superfluous pleasure, not only of one pleasure but of all the other pleasures signified by one, and that the most imperious. The other ¹⁰ reason is that a man should know himself and banish from the soul the grievous malady of conceit. For there are some who have prided themselves on their power of fashioning as with a sculptor's cunning the fairest of creatures, man, and in their braggart pride assumed godship, closing their eyes to the Cause of all that comes into being, though they might find

^b The equation of *περιτομή* with *περιττῆς ἐκτομή* is of course an intentional play upon words; or even perhaps an etymology.

- 11 ἐπανορθώσασθαι τὴν ἀπάτην δυνάμενοι· πολλοὶ μὲν γὰρ παρ' αὐτοῖς εἰσιν ἄνδρες ἄγονοι, πολλαὶ δὲ στεῖραι γυναῖκες, ὧν ἀτελεῖς αἱ ὁμιλῖαι καταγηρασάντων ἐν ἀπαιδίᾳ. πονηρὰν οὖν δόξαν ἐκτμητέον τῆς διανοίας καὶ τὰς ἄλλας ὅσαι μὴ φιλόθεοι.
- 12 Τούτων μὲν δὴ περί τοσαῦτα· τρεπτέον δ' ἐπὶ τοὺς κατὰ μέρος ἤδη νόμους καὶ πρώτους, ἀφ' ὧν ἄρχεσθαι καλόν, τοὺς περὶ μοναρχίας ὀρισθέντας.
- [213] 13 III. Τινὲς ἥλιον καὶ σελήνην καὶ τοὺς ἄλλους ἀστέρας ὑπέλαβον εἶναι θεοὺς αὐτοκράτορας, οἷς τὰς τῶν γινομένων ἀπάντων αἰτίας ἀνέθεσαν. Μωυσεῖ δ' ὁ κόσμος ἔδοξεν εἶναι καὶ γενητὸς καὶ καθάπερ πόλις ἡ μεγίστη, ἄρχοντας ἔχουσα καὶ ὑπηκόους, ἄρχοντας μὲν τοὺς ἐν οὐρανῷ πάντας ὅσοι πλάνητες καὶ ἀπλανεῖς ἀστέρες, ὑπηκόους δὲ τὰς μετὰ σελήνην ἐν ἀέρι καὶ περιγείους φύσεις·
- 14 τοὺς δὲ λεχθέντας ἄρχοντας οὐκ αὐτεξουσίους, ἀλλ' ἐνὸς τοῦ πάντων πατρὸς ὑπάρχους, οὗ μιμουμένους τὴν ἐπιστασίαν κατορθοῦν πρυτανεύοντος¹ κατὰ δίκην καὶ νόμον ἕκαστον τῶν γεγονότων· τοὺς δὲ μὴ βλέποντας τὸν ἐπιβεβηκότα ἡνίοχον τοῖς ὑπεξευγμένοις ὡς αὐτουργοῖς τῶν ἐν τῷ κόσμῳ γινομένων ἀνάφαι τὰς αἰτίας. ὧν τὴν ἄγνοιαν ὁ ἱερώτατος νομοθέτης εἰς ἐπιστήμην μεθαρμόζεται λέγων ὧδε· “ μὴ ἰδὼν τὸν ἥλιον καὶ τὴν σελήνην καὶ τοὺς ἀστέρας καὶ πάντα τὸν κόσμον τοῦ οὐρανοῦ

¹ The variant *πρυτανεύοντος* is adopted by Heinemann, but see § 207.

^a At this point the mss. insert the heading *Οἱ περὶ μοναρχίας νόμοι*, i.e., the laws about the sole sovereignty (of God), and the chapters which follow down to the end of § 65 are treated by

THE SPECIAL LAWS, I. 11-15

in their familiars a corrective for their delusion. For 11
in their midst are many men incapable of begetting
and many women barren, whose matings are in-
effective and who grow old childless. The evil belief,
therefore, needs to be excised from the mind with any
others that are not loyal to God.

So much for these matters. We must now turn 12
to the particular laws, taking those first with which
it is well to begin, namely those the subject of which
is the sole sovereignty of God.

III. "Some have supposed that the sun and moon 13
and the other stars were gods with absolute powers
and ascribed to them the causation of all events.
But Moses held that the universe was created and
is in a sense the greatest of commonwealths, having
magistrates and subjects ; for magistrates, all the
heavenly bodies, fixed or wandering ; for subjects,
such beings as exist below the moon, in the air or on
the earth. The said magistrates, however, in his view 14
have not unconditional powers, but are lieutenants
of the one Father of All, and it is by copying the
example of His government exercised according to
law and justice over all created beings that they
acquit themselves aright ; but those who do not
descrie the Charioteer mounted above attribute the
causation of all the events in the universe to the team
that draw the chariot as though they were sole agents.
From this ignorance our most holy lawgiver would 15
convert them to knowledge with these words : " Do
not when thou seest the sun and the moon and the
stars and all the ordered host of heaven go astray and

Mangey and others as a separate treatise. Cohn observes
this in his numeration of the chapters but not of the sections ;
see Gen. Introd. p. xviii.

- πλανηθεῖς προσκυνήσης αὐτοῖς.” εὐθυβόλως πάνυ καὶ καλῶς πλάνον εἶπε τὴν τῶν εἰρημένων ὡς θεῶν
- 16 ἀποδοχὴν. οἱ γὰρ ἰδόντες ἡλίου μὲν προσόδοις καὶ ἀναχωρήσεισι τὰς ἑτησίους ὥρας συνισταμένους, ἐν
- [214] αἷς αἰ | ζώων καὶ φυτῶν καὶ καρπῶν γενέσεις ὠρισμέναις χρόνων περιόδοις τελεσφοροῦνται, σελήνην δ’ ὑπηρέτιν καὶ διάδοχον ἡλίου νύκτωρ τὴν ἐπιμέλειαν καὶ προστασίαν ἀνελιφῦϊαν ὧν μεθ’ ἡμέραν ἡλῖος, καὶ τοὺς ἄλλους ἀστέρας κατὰ τὴν πρὸς τὰ ἐπίγεια συμπάθειαν μυρία τῶν ἐπὶ διαμονῇ τοῦ παντὸς ἐνεργοῦντάς τε καὶ δρῶντας, πλάνον ἐπλανήθησαν ἀνήνυτον μόνους εἶναι τούτους θεοὺς
- 17 ὑποτοπήσαντες. εἰ δ’ ἐσπούδασαν διὰ τῆς ἀπλανοῦς βαδίζειν ὁδοῦ, καὶ εὐθὺς ἔγνωσαν ὅτι, καθάπερ αἰσθησις ὑποδιάκονος νοῦ γέγονε, τὸν αὐτὸν τρόπον καὶ οἱ αἰσθητοὶ πάντες ὑπηρέται τοῦ νοητοῦ κατέστησαν, ἀγαπήσαντες εἰ δευτερείων
- 18 ἐφίξονται. παγγέλοιον γὰρ οἶεσθαι, ὅτι ὁ μὲν νοῦς ὁ ἐν ἡμῖν βραχύτατος ὧν καὶ ἀόρατος ἡγεμῶν τῶν αἰσθητικῶν ὀργάνων ἐστίν, ὁ δὲ τοῦ παντὸς ὁ μέγιστος καὶ τελειότατος οὐχὶ βασιλεὺς βασιλέων
- 19 εἶναι πέφυκε, βλεπομένων οὐ βλεπόμενος. πάντας οὖν τοὺς κατ’ οὐρανὸν οὓς αἰσθησις ἐπισκοπεῖ θεοὺς οὐκ αὐτοκρατεῖς νομιστέον, τὴν ὑπάρχων τάξιν εἰληφότας, ὑπευθύνους μὲν φύσει γεγονότας, ἔνεκα
- 20 δ’ ἀρετῆς εὐθύνους οὐχ ὑφέζοντας. ὥσθ’ ὑπερβάντες τῷ λογισμῷ πᾶσαν τὴν ὁρατὴν οὐσίαν ἐπὶ τὴν τοῦ αἰδοῦς καὶ ἀοράτου καὶ μόνη διανοία καταληπτοῦ τιμὴν ἴωμεν, ὃς οὐ μόνον θεὸς θεῶν ἐστὶ νοητῶν τε

^a Deut. iv. 19.

THE SPECIAL LAWS, I. 15-20

worship them.”^a Well indeed and aptly does he call the acceptance of the heavenly bodies as gods a going astray or wandering. For those who see the sun 16 with its advances and retreats producing the yearly seasons in which the animals and plants and fruits are brought at fixed periods of time from their birth to maturity, and the moon as handmaid and successor to the sun taking over at night the care and supervision of all that he had charge of by day, and the other stars in accordance with their sympathetic affinity to things on earth acting and working in a thousand ways for the preservation of the All, have wandered infinitely far in supposing that they alone are gods. But if they had been at pains to walk in 17 that road where there is no straying, they would at once have perceived that just as sense is the servitor of mind, so too all the beings perceived by sense are the ministers of Him who is perceived by the mind. It is enough for them if they gain the second place. For it is quite ridiculous to deny that if the mind in 18 us, so exceedingly small and invisible, is yet the ruler of the organs of sense, the mind of the universe, so transcendently great and perfect, must be the King of kings who are seen by Him though He is not seen by them. So all the gods which sense describes in 19 Heaven must not be supposed to possess absolute power but to have received the rank of subordinate rulers, naturally liable to correction, though in virtue of their excellence never destined to undergo it. Therefore carrying our thoughts beyond all the realm 20 of visible existence let us proceed to give honour to the Immaterial, the Invisible, the Apprehended by the understanding alone, who is not only God of gods, whether perceived by sense or by mind, but

καὶ αἰσθητῶν ἀλλὰ καὶ πάντων δημιουργός. ἐὰν δέ τις τὴν τοῦ αἰδίου καὶ ποιητοῦ θεραπείαν ἄλλω προσνέμῃ νεωτέρῳ καὶ γενητῷ, φρενοβλαβῆς ἀναγεγράφθω καὶ ἔνοχος ἀσεβείᾳ τῇ μεγίστῃ.

21 IV. Εἰσὶ δέ τινες οἱ χρυσὸν καὶ ἄργυρον ἀνδριαντοποιοῖς ὥς θεοπλαστεῖν ἱκανοῖς παρέδωκαν· οἱ δὲ λαβόντες ἄργῃν ὕλην θνητῷ παραδείγματι προσχρησάμενοι, τὸ παραλογώτατον, θεοὺς ὅσα τῷ δοκεῖν ἐμόρφωσαν· καὶ νεὺς κατασκευάσαντες καὶ ἰδρυσάμενοι βωμοὺς ἐδείμαντο¹ θυσίαις τε καὶ πομπαῖς καὶ ταῖς ἄλλαις ἱεουργίαις τε καὶ ἀγιστεῖαις ἐπιμελῶς πάννυ καὶ πεφροντισμένως γεραίρουσιν, ἱερέων τε καὶ ἱερείων τὸν περὶ ταῦτα τύφον ὥς ἐνὶ μάλιστα

22 σεμνοποιούντων. οἷς ὁ τῶν ὅλων πατὴρ προαγορεύει λέγων· “οὐ ποιήσετε μετ’ ἐμοῦ² θεοὺς ἄργυροῦς καὶ χρυσοῦς,” μόνον οὐκ ἄντικρυς ἀναδιδάσκων, ὅτι οὐδ’ ἐξ ἐτέρας ὕλης χειρόκμητον οὐδὲν τὸ παράπαν θεοπλαστήσετε διακωλυθέντες ἐκ τῶν ἀρίστων· ἄργυρος γὰρ καὶ χρυσὸς τὰ πρωτεῖα

23 τῶν ἐν ὕλαις φέρονται. δίχα δὲ τῆς ῥητῆς ἀπαγορεύσεως καὶ ἕτερον αἰνίττεσθαί μοι δοκεῖ τῶν

πρὸς ἡθοποιῶν μάλιστα συντεινόντων, διελέγχων
[215] οὐ μετρίως τοὺς φιλοχρημάτους, | οἱ πανταχόθεν μὲν ἀργύριον καὶ χρυσίον ἐκπορίζουσι, τὸ δὲ

¹ Perhaps omit ἐδείμαντο; the sentence is clearer without it.

² mss. μετ’ ἐμέ or ἐμοὶ or ὑμῖν or omit. Cohn’s adoption of μετ’ ἐμοῦ is based on *Leg. All.* i. 51, where the verse is quoted in most mss. with μετ’ ἐμοῦ, but in one μετ’ ἐμέ. The LXX has ὑμῖν αὐτοῖς. In this uncertainty I print Cohn’s text, but cannot follow his reasoning. Philo does not by any means always keep the same form in his quotations.

^a Here Philo begins the consideration of the second commandment, though no special heading is given in the mss.

THE SPECIAL LAWS, I. 20-23

also the Maker of all. And if anyone renders the worship due to the Eternal, the Creator, to a created being and one later in time, he must stand recorded as infatuated and guilty of impiety in the highest degree.

IV. ^a There are some who put gold and silver in the 21 hands of sculptors as though they were competent to fashion gods; and the sculptors taking the crude material and furthermore using mortal form for their model, to crown the absurdity shape gods, as they are supposed to be. And after erecting and establishing temples they have built altars and in their honour hold sacrifices and processions with other religious rites and ceremonies conducted with the most elaborate care, and the vain shew is treated by priests and priestesses with the utmost possible solemnity. Such idolaters are warned by the Ruler of All in these 22 words: "Ye shall not make with Me gods of silver and gold," and the lesson conveyed is little less than a direct command,^b "Neither shall ye make gods the work of your hands from any other material if you are prevented from using the best," for silver and gold hold first place among the sculptor's materials.

But apart from the literal prohibition, 23 He seems to me to suggest another thought of great value for the promotion of morality,^c and to condemn strongly the money-lovers who procure gold and silver coins from every side and treasure their hoard like a

^b Ex. xx. 23. The argument appears to be "if gold and silver idols are forbidden, still more are idols of inferior materials."

^c *i.e.* in the sphere of human conduct, as opposed to our relation to God, to which the commandment in the literal sense belongs. Cf. the antithesis of *ἠθικὴ* and *φυσικὴ* (in the sense of theological), *Mos.* ii. 96.

- πορισθὲν ὡς ἄγαλμα θεῖον ἐν ἀδύτοις θησαυροφυλακοῦσιν, ἀγαθῶν αἴτιον καὶ τῆς συμπάσης εὐ-
 24 δαιμονίας τοῦτ' εἶναι νομίζοντες. καὶ ὅσοι μέντοι τῶν ἀπόρων κεκράττηνται χαλεπῇ νόσῳ, φιλαργυρία, οὐκ ἔχοντες ἴδιον πλοῦτον, ὃν θεραπείας ἀξιώσουσι, τὸν τῶν πλησίον τεθηπότες καὶ προσκυνοῦντες ἔωθεν εἰς τὰς τῶν περιουσιαζόντων οἰκίας ἀφικνοῦνται καθάπερ εἰς ἱερὰ μέγιστα, προσευξόμενοι καὶ τὰγαθὰ παρὰ τῶν δεσποτῶν ὡς θεῶν αἰτησόμενοι.
 25 πρὸς οὓς καὶ ἐν ἑτέροις φησὶν. "οὐκ ἐπακολουθήσετε εἰδώλοις καὶ θεοὺς χωνευτοὺς οὐ ποιήσετε," διὰ συμβόλων ἀναδιδάσκων, ὅτι πλούτῳ τιμὰς ἰσοθέους ἀπονέμειν οὐ προσήκει· πλούτου γὰρ αἱ περιβόητοι ὕλαι χρυσὸς καὶ ἄργυρος χεῖσθαι¹ πεφύκασιν, αἷς ἀκολουθοῦσιν οἱ πολλοὶ τὰ τοῦ λεγομένου τυφλοῦ πλούτου μόνα ἢ μάλιστα εὐδαιμονίας αἴτια
 26 νομίζοντες. τὰδ' ἐστὶν ἃ φησιν "εἰδωλα," σκιαῖς ἐοικότα καὶ φάσμασιν, οὐδενὸς ἡρτημένα ἰσχυροῦ καὶ βεβαίου· φέρεται γὰρ πνεύματος τρόπον ἀστάτου τροπᾶς καὶ μεταβολὰς παντοίας ἐνδεχόμενα. σημεῖον δ' ἐστὶ τούτων ἐναργές· μὴ προλαβόντων ἐξαπινάως ἔστιν ὅτε προσέπτῃ, παγίως ἐνείληφθαι νομιζόντων πάλιν ἀπεπήδησε, καὶ ὅτε μέντοι πάρεστι, καθάπερ τὰ διὰ τῶν κατόπτρων εἰδωλα φαντάζεται τὴν αἴσθησιν ἀπατῶντα καὶ καταγοη-

¹ This is the reading of two out of four mss. supported by κείσθαι of the other two. Cohn, relying on the superior authority of R, on which see Gen. Introd. pp. xv f., prints εἶναι. I have retained χεῖσθαι, as it seems to me needed to bring out the full sense.

^a Lev. xix. 4.

THE SPECIAL LAWS, I. 23-26

divine image in a sanctuary, believing it to be a source of blessing and happiness of every kind. And ²⁴ further, all the needy who are possessed by that grievous malady, the desire for money, though they have no wealth of their own on which they may bestow worship as its due, pay awe-struck homage to that of their neighbours, and come at early dawn to the houses of those who have abundance of it as though they were the grandest temples, there to make their prayers and beg for blessing from the masters as though they were gods. To such he says ²⁵ elsewhere "Ye shall not follow idols and ye shall not make molten gods,"^a thus teaching them in a figure that it is not fitting to assign divine honours to wealth. For it is the nature of the far-famed materials of wealth, gold and silver, to melt,^b and they are followed by the multitude who think that what "blind"^c wealth has to give is the sole or the chief source of happiness. It is these that he calls "idols," like to ²⁶ shadows and phantoms, with nothing firm or strong to which they can cling. They are borne along like a restless wind, subject to every kind of change and alteration. And of this we have a clear proof. Sometimes they suddenly light on one who has never owned them ere now: then again, when he thinks that they are firmly grasped, they spring away. And indeed when they are present, the apparition is like idols or images seen through mirrors, deceiving and

^b The argument is "since gold and silver, substances which *melt*, are the chief materials of the *phantom* wealth, idols (*i.e.* phantoms) and *molten* gods may be understood to indicate riches." If *εἶναι* is read instead of *χεῖσθαι*, the point of *χωρευοῦς* is lost.

^c The addition of *λεγόμενον* indicates that the phrase is proverbial or a quotation. See App. pp. 615-616.

τεύοντα καὶ ὡς ἂν ὑφεστηκότα τὰ μὴ ὑπομένοντα.
 27 καὶ τί δεῖ τὸν ἀνθρώπινον πλοῦτον ἢ τύφον, ὃν
 ἀναζωγραφοῦσιν αἱ κεναὶ δόξαι, δηλοῦν ὡς ἔστιν
 ἀβέβαιος; ἤδη γάρ τινες καὶ τὰ ἄλλα πάντα ζῶα
 καὶ φυτά, ὧν γένεσις ἔστι καὶ φθορά, συνεχῶς μὲν
 καὶ ἀπαύστως φασὶ ρεῖσθαι, τῆς δ' ἀπορροίας
 ἀδηλοτέραν αἰσθήσιν εἶναι, αἰὲν νικώσης τῆς περὶ
 τὴν ῥύσιν¹ ὀξύτητος τὴν δι' ὀψεως ἀκριβῆ προσ-
 βολήν.

- 28 V. Ἄλλ' οὐ μόνον πλοῦτος καὶ δόξα καὶ τὰ
 τοιοῦτα εἶδωλα καὶ ἀμενηναὶ σκιαί, ἀλλὰ καὶ²
 πάντες, οὓς οἱ μυθογράφοι διαπλάσαντες ἐξ-
 ετύφωσαν ἐπιτειχίσαντες τὰς ψευδεῖς δόξας κατὰ
 τῆς ἀληθείας, θεοὺς καινοὺς ὥσπερ ἀπὸ μηχανῆς
 εἰσαγαγόντες ἔνεκα τοῦ τὸν αἰδίου καὶ ὄντα ὄντως
 θεὸν λήθῃ παραδοθῆναι. πρὸς δὲ τὸ εὐπαράγωγον
 μέλεσι καὶ ῥυθμοῖς καὶ μέτροις ἐνηρμόσαντο τὸ
 ψεῦδος, νομίζοντες ῥαδίως καταγοητεύσειν τοὺς
 29 ἐντυγχάνοντας. οὐ μὴν ἀλλὰ καὶ πλαστικὴν καὶ
 [216] ζωγραφίαν συνεργοὺς τῆς ἀπάτης | προσπαρέλαβον,
 ἵνα χρωμάτων καὶ σχημάτων καὶ ποιότητων εὖ
 δεδημιουργημέναις ἰδέαις ὑπαγάγωνται τοὺς ὁρῶν-
 τας καὶ τὰς ἡγεμονίδας αἰσθήσεις ὅψιν καὶ ἀκοὴν
 δελεάσαντες, τὴν μὲν ἀψύχους εὐμορφίαις, τὴν δ'
 εὐφωνία ποιητικῇ, συναρπάσωσι τὴν ψυχὴν ἀ-
 30 βέβαιον καὶ ἀνίδρυτον αὐτὴν ἀπεργασάμενοι. διὰ

¹ mss. φύσιν or φορὰν.

² Cohn suggests (μῦθοι) πάντες, and so apparently Heine-
 mann. It seems to me needless and less forcible. Cf. ii. 164
 θεῶν . . . οὓς τὸ ποιητικὸν γένος ἐμύθευσε. Mangey reads
 with two mss. ἄλλαι ἀπάται αἷς.

^a Particularly Heracleitus and his followers. See App.
 p. 616.

THE SPECIAL LAWS, I. 26-29

bewitching the sense and seeming to subsist when they have no abiding substance. And why need we 27 prove that human riches or human vanity, which empty-headed thinking paints in such bright colours, are unstable? For we know that some ^a assert that all other living creatures and plants which are born and perish are in a constant and ceaseless state of flux, though our perception of the effluence is indistinct, because the swiftness of its course always defeats the efforts of the eyesight to observe it with exactness.

V. But not only wealth and glory and the like 28 are idols and unsubstantial shadows, but also all those personages, which the myth-makers have invented and spread delusion therewith, building up their false imaginations into a stronghold to menace the truth, and staging as by machinery ^b new gods, in order that the eternal and really existing God might be consigned to oblivion. And to promote the seductiveness they have fitted the falsehood into melody, metre and rhythm, ^c thinking to cajole their audience thereby. Further, too, they have brought 29 in sculpture and painting to co-operate in the deception, in order that with the colours and shapes and artistic qualities wrought by their fine workmanship they may enthrall the spectators and so beguile the two leading senses, sight and hearing—sight through lifeless shapes of beauty, hearing through the charm of poetry and music—and thus make the soul unsteady and unsettled and seize it for their prey.

^b I do not know how to translate this phrase. It is said to denote "a sudden or unexpected event," but this seems to me inadequate. See App. p. 616.

^c The regular triple division of music. See note on *De Som.* i. 205.

- τουτ' ἐπιστάμενος ἐπὶ μέγα δυνάμεως προελ-
 λυτότα τὸν τύφον καὶ δορυφορούμενον ὑπὸ τοῦ
 πλείστου γένους ἀνθρώπων οὐκ ἐξ ἀνάγκης ἀλλ'
 ἔκουσίοις γνώμαις, εὐλαβηθεὶς μή ποτε καὶ οἱ
 ζηλωταὶ τῆς ἀδεκάστου καὶ ἀληθοῦς εὐσεβείας
 καθάπερ ὑπὸ χειμάρρου παρασυρῶσιν, ἐνσφραγι-
 ζεται βαθεῖς τύπους ταῖς διανοίαις ἐγχαράττων
 ὁσιότητος, ὑπὲρ τοῦ μὴ συγχυθέντας ἢ ἐπιλεαν-
 θέντας ἀμαυρωθῆναί ποτε χρόνῳ, καὶ συνεχῶς
 ἐπάδει ποτὲ μὲν λέγων ὅτι θεὸς εἷς ἐστὶ καὶ κτίστης
 καὶ ποιητὴς τῶν ὅλων, ποτὲ δὲ ὅτι κύριος τῶν
 γεγονότων, ἐπεὶ δὴ τὸ βέβαιον καὶ πάγιον καὶ τὸ
 31 κῦρος ὡς ἀληθῶς περὶ αὐτὸν μόνον πέφυκε. λέ-
 λεκται δ' ὅτι "οἱ προσκείμενοι τῷ ὄντι θεῷ ζῶσι
 πάντες." ἄρ' οὐχ οὗτός ἐστιν ὁ τρισμακάριος καὶ
 τρισευδαίμων βίος, ἀγαπητικῶς ἔχεσθαι τῆς θερα-
 πείας τοῦ πρεσβυτάτου πάντων αἰτίου καὶ μὴ τοὺς
 ὑποδιακόνους καὶ πυλωροὺς πρὸ τοῦ βασιλέως
 θεραπεύειν ἀξιοῦν; ἀθάνατος ἦδε ἡ ζωὴ καὶ μα-
 κραίων ἐν ταῖς τῆς φύσεως στήλαις ἀναγέγραπται.
 ταυτὶ δὲ τὰ γράμματα τῷ κόσμῳ συνδιαιωνίζειν
 ἀναγκαῖον.
- 32 VI. Δυστόπαστος μὲν οὖν καὶ δυσκατάληπτος ὁ
 πατήρ καὶ ἡγεμὼν τῶν συμπάντων ἐστίν, ἀλλ' οὐ
 διὰ τοῦτ' ἀποκνητέον τὴν ζήτησιν αὐτοῦ. δύο δ'
 ἐν ταῖς περὶ θεοῦ ζητήσεσι τὰ ἀνωτάτω ταῦτ'
 ἐπαπορεῖ ἢ διάνοια τοῦ φιλοσοφοῦντος ἀνόθως· ἐν
 μὲν εἰ ἐστὶ τὸ θεῖον, ἔνεκα τῶν ἐπιτηδευσάντων
 ἀθεότητα, κακιῶν τὴν μεγίστην· ἕτερον δὲ τὸ τί
 ἐστὶ κατὰ τὴν οὐσίαν. τὸ μὲν οὖν πρότερον οὐ

^a Deut. iv. 4. The meaning of the original is that all those

THE SPECIAL LAWS, I. 30-32

Therefore knowing that vanity had attained high 30 power and was championed by the greater part of the human race, not under compulsion but of their own free will, and fearing lest the devotees of piety, true and incorruptible, might be swept away as by a torrent, he stamped upon their minds as with a seal deep imprints of holiness, so that no fusion or smoothing in the course of years should ever blur their distinctness. This lesson he continually repeats, sometimes saying that God is one and the Framer and Maker of all things, sometimes that He is Lord of created beings, because stability and fixity and lordship are by nature vested in Him alone. We are 31 told, too, that "those who cling to the God that is all live."^a Is not this the thrice-happy and thrice-blessed life, to cling lovingly to the service of the most ancient Cause of all and to reject the thought of serving the menials and the door-keepers rather than the King? This true life stands inscribed on the tables of nature as deathless and agelong, and the writing that records it must endure with the universe to all eternity.

VI. Doubtless hard to unriddle and hard to ap- 32 prehend is the Father and Ruler of all, but that is no reason why we should shrink from searching for Him. But in such searching two principal questions arise which demand the consideration of the genuine philosopher. One is whether the Deity exists, a question necessitated by those who practise atheism, the worst form of wickedness, the other is what the Deity is in essence. Now to answer the first question

who took God's side when the others followed Baal Peor are still alive. Philo has given the same extension of the meaning in *De Fuga* 56, and again in § 345 below.

- πολὺς πόνος ἰδεῖν, τὸ δὲ δεύτερον οὐ χαλεπὸν μόνον ἀλλὰ καὶ ἴσως ἀδύνατον. ἐπισκεπτέον δ' ἐκάτερον.
- 33 αἰεὶ τοίνυν γνωρίσματα τῶν δημιουργῶν πέφυκέν πως εἶναι τὰ δημιουργηθέντα· τίς γὰρ ἀνδριάντας ἢ γραφὰς θεασάμενος οὐκ εὐθὺς ἐνενόησεν ἀνδριαντοποιὸν ἢ ζωγράφον; τίς δὲ ἐσθῆτας ἢ ναῦς ἢ οἰκίας ἰδὼν οὐκ ἔννοιαν ἔλαβεν ὑφάντου καὶ ναυπηγοῦ καὶ οἰκοδόμου; παρελθὼν δέ τις εἰς πόλιν εὖνομον, ἐν ᾗ τὰ τῆς πολιτείας σφόδρα καλῶς διακεκόσμηται, τί ἕτερον ὑπολήψεται ἢ ὅτι ἐπ-[217] ιστατεῖται ἥδε ἡ πόλις ὑπ' ἀρχόντων | ἀγαθῶν;
- 34 τὸν οὖν ἀφικόμενον εἰς τὴν ὡς ἀληθῶς μεγαλόπολιν, τόνδε τὸν κόσμον, καὶ θεασάμενον τὴν ὄρεινὴν καὶ πεδιάδα βρίθουσιν¹ ζώων καὶ φυτῶν καὶ ποταμῶν αὐθιγενῶν καὶ χειμάρρων φορὰς καὶ πελαγῶν ἀναχύσεις καὶ εὐκρασίας ἀέρος καὶ τῶν ἐτησίων ὥρων τροπὰς, εἶτα ἥλιον καὶ σελήνην, τοὺς ἡμέρας καὶ νυκτὸς ἡγεμόνας, καὶ τὰς τῶν ἄλλων πλανήτων τε καὶ ἀπλανῶν καὶ τοῦ σύμπαντος οὐρανοῦ περιπολήσεις καὶ χορείας, οὐκ εἰκότως, μᾶλλον δὲ ἀναγκαίως, ἔννοιαν λήψεσθαι δεῖ τοῦ ποιητοῦ καὶ
- 35 πατρὸς καὶ προσέτι ἡγεμόνος; οὐδὲν γὰρ τῶν τεχνικῶν ἔργων ἀπαντοματίζεται· τεχνικώτατον δὲ καὶ ἐπιστημονικώτατον ὅδε ὁ κόσμος, ὡς ὑπό τινος τὴν ἐπιστήμην ἀγαθοῦ καὶ τελειοτάτου πάντως δεδημιουργῆσθαι. τοῦτον τὸν τρόπον ἔννοιαν ἐλάβομεν ὑπάρξεως θεοῦ.
- 36 VII. Τὴν δ' οὐσίαν, εἰ καὶ δυσσθήρατον καὶ

¹ So Cohn from R in preference to the πλήθουσιν or πληθύουσιν of the other mss. It seems to me doubtful. βρίθω more especially = "laden with," and so Philo, *De Op.* 85 κριοὶ βρίθοντες βαθέσι μαλλοῖς.

THE SPECIAL LAWS, I. 32-36

does not need much labour, but the second is not only difficult but perhaps impossible to solve. Still, both must be examined. ^a We see then that any 33 piece of work always involves the knowledge of a workman. Who can look upon statutes or painting without thinking at once of a sculptor or painter? Who can see clothes or ships or houses without getting the idea of a weaver and a shipwright and a house-builder? And when one enters a well-ordered city in which the arrangements for civil life are very admirably managed, what else will he suppose but that this city is directed by good rulers? So then 34 he who comes to the truly Great City, this world, and beholds hills and plains teeming with animals and plants, the rivers, spring-fed or winter torrents, streaming along, the seas with their expanses, the air with its happily tempered phases, the yearly seasons passing into each other,^b and then the sun and moon ruling the day and night, and the other heavenly bodies fixed or planetary and the whole firmament revolving in rhythmic order, must he not naturally or rather necessarily gain the conception of the Maker and Father and Ruler also? For none of the works 35 of human art is self-made, and the highest art and knowledge is shewn in this universe, so that surely it has been wrought by one of excellent knowledge and absolute perfection. In this way we have gained the conception of the existence of God.

VII. As for the divine essence, though in fact it is 36

^a For illustration of the argument in this and the next section see App. p. 616.

^b For this use of *τροπαί* for the transitions of the four seasons rather than for the two solstices cf. *τροπὰς τέσσαρας* *Mos.* ii. 124.

δυσκατάληπτον εἶναι συμβέβηκεν, ὅμως καθ' ὅσον
 ἐνδέχεται διερευνητέον. ἄμεινον γὰρ οὐδὲν τοῦ
 ζητεῖν τὸν ἀληθῆ θεόν, κἂν ἡ εὕρεσις αὐτοῦ δια-
 φεύγῃ δύναμιν ἀνθρωπίνην, ἐπειδὴ καὶ ἡ περὶ τὸ
 βούλεσθαι μαθεῖν σπουδὴ καθ' αὐτὴν ἀλέκτους
 37 ἡδονὰς καὶ εὐφροσύνας ἐργάζεται. μάρτυρες δὲ οἱ
 μὴ χεῖλεσιν ἄκροις γευσάμενοι φιλοσοφίας, ἀλλὰ
 τῶν λόγων καὶ δογμάτων αὐτῆς ἐπὶ πλέον ἐστια-
 θέντες· τούτων γὰρ ὁ λογισμὸς ἀπὸ γῆς ἄνω
 μετέωρος ἀρθείς αἰθεροβατεῖ καὶ συμπεριπολῶν
 ἡλίῳ καὶ σελήνῃ καὶ τῷ σύμπαντι οὐρανῷ, τὰ κεῖ
 πάντα γλιχόμενος ἰδεῖν, ἀμυδροτέrais χρῆται ταῖς
 προσβολαῖς, ἀκράτου καὶ πολλοῦ φέγγους ἐκ-
 χεομένου, ὡς τὸ τῆς ψυχῆς ὄμμα ταῖς μαρμαρυγαῖς
 38 σκοτοδινιαῖν. ἀλλ' οὐ διὰ τοῦτο προκαμῶν ἀπ-
 αγορεύει, γνώμῃ δ' ἀηττήτῳ πρὸς τὴν ἐνδεχομένην
 θέαν ἵεται, καθάπερ ἐν ἄλλοις δευτερείων μετα-
 ποιούμενος, ἐπειδὴ τῶν πρώτων ἐσφάλῃ. φαντασίας
 δ' ἀληθοῦς δευτέρα ἐστὶν εἰκασία καὶ στοχασμὸς
 καὶ ὅσα εἰς τὴν τῶν εὐλόγων καὶ πιθανῶν ιδέα
 39 ἀνάγεται. καθάπερ οὖν οἷός ἐστι τῶν ἀστέρων
 ἕκαστος κατὰ τὴν οὐσίαν εἰλικρινῶς οὐτ' εἰδότες
 οὔτε δυνάμενοι σαφῶς διαγνῶναι ζητεῖν ὅμως
 προθυμούμεθα, τερπόμενοι τοῖς εἰκόσι λόγοις ἕνεκα
 40 τοῦ φύσει φιλομαθοῦς, τὸν αὐτὸν τρόπον, εἰ καὶ τῆς
 κατὰ τὸν ὄντως ὄντα θεὸν ἐναργοῦς φαντασίας
 ἀμοιροῦμεν, ὀφείλομεν μὴ ἀπολείπεσθαι τῆς ζητή-
 σεως αὐτοῦ, διὰ τὸ τὴν σκέψιν καὶ ἄνευ τῆς εὐρέ-
 σεως καθ' αὐτὴν τριπόθητον εἶναι, ἐπεὶ καὶ τοὺς
 [218] τοῦ | σώματος ὀφθαλμοὺς οὐδεὶς αἰτιάται, παρόσον
 ἡλίον αὐτὸν ἰδεῖν ἀδυνατοῦντες τὴν φερομένην
 ἀπόρροιν τῶν ἀκτίνων ἐπὶ γῆν ὀρώσιν, ἡλιακῶν
 120

THE SPECIAL LAWS, I. 36-40

hard to track and hard to apprehend, it still calls for all the inquiry possible. For nothing is better than to search for the true God, even if the discovery of Him eludes human capacity, since the very wish to learn, if earnestly entertained, produces untold joys and pleasures. We have the testimony of those who 37 have not taken a mere sip of philosophy but have feasted more abundantly on its reasonings and conclusions. For with them the reason soars away from earth into the heights, travels through the upper air and accompanies the revolutions of the sun and moon and the whole heaven and in its desire to see all that is there finds its powers of sight blurred, for so pure and vast is the radiance that pours therefrom that the soul's eye is dizzied by the flashing of the rays. Yet it does not therefore faintheartedly give up the 38 task, but with purpose unsubdued presses onwards to such contemplation as is possible, like the athlete who strives for the second prize since he has been disappointed of the first. Now second to the true vision stands conjecture and theorizing and all that can be brought into the category of reasonable probability. So then just as, though we do not know 39 and cannot with certainty determine what each of the stars is in the purity of its essence, we eagerly persist in the search because our natural love of learning makes us delight in what seems probable, so too, 40 though the clear vision of God as He really is is denied us, we ought not to relinquish the quest. For the very seeking, even without finding, is felicity in itself, just as no one blames the eyes of the body because when unable to see the sun itself they see the emanation of its rays as it reaches the earth, which is but the extremity of the brightness which the beams of

- 41 αὐγῶν ἔσχατον φέγγος. VIII. εἰς ἅπερ ἀπιδὼν ὁ ἱεροφάντης καὶ θεοφιλέστατος Μωυσῆς ἱκετεύει τὸν θεὸν λέγων· “ ἐμφάνισόν μοι σαυτόν,” μόνον οὐ κατασχεθεὶς καὶ ἐκβοῶν ἄντικρυς, ὅτι “ τοῦ μὲν εἶναί σε καὶ ὑπάρχειν διδάσκαλος καὶ ὑφηγητῆς μοι γέγονεν ὅδε ὁ κόσμος, καὶ ὡς υἱὸς ἀναδιδάξας με περὶ τοῦ πατρὸς καὶ ὡς ἔργον περὶ τοῦ τεχνίτου· τίς δὲ κατὰ τὴν οὐσίαν τυγχάνεις ὧν διαγινῶναι ποθῶν οὐδένα τούτου τοῦ μαθήματος ὑφηγητὴν ἐν οὐδενὶ τῶν τοῦ παντὸς μερῶν ἀν-
 42 ευρίσκω. διὸ δὴ δέομαι καὶ ποτνιῶμαι προσέσθαι τὴν ἱκεσίαν ἀνδρὸς ἱκέτου καὶ φιλοθέου καὶ μόνον σὲ θεραπεύειν ἀξιούντος· ὡς γὰρ τὸ φῶς ὑφ’ ἐτέρου μὴ γνωριζόμενον αὐτὸ ἑαυτοῦ γνώρισμά ἐστιν, οὕτως καὶ σὺ σεαυτὸν μόνος ἂν φῆναι δύναιο. διὸ συγγνώμης ἀξιῶ τυχεῖν, εἰ σπάνει τοῦ διδάζοντος ἐπὶ σὲ καταφυγεῖν ἐθάρρησα περὶ σοῦ σπεύδων
 43 μαθεῖν.” ὁ δὲ “ τὴν μὲν προθυμίαν ” φησὶν “ ἐπαινετὴν οὖσαν ἀποδέχομαι, τὸ δ’ αἵτημα οὐδενὶ τῶν εἰς γένεσιν ἡκόντων ἐφαρμόζει. χαρίζομαι δ’ ἐγὼ τὰ οἰκεία τῷ ληψομένῳ· οὐ γὰρ ὅσα μοι δοῦναι ῥάδιον καὶ ἀνθρώπῳ λαβεῖν δυνατόν· ὅθεν ὀρέγω τῷ χάριτος ἀξίῳ πάσας ὅσας ἂν οἶός τε ἦ δέξασθαι
 44 δωρεάς. τὴν δ’ ἐμὴν κατάληψιν οὐχ οἶον ἀνθρώπου φύσις ἀλλ’ οὐδ’ ὁ σύμπας οὐρανός τε καὶ κόσμος

^a §§ 41-50 are a meditation on Ex. xxxiii. 13-23. The divine answer to the first petition, “Reveal thyself to me” (v. 13), is not reproduced by Philo, but the words of § 43, “I freely bestow,” etc., are an interpretation of part of God’s answer to the second petition, “I will be gracious to whom I will be gracious, and will shew mercy on whom I will shew

the sun give forth. VIII. It was this †1 which Moses the sacred guide, most dearly beloved of God, had before his eyes when he besought God with the words, "Reveal Thyself to me."^a In these words we may almost hear plainly the inspired cry "This universe has been my teacher, to bring me to the knowledge that Thou art and dost subsist. As Thy son, it has told me of its Father, as Thy work of its contriver. But what Thou art in Thy essence I desire to understand, yet find in no part of the All any to guide me to this knowledge. Therefore I pray and 42 beseech Thee to accept the supplication of a suppliant, a lover of God, one whose mind is set to serve Thee alone ; for as knowledge of the light does not come by any other source but what itself supplies, so too Thou alone canst tell me of Thyself. Wherefore I crave pardon if, for lack of a teacher, I venture to appeal to Thee in my desire to learn of Thee." He replies, "Thy zeal I approve as praiseworthy, but 43 the request cannot fitly be granted to any that are brought into being by creation. I freely bestow what is in accordance with the recipient ; for not all that I can give with ease is within man's power to take, and therefore to him that is worthy of My grace I extend all the boons which he is capable of receiving. But the apprehension of Me is something more than 44 human nature, yea even the whole heaven and mercy." In the second petition (v. 18), which Philo reads, in accordance with some mss. of the LXX, as "Shew me thy glory" (so also E.V.), glory is interpreted to mean the Powers as distinguished from the Self-existent, and God's answer, "Thou shalt see the things behind me," LXX τὰ ὀπίσω μου (A.V. "my back parts," R.V. "my back"), is taken to mean "Thou shalt see what lies behind the Powers, i.e. their manifestation in the sensible world." The same interpretation of the verse is given in *De Fuga* 165, *De Mut.* 9, *De Post.* 169.

δυνήσεται χωρήσαι. γνώθι δὴ σαυτὸν καὶ μὴ
 συνεκφέρου ταῖς ὑπὲρ δυνάμιν ὁρμαῖς καὶ ἐπιθυ-
 μίαις, μηδὲ σε τῶν ἀνεφίκτων ἔρως αἰρέτω καὶ
 μετεωρίζετω· τῶν γὰρ ἐφικτῶν οὐδενὸς ἀμοιρή-
 45 σεις.” ταῦτα ἀκούσας ἐπὶ δευτέραν
 ἱκεσίαν ἦλθε καὶ φησι· “πέπεισμαι μὲν ταῖς σαῖς
 ὑφηγήσεσιν, ὅτι οὐκ ἂν ἴσχυσα δέξασθαι τὸ τῆς σῆς
 φαντασίας ἐναργὲς εἶδος. ἵκετεύω δὲ τὴν γοῦν περὶ
 σέ δόξαν θεάσασθαι· δόξαν δὲ σὴν εἶναι νομίζω τὰς
 περὶ σέ δορυφορούσας δυνάμεις, ὧν διαφεύγουσα ἡ
 κατάληψις ἄχρι τοῦ παρόντος οὐ μικρὸν ἐνεργάζεται
 46 μοι πόθον τῆς διαγνώσεως.” ὁ δὲ ἀμείβεται καὶ
 φησιν· “ὡς ἐπιζητεῖς δυνάμεις εἰσὶν ἀόρατοι καὶ
 νοηταὶ πάντως ἐμοῦ τοῦ ἀοράτου καὶ νοητοῦ· λέγω
 δὲ νοητὰς οὐχὶ τὰς¹ ἤδη ὑπὸ νοῦ καταλαμβανομένας,
 ἀλλ’ ὅτι εἰ καταλαμβάνεσθαι οἰαί τε εἶεν, οὐκ ἂν
 αἰσθησις αὐτὰς ἀλλ’ ἀκραιφνέστατος νοῦς κατα-
 47 λαμβάνοι. πεφυκυῖαι δ’ ἀκατάληπτοι κατὰ τὴν
 οὐσίαν ὅμως παραφαίνουσιν ἐκμαγεῖόν τι καὶ ἀπ-
 εικόνισμα τῆς ἐαυτῶν ἐνεργείας· οἷαι αἱ παρ’ ὑμῖν
 σφραγίδες—ὅταν (γὰρ) προσενεχθῇ κηρὸς ἢ τις
 ὁμοιότροπος ὕλη, μυρίους ὅσους τύπους ἐναπομάτ-
 [219] τονται, μηδὲν ἀκρωτηριασθεῖσαι μέρος, | ἀλλ’ ἐν
 ὁμοίῳ μένουσαι,—τοιαύτας ὑποληπτέον καὶ τὰς
 περὶ ἐμὲ δυνάμεις περιποιούσας ἀποίοις ποιότητας
 καὶ μορφὰς ἀμόρφους καὶ μηδὲν τῆς αἰδίου φύσεως
 48 μήτ’ ἀλλαττομένας μήτε μειουμένας. ὀνομάζουσι

¹ For οὐχὶ τὰς I suggest οὐχ ὡς. See note a.

^a This must be the meaning if the text is to stand, but what are “the powers which are now discerned by mind”? The

THE SPECIAL LAWS, I. 44-47

universe will be able to contain. Know thyself, then, and do not be led away by impulses and desires beyond thy capacity, nor let yearning for the unattainable uplift and carry thee off thy feet, for of the obtainable nothing shall be denied thee." When 45

Moses heard this, he addressed to Him a second petition and said, "I bow before Thy admonitions, that I never could have received the vision of Thee clearly manifested, but I beseech Thee that I may at least see the glory that surrounds Thee, and by Thy glory I understand the powers that keep guard around Thee, of whom I would fain gain apprehension, for though hitherto that has escaped me, the thought of it creates in me a mighty longing to have knowledge of them." To this He answers, "The powers which 46 thou seekest to know are discerned not by sight but by mind even as I, Whose they are, am discerned by mind and not by sight, and when I say 'they are discerned by mind' I speak not of those " which are now actually apprehended by mind but mean that if these other powers could be apprehended it would not be by sense but by mind at its purest. But while in their 47 essence they are beyond your apprehension, they nevertheless present to your sight a sort of impress and copy of their active working. You men have for your use seals which when brought into contact with wax or similar material stamp on them any number of impressions while they themselves are not docked in any part thereby but remain as they were. Such you must conceive My powers to be, supplying quality and shape to things which lack either and yet changing or lessening nothing of their eternal nature.

sense to be expected is "I do not mean that they are now discerned," and so Heinemann and Mangey.

- δ' αὐτὰς οὐκ ἀπὸ σκοποῦ τινες τῶν παρ' ὑμῖν ἰδέας, ἐπειδὴ ἕκαστα τῶν ὄντων εἰδοποιουσί¹ τὰ ἄτακτα τάττουσαι καὶ τὰ ἄπειρα καὶ ἀόριστα καὶ ἀσχημάτιστα περατοῦσαι καὶ περιορίζουσαι καὶ σχηματίζουσαι καὶ συνόλως τὸ χεῖρον εἰς τὸ ἄμεινον
- 49 μεθαρμοζόμεναι. μήτ' οὖν ἐμέ μήτε τινὰ τῶν ἐμῶν δυνάμεων κατὰ τὴν οὐσίαν ἐλπίσης ποτέ δυνήσασθαι καταλαβεῖν. τῶν δ' ἐφικτῶν, ὡς εἶπον, ἐτοίμως καὶ προθύμως μεταδίδωμι· ταῦτα δ' ἐστὶν ἐπὶ τὴν τοῦ κόσμου καὶ τῶν ἐν αὐτῷ καλέσαι θεάν, ἣν οὐ σώματος ὀφθαλμοῖς ἀλλὰ τοῖς διανοίας ἀκοιμήτοις ὄμμασι συμβαίνει καταλαμβάνεσθαι.
- 50 μόνον ὁ σοφίας ἡμέρος συνεχῆς ἔστω καὶ πυκνός, ἡ δογμάτων ἀοιδίμων καὶ περικαλλεστάτων ἀναπίμπλησι τοὺς φοιτητὰς καὶ γνωρίμους αὐτῆς." ταῦτα ἀκούσας οὐκ ἐπαύσατο τῆς ἐπιθυμίας, ἀλλ' ἔτι τὸν ἐπὶ τοῖς ἀοράτοις πόθον ἐζωπύρει.
- 51 IX. Καὶ πάντας τοὺς ὁμοιοτρόπους εἶτ' οὖν φύντας ἐξ ἀρχῆς εἶτε καὶ ἐκ τοῦ μεταβάλλεσθαι πρὸς τὴν ἀμείνω τάξιν κρείττους γεγονότας ἀποδέχεται, τοὺς μὲν ὅτι τὴν εὐγένειαν οὐ κατέλυσαν, τοὺς δ' ὅτι πρὸς εὐσέβειαν ἡξίωσαν μεθορμίσασθαι² —τούτους δὲ καλεῖ προσηλύτους ἀπὸ τοῦ προσεληλυθῆναι καινῇ καὶ φιλοθέῳ πολιτείᾳ,—οἱ μυθικῶν μὲν ἀλογοῦσι πλασμάτων, περιέχονται δὲ ἀκραιφ-

¹ Or, as some mss., ἰδιοποιουσί, "give individuality." It would be quite in Philo's way to associate ἴδιος with ἰδέα.

² mss. μεθαρμόσασθαι, a word less suitable here and often confused in mss. with μεθορμίσ. See Cohn, *Hermes*, 1908, p. 186.

THE SPECIAL LAWS, I. 48-51

Some among you call them not inaptly 'forms' or 48
'ideas,'^a since they bring form into everything that is,
giving order to the disordered, limit to the unlimited,
bounds to the unbounded, shape to the shapeless, and
in general changing the worse to something better.
Do not, then, hope to be ever able to apprehend Me 49
or any of My powers in Our essence. But I readily
and with right goodwill will admit you to a share of
what is attainable. That means that I bid you come
and contemplate the universe and its contents, a
spectacle apprehended not by the eye of the body but
by the unsleeping eyes of the mind.^b Only let there 50
be the constant and profound longing for wisdom
which fills its scholars and disciples with verities
glorious in their exceeding loveliness." When Moses
heard this, he did not cease from his desire but
kept the yearning for the invisible aflame in his
heart.

IX. All of like sort to him, all who spurn idle fables 51
and embrace truth in its purity, whether they have
been such from the first or through conversion to the
better side have reached that higher state, obtain
His^c approval, the former because they were not false
to the nobility of their birth, the latter because their
judgement led them to make the passage to piety.
These last he calls "proselytes," or newly-joined,
because they have joined the new and godly common-

^a This and § 323 below seem to be the only places where Philo definitely identifies the *δυνάμεις* with the Platonic *ἰδέαι*, though perhaps *De Cher.* 51 *αἱ τυποῦσαι δυνάμεις τὰ ἐν μέρει* may imply it.

^b *i.e.* the contemplation must be philosophical, "looking through nature to nature's God."

^c The subject of *ἀποδέχεται* is certainly God, but that of *καλεῖ* and the verbs that follow is more likely Moses. Rapid changes of this kind are not, I think, unusual in Philo.

52 νοῦς ἀληθείας. ἰσοτιμίαν γοῦν ἅπασιν ἐπηλύταις διδούς καὶ χαρισάμενος ὅσα καὶ τοῖς αὐτόχθοσι παραινεῖ τοῖς εὐπατρίδαις, μὴ μόνον αὐτοὺς τιμαῖς γεραίρειν ἀλλὰ καὶ ἐξαιρέτω φιλία καὶ εὐνοία περιττῇ. καὶ μήποτ' εἰκότως· “ἀπολελοιπότες” φησί “πατρίδα καὶ φίλους καὶ συγγενεῖς δι' ἀρετὴν καὶ ὁσιότητα μὴ ἀμοιρεῖτωσαν ἑτέρων πόλεων καὶ οἰκείων¹ καὶ φίλων, ἀλλ' ἕστωσαν ἑφεδροὶ καταφυγαὶ τοῖς πρὸς εὐσέβειαν αὐτομολοῦσι· φίλτρον γὰρ ἀνυσιμώτατον καὶ δεσμὸς ἄλυστος εὐνοίας ἐνωτικῆς ἢ τοῦ ἐνὸς θεοῦ τιμῆς.”

53 προστάττει δὲ μή, παρόσον αὐτοῖς ἰσονομίαν καὶ ἰσοτέλειαν [ἐπηλύταις]² παρέχει κατεγνωκόσι τοῦ πατρώου καὶ προγονικοῦ τύφου, στομαργία χρήσασθαι καὶ ἀχαλίνῳ γλώσση βλασφημοῦντας οὓς ἕτεροι νομίζουσι θεούς, ἵνα μὴ κἀκεῖνοι διακινηθέντες ἂ μὴ θέμις φθέγγωνται κατὰ [220] τοῦ ὄντως ὄντος· ἀγνοία γὰρ τῆς | διαφορᾶς, ἅτε τὸ ψεῦδος ὡς ἀληθές προμαθόντες ἐκ παίδων καὶ σύντροφον ἔχοντες, ἐξαμαρτῇσονται.

54 Τῶν δ' ἀπὸ τοῦ ἔθνους εἴ τινας καθυφίενται τὴν

¹ MSS. οἰκίων.

² So Cohn: Mangey on the other hand expunges αὐτοῖς, which is absent in three mss., and retains ἐπηλύταις. Against Cohn it may be said that it is not clear why the order which follows should be addressed to the proselytes instead of to Israel (unless on the ground that converts or perverts are apt to be particularly severe to their former co-religionists). If ἐπηλύταις is retained a fair sense can be obtained. The honours awarded by God to converts from the outside religions might naturally be regarded as a signal evidence of the abhorrence which these religions deserve.

^a See Lev. xix. 33, 34; Deut. x. 18, 19; E.V. “strangers.”

THE SPECIAL LAWS, I. 52-54

wealth.^a Thus, while giving equal rank 52 to all in-comers with all the privileges which he gives to the native-born, he exhorts the old nobility to honour them not only with marks of respect but with special friendship and with more than ordinary goodwill.^b And surely there is good reason for this ; they have left, he says, their country, their kinsfolk and their friends for the sake of virtue and religion. Let them not be denied another citizenship or other ties of family and friendship, and let them find places of shelter standing ready for refugees to the camp of piety. For the most effectual love-charm, the chain which binds indissolubly the goodwill which makes us one is to honour the one God.

Yet he 53

counsels them that they must not, presuming on the equal privilege and equal rank which He grants them because they have denounced the vain imaginings of their fathers and ancestors, deal in idle talk or revile with an unbridled tongue the gods whom others acknowledge,^c lest they on their part be moved to utter profane words against Him Who truly is. For they know not the difference, and since the falsehood has been taught to them as truth from childhood and has grown up with them, they will go astray.

But if any members of the nation betray the honour 54

The word of course does not imply conversion to the religion of Israel, as Philo might have seen from "ye were proselytes in Egypt."

^b "Thou shalt love him as thyself," Lev. xix. 34.

^c This is no doubt mainly based on Ex. xxii. 28, "Thou shalt not revile God," where the LXX has *θεούς*. See *Mos.* ii. 203 and note, with references to Josephus. But that passage shews that he gave the same interpretation to Lev. xxiv. 15, "whosoever curseth God shall bear the guilt of his sin," on the grounds that as this is treated as a lesser sin than naming the name of the Lord, it could not refer to the true God.

τοῦ ἐνὸς τιμὴν, ὡς λιπόντες τὴν ἀναγκαιοτάτην
 τάξιν εὐσεβείας καὶ ὁσιότητος ταῖς ἀνωτάτω τι-
 μωρίαις ὀφείλουσι κολάζεσθαι, σκότος αἰρούμενοι
 πρὸ αὐγοειδεστάτου φωτὸς καὶ τυφλὴν ἀπεργαζό-
 55 μενοι διάνοιαν ὁξὺ καθορᾶν δυναμένην. καὶ ἐπι-
 τετράφθαι δὲ καλὸν ἅπασι τοῖς ζῆλον ἔχουσιν
 ἀρετῆς ἐκ χειρὸς ἀναπράττειν ἀνυπερθέτως τὰς
 τιμωρίας, μήτ' εἰς δικαστήριον μήτ' εἰς βουλευτή-
 ριον μήτε συνόλως ἐπ' ἀρχὴν ἄγοντας, ἀλλὰ τῷ
 παραστάντι μισοπονήρῳ πάθει καὶ φιλοθέῳ κατα-
 χρήσθαι πρὸς τὰς τῶν ἀσεβῶν ἀπαραιτήτους κολά-
 σεις, νομίσαντας αὐτοὺς ὑπὸ τοῦ καιροῦ τὰ πάντα
 γεγενῆσθαι, βουλευτάς, δικαστάς, στρατηγούς, ἐκ-
 κλησιαστάς, κατηγοροὺς, μάρτυρας, νόμους, δῆμον,
 ἵνα μηδενὸς ὄντος ἐμποδῶν ἄφοβοι σὺν ἀδείᾳ πολλῇ
 56 προαγωνίζονται ὁσιότητος.

X. ἀνα-
 γέγραπταί τις ἐν τοῖς νόμοις τὸ καλὸν τοῦτο τόλμημα
 τολμήσας. ἐπειδὴ γὰρ ἐθεάσατό τινας ἄλλοφύλοις
 συνόντας γυναιξὶ καὶ ἔνεκα τῶν πρὸς αὐτὰς φίλτρων
 ἀλογοῦντας μὲν τῶν πατρίων, τελουμένους δὲ τὰς
 μυθικὰς τελετάς, ἕνα τὸν ἑξαρχον καὶ ἡγεμόνα τῆς
 παρανομίας καταθαρροῦντα ἤδη παρεπιδείκνυσθαι
 δημοσίᾳ τὸ ἀνοσιούργημα καὶ θυσίας ἀγάλμασι καὶ
 ξοάνοις ἀθύτους¹ φανερώς ἐπιτελοῦντα παρόντος
 ἅπαντος τοῦ πλήθους ἐνθουσιῶν, ἀνείρξας τοὺς παρ'

¹ MSS. ἀθύτοις.

^a For this section cf. Deut. xiii. 12 ff., and xvii. 6 ff., though there a stricter inquiry is enjoined than what is suggested here. On this and Jewish lynching in general see App. pp. 616-618.

THE SPECIAL LAWS, I. 54-56

due to the One they should suffer the utmost penalties. They have abandoned their most vital duty, their service in the ranks of piety and religion, have chosen darkness in preference to the brightest light and blindfolded the mind which had the power of keen vision. ^aAnd it is well that all who have a zeal for ⁵⁵ virtue should be permitted to exact the penalties offhand and with no delay, without bringing the offender before jury or council or any kind of magistrate at all, and give full scope to the feelings which possess them, that hatred of evil and love of God which urges them to inflict punishment without mercy on the impious. They should think that the occasion has made them councillors, jurymen, high sheriffs,^b members of assembly, accusers, witnesses, laws, people, everything in fact, so that without fear or hindrance they may champion religion in full security.

X. There is recorded in the Laws ⁵⁶ the example of one who acted with this admirable courage.^c He had seen some persons consorting with foreign women and through the attraction of their love-charms spurning their ancestral customs and seeking admission to the rites of a fabulous religion. One in particular he saw, the chief ringleader of the backsliding, who had the audacity to exhibit his unholy conduct in public and was openly offering sacrifices, a travesty of the name, to images of wood and stone in the presence of the whole people. So, seized with inspired fury, keeping back the throng of spectators

^b Or "governor (of a nome)." See note on *De Ios.* 3. Goodenough, "Roman magistrates."

^c See Num. xxv. ff. The story of Phinehas, used for allegorical purposes in *De Post.* 182 ff., *De Ebr.* 73 ff., *De Conf.* 57, has been given in much the same terms as here, though more fully, in *Mos.* i. 301 ff.

- ἐκάτερα ἐπὶ τὴν θεάν ἡθροισμένους, οὐδὲν εὐλαβη-
 θεῖς ἀναιρεῖ σὺν τῇ γυναικί, τὸν μὲν ἔνεκα τῆς
 εὐμαθείας <τῶν> ἃ λυσιτελὲς ἀπομανθάνειν, τὴν δ'
 57 ὅτι διδάσκαλος κακῶν ἐγένετο. τουτὶ τὸ ἔργον
 ἐξαίφνης δρασθὲν ἐν θερμῷ παραστήματι μυρίους
 ἐνουθέτησε τῶν ἐπὶ ταῦτα παρασκευαζομένων.
 ἐπαινέσας οὖν ὁ θεὸς τὴν ἀριστείαν αὐτοκελεύστω
 καὶ ἐθελουργῷ σπουδῇ γενομένην διτταῖς αὐτὸν
 ἀναστέφει δωρεαῖς, εἰρήνῃ καὶ ἱερωσύνῃ, τῇ μὲν
 κρίνας ἄξιον ἀπολέμον μεταποιεῖσθαι βίου τὸν
 ἀράμενον τοὺς ὑπὲρ θεοῦ τιμῆς ἀγῶνας, τῇ δ' ὅτι
 γέρας οἰκειότατον εὐσεβοῦς ἀνδρὸς ἱερωσύνῃ θερα-
 πείαν ἐπαγγελιομένη τοῦ πατρός, ᾧ τὸ δουλεύειν
 οὐκ ἐλευθερίας μόνον ἀλλὰ καὶ βασιλείας ἄμεινον.
 58 ἔνιοι δὲ τοσαύτῃ κέχρηται μαρίας
 ὑπερβολῇ, ὥστ' οὐδ' ἀναχώρησιν αὐτοῖς εἰς μετά-
 [221] νοιαν | ἀπολείποντες ἵενται πρὸς δουλείαν τῶν
 χειροκμήτων, γράμμασιν αὐτὴν ὁμολογοῦντες, οὐκ
 ἐν χαρτιδίοις, <ἀλλ'>, ὡς ἐπὶ τῶν ἀνδραπόδων ἔθος,
 [ἀλλ'] ἐν τοῖς σώμασι καταστίζοντες αὐτὰ σιδήρῳ
 πεπυρωμένῳ πρὸς ἀνεξάλειπτον μονήν· οὐδὲ γὰρ
 χρόνῳ ταῦτα ἀμαυροῦται.
 59 XI. Τὴν δ' ὁμοίαν προαίρεσιν ὁ ἱερώτατος
 Μωυσῆς καὶ ἐπὶ τῶν ἄλλων ἅπαξ ἀπάντων σφῶζειν
 ἔοικεν ἀληθείας ἐραστῆς ὧν καὶ διδάσκαλος, ἣν καὶ
 πᾶσι τοῖς γνωρίμοις ἐγχαράττειν καὶ ἐνσφραγίζε-
 σθαι ποθεῖ τὰς ψευδεῖς δόξας μακρὰν τῆς διανοίας

^a The allusion is to Lev. xix. 28 (cf. *ib.* xxi. 5, Deut. xiv. 1), "Ye shall not make any cuttings in your flesh for the dead (LXX ἐπὶ ψυχῇ), nor print any marks upon you," which Philo takes to refer to idolatrous practices. Such connexion as there is with the preceding section lies in the antithesis between bondage to God and bondage to idols. See App. p. 618.

THE SPECIAL LAWS, I. 56-59

on either side, he slew without a qualm him and her, the man because he listened to lessons which it were a gain to unlearn, the woman because she had been the instructor in wickedness. This deed suddenly wrought in the heat of excitement acted as a warning to multitudes who were preparing to make the same apostasy. So then God, praising his high achievement, the result of zeal self-prompted and whole-hearted, crowned him with a twofold award, the gifts of peace and priesthood, the first because He judged the champion who had battled for the honour of God worthy to claim a life free from war, the second because the guerdon most suitable to a man of piety is the priestly office which professes the service of the Father, bondage to Whom is better not only than freedom but also than kingship. ^a But

some labour under a madness carried to such an extravagant extent that they do not leave themselves any means of escape to repentance, but press to enter into bondage to the works of men and acknowledge it by indentures not written on pieces of parchment, but, as is the custom of slaves, branded on their bodies with red-hot iron. And there they remain indelibly, for no lapse of time can make them fade.

XI. The like principle^b is clearly maintained in the case of everything else by the most holy Moses, who loves and teaches the truth which he desires to engrave and stamp on all his disciples, dislodging and banishing false opinions to a distance from their

^b Not very clear. It obviously cannot refer to the preceding section, nor very appropriately to §§ 56, 57. For Philo does not go on to suggest that the persons now described should be lynched or even judicially executed, but merely excluded, though Lev. xx. 6 and 27 sanction the penalty of death. See App. p. 618.

- 60 αὐτῶν ἀποικίζων. ἐπιστάμενος γοῦν τῷ πλάνῳ
 τῶν πολλῶν βίῳ συμπράττουσαν οὐ μετρίως εἰς
 ἀνοδίαν μαντικὴν, οὐδενὶ τῶν εἰδῶν αὐτῆς ἔα
 χρῆσθαι, πάντας δὲ τοὺς κολακεύοντας αὐτὴν
 ἐλαύνει τῆς ἰδίου¹ πολιτείας, θύτας, καθαρτάς,
 οἰωνοσκοποὺς, τερατοσκοποὺς, ἐπάδοντας, κλη-
 61 δόσιν ἐπανεχοντας. στοχασταὶ γὰρ πάντες οὗτοι
 πιθανῶν καὶ εἰκότων, ἄλλοτε ἄλλας ἀπὸ τῶν αὐτῶν
 φαντασίας λαμβάνοντες, διὰ τὸ μήτε τὰ ὑποκείμενα
 φύσιν ἔχειν ἀγίον μήτε τὴν διάνοιαν ἀκριβῆ
 βάσανον περιπεποιῆσθαι, ἥ βασανισθήσεται τὰ
 62 δόκιμα. παρασκευαὶ δὲ πάντα ταῦτ' εἰσὶν ἀσεβείας·
 διὰ τί; ὅτι ὁ προσέχων καὶ πειθόμενος αὐτοῖς
 ἀλογεῖ τοῦ πάντων αἰτίου μόνα ταῦθ' ὑπολαμβάνων
 ἀγαθῶν εἶναι καὶ κακῶν αἰτία, καὶ οὐκ αἰσθάνεται
 τὰς τοῦ βίου φροντίδας ἐξάπτων ἀβεβαιοτάτων
 πεισμάτων, ὀρνίθων καὶ πτερῶν καὶ φορᾶς ἐν ἀέρι
 τῆς ὧδε κακεῖσε καὶ χαμαιζήλων ἐρπετῶν, ἃ τῶν
 φωλεῶν ἀνέρπει πρὸς ζήτησιν τροφῆς, ἔτι δὲ
 σπλάγχνων καὶ αἵματος καὶ νεκρῶν σωματῶν, ἃ
 στερόμενα ψυχῆς εὐθὺς ἐπισυμπίπτει καὶ συγχέεται
 καὶ ἑτεροιοῦμενα τὰς οἰκείας φύσεις ἐξαλλάττει
 63 πρὸς τὴν χεῖρω μεταβολήν. ἀξιοῖ γὰρ τὸν ἐγ-
 γραφόμενον τῇ κατὰ τοὺς νόμους πολιτεία "τέ-
 λειον" εἶναι, μὴ ἐν οἷς οἱ πολλοὶ πεπαιδοτριβήνται,
 μαντεῖαις καὶ κληδόσι καὶ πιθαναῖς εἰκασίαις, ἀλλ'

¹ mss. ἰδίας or mostly αἰδίου. The adjective has -os, -a, -on or -os, -on indifferently.

^a These terms are largely drawn from Deut. xviii. 10 f. where we have περικαθαίρων τὸν υἱὸν ἐν πυρί, κληδοιζόμενος, οἰωνοζόμενος, φαρμακὸς ἐπαιδῶν ἐπαιδὴν, τερατοσκοπός. Philo's καθαρτής, which Heinemann translates by "Sühnepriester,"

THE SPECIAL LAWS, I. 60-63

understanding. Thus, knowing that the erring life 60
of the multitude is greatly helped on its way into the
wilds by the art of divination, he forbids them to use
any of its forms and expels from his own common-
wealth all its fawning followers, haruspices, purifi-
cators, augurs, interpreters of prodigies, incantators,^a
and those who put their faith in sounds and voices.
For all these are but guessing at what is plausible and 61
probable, and the same phenomena present to them
ideas which differ at different times because the
things on which they are based have no natural
stability nor has the understanding acquired any
accurate touchstone by which the genuine can be
tested and approved. All these pave the way for 62
impiety. Why so? Because he who pays attention
and puts confidence in them is spurning the Cause of
all in his belief that they are the sole causes of good
and evil and fails to perceive that the anchors on
which he moors his life and its cares are utterly in-
secure, such as birds and wings and their flight
hither and thither through the air, and grovelling
reptiles which crawl out of their holes to seek their
food; and again entrails and blood and corpses
which deprived of life at once collapse and decompose
and in this process exchange their natural properties
for others of worse condition. Moses demands that 63
one who is registered in the commonwealth of the
laws should be perfect not in the lore, in which the
many are schooled, of divination and voices and

evidently corresponds to the *περικαθαίρων* of Deut. (E.V.
“makes his son to pass through fire”). *κληδόσι*, cf. *Mos.*
i. 287, may mean “omens” generally. The “haruspex”
naturally has no place in Deut., as the O.T., I believe, shews
no trace of divining by entrails of victims. *θύτης* is given
in L. & S. revised as “diviner,” but is clearly more specific.

- ἐν τοῖς πρὸς θεὸν οὐδὲν ἔχουσιν ἐπαμφοτερίζον ἢ ἀμφίβαλον ἀλλ' ἀνενδοίαστον καὶ γυμνὴν ἀλήθειαν.
- 64 ἐπεὶ δὲ πᾶσιν ἀνθρώποις ἔρως τῆς τῶν μελλόντων ἐπιστήμης ἐνίδρυται καὶ διὰ τὸν ἔρωτα τοῦτον ἐπὶ θυτικὴν καὶ τὰ ἄλλα εἶδη τρέπονται μαντικῆς, ὥς δι' αὐτῶν τὸ σαφὲς ἀνευρήσονται, τὰ δ' ἀσαφείας γέμει πολλῆς καὶ ἐξ ἑαυτῶν ἀεὶ διελέγχεται, τούτοις μὲν σφόδρα εὐτόνως ἐπακολουθεῖν ἀπαγορεύει, φησὶ δ' ὅτι, ἐὰν ἀκλινῶς [222] εὐσεβῶσιν, οὐκ ἂ μοιρήσουσι τῆς τῶν μελλόντων
- 65 ἐπιγνώσεως, ἀλλὰ τις ἐπιφανεὶς ἐξαπιναιῶς προφήτης θεοφόρητος θεσπιεῖ καὶ προφητεύσει, λέγων μὲν οἰκεῖον οὐδέν—οὐδὲ γάρ, εἰ λέγει, δύναται καταλαβεῖν ὃ γε κατεχόμενος ὄντως καὶ ἐνθουσιῶν, —ὅσα δ' ἐνηχεῖται, διελεύσεται καθάπερ ὑποβάλλοντος ἐτέρου· ἐρμηνεῖς γάρ εἰσιν οἱ προφῆται θεοῦ καταχρωμένου τοῖς ἐκείνων ὀργάνοις πρὸς δῆλωσιν ὧν ἂν ἐθελήσῃ. ταῦτα καὶ τὰ τούτοις παραπλήσια περὶ τῆς τοῦ ἐνὸς θεοῦ καὶ ὄντως ὄντος ἐννοίας ὑπειπὼν, ὃν χρὴ τρόπον ἀπονέμειν αὐτῷ τὰς τιμὰς ἐξῆς ὑπογράφει.
- 66 XII.¹ Τὸ μὲν ἀνωτάτω καὶ πρὸς ἀλήθειαν ἱερὸν θεοῦ νομίζειν τὸν σύμπαντα χρὴ κόσμον εἶναι, νεὼ μὲν ἔχοντα τὸ ἀγιώτατον τῆς τῶν ὄντων οὐσίας μέρος, οὐρανόν, ἀναθήματα δὲ τοὺς ἀστέρας, ἱερέας δὲ τοὺς ὑποδιακόνους αὐτοῦ τῶν δυνάμεων ἀγγέλους, ἀσωμάτους ψυχάς, οὐ κράματα ἐκ λογικῆς καὶ ἀλόγου

¹ Here the mss. insert the heading *Περὶ ἱεροῦ*.

^a See Deut. xviii. 15-18.

^b So (v. 18), "I will put my words in his mouth and he shall speak unto them all that I shall command him."

^c For the idea of insistence and reiteration in *ἐνηχεῖν* (in

THE SPECIAL LAWS, I. 63-66

plausible conjectures, but in his duties towards God in which there is nothing doubtful or ambiguous but undoubted, naked truth. ^aBut since a 64
longing to know the future is ingrained in all men, which longing makes them turn to haruspication and the other forms of divination in the prospect of finding certainty thereby, though actually they are brimful of uncertainty and constantly convict themselves of falsehood—while he very earnestly forbids them to follow such, yet he tells them that if they do not swerve from piety they will not be denied the full knowledge of the future. A prophet possessed 65
by God will suddenly appear and give prophetic oracles.^b Nothing of what he says will be his own, for he that is truly under the control of divine inspiration has no power of apprehension when he speaks but serves as the channel for the insistent^c words of Another's prompting. For prophets are the interpreters of God, Who makes full use of their organs of speech to set forth what He wills. These and the like are his injunctions as to the conception of the one truly existing God. Having opened with them, he next proceeds to indicate how the honours due to Him should be paid.

XII.^d The highest, and in the truest sense the holy, 66
temple of God is, as we must believe, the whole universe, having for its sanctuary the most sacred part of all existence, even heaven, for its votive ornaments the stars, for its priests the angels who are servitors to His powers, unbodied souls, not compounds colloquial English "to drum or din into one") see note on *De Mut.* 57. For the general sense of the passage *cf. Quis Rerum* 265 f.

^a The mss. insert the heading "Of the temple," and Cohn begins a fresh numeration of chapters.

φύσεως, οἷας τὰς ἡμετέρας εἶναι συμβέβηκεν, ἀλλ'
 ἐκτετμημένας τὸ ἄλογον, ὅλας δι' ὅλων νοεράς,
 67 λογισμοὺς ἀκραιφνεῖς, μονάδι ὁμοιουμένας. τὸ δὲ
 χειρόκμητον· ἔδει γὰρ ὁρμὰς ἀνθρώπων μὴ ἀνα-
 κόψαι φορὰς τὰς εἰς εὐσέβειαν συντελούντων καὶ
 θυσίαις βουλομένων ἢ ἐπὶ τοῖς συμβαίνουσιν ἀγα-
 [223]θοῖς εὐχαριστεῖν ἢ ἐφ' οἷς | ἂν ἁμαρτάνωσι συγ-
 γνώμην καὶ παραίτησιν αἰτεῖσθαι. προὐνόησε δ'
 ὡς οὔτε πολλαχόθι οὔτ' ἐν ταύτῳ πολλὰ κατα-
 σκευασθήσεται ἱερά, δικαιοῦσας, ἐπειδὴ εἰς ἔστιν ὁ
 68 θεός, καὶ ἱερὸν ἐν εἶναι μόνον. εἴτα τοῖς βουλο-
 μένοις ἐν ταῖς οἰκίαις αὐτῶν ἱεουργεῖν οὐκ ἐφίησιν,
 ἀλλ' ἀνισταμένους ἀπὸ περάτων γῆς εἰς τοῦτ'
 ἀφικνεῖσθαι κελεύει, ἅμα καὶ τῶν τρόπων ἀναγ-
 καιοτάτην λαμβάνων βάσανον· ὁ γὰρ μὴ μέλλων
 θύειν εὐαγῶς οὐκ ἂν ὑπομεῖναι ποτέ πατρίδα καὶ
 φίλους καὶ συγγενεῖς ἀπολιπὼν ξενιτεύειν, ἀλλ'
 ἔοικεν ὑπὸ δυνατωτέρας ὀλκῆς ἀγόμενος τῆς πρὸς
 εὐσέβειαν ὑπομένειν τῶν συνηθεστάτων καὶ φιλ-
 τάτων ὥσπερ τινῶν ἡνωμένων μερῶν ἀπαρτᾶσθαι.
 69 καὶ τοῦδε σαφεστάτη πίστις τὰ γινό-
 μενα· μυρίοι γὰρ ἀπὸ μυρίων ὅσων πόλεων, οἱ μὲν
 διὰ γῆς, οἱ δὲ διὰ θαλάττης, ἐξ ἀνατολῆς καὶ δύσεως
 καὶ ἄρκτου καὶ μεσημβρίας καθ' ἐκάστην ἑορτὴν
 εἰς τὸ ἱερὸν καταίρουσιν οἷά τινα κοινὸν ὑπόδρομον
 καὶ καταγωγὴν ἀσφαλῆ πολυπράγμονος καὶ ταρα-
 χωδεστάτου βίου, ζητοῦντες εὐδίαν εὑρεῖν καὶ
 φροντίδων ἀνεθέντες, αἷς ἐκ πρώτης ἡλικίας κατα-
 ζεύγνυνται καὶ πιέζονται, βραχύν τινα διαπνεύ-
 70σαντες χρόνον ἐν ἱλαραῖς διαγείν εὐθυμίαις· ἐλπίδων

^a Cf. Mos. ii. 288.

THE SPECIAL LAWS, I. 66-70

of rational and irrational nature, as ours are, but with the irrational eliminated, all mind through and through, pure intelligences, in the likeness of the monad.^a There is also the temple made by hands; for 67 it was right that no check should be given to the forwardness of those who pay their tribute to piety and desire by means of sacrifices either to give thanks for the blessings that befall them or to ask for pardon and forgiveness for their sins. But he provided that there should not be temples built either in many places or many in the same place, for he judged that since God is one, there should be also only one temple.^b Further, he does not consent to those who wish to 68 perform the rites in their houses, but bids them rise up from the ends of the earth and come to this temple. In this way he also applies the severest test to their dispositions. For one who is not going to sacrifice in a religious spirit would never bring himself to leave his country and friends and kinsfolk and sojourn in a strange land, but clearly it must be the stronger attraction of piety which leads him to endure separation from his most familiar and dearest friends who form as it were a single whole with himself. And we have the surest proof of this in what actually 69 happens. Countless multitudes from countless cities come, some over land, others over sea, from east and west and north and south at every feast. They take the temple for their port as a general haven and safe refuge from the bustle and great turmoil of life, and there they seek to find calm weather, and, released from the cares whose yoke has been heavy upon them from their earliest years, to enjoy a brief breathing-space in scenes of genial cheerfulness. Thus filled 70

^b See Deut. xii. 5-7, 11-14, 17-18. See also App. p. 618.

τε χρηστῶν γεμισθέντες σχολάζουσι τὴν ἀναγκαιοτάτην σχολὴν ὁσιότητι καὶ τιμῇ θεοῦ, φιλίαν καὶ πρὸς τοὺς τέως ἀγνοουμένους συντιθέμενοι καὶ κράσιν ἡθῶν ἐπὶ θυσιῶν καὶ σπονδῶν εἰς βεβαιότητα πίστιν ὁμονοίας ποιούμενοι.

- 71 XIII. Τούτου τοῦ ἱεροῦ ὁ μὲν ἐξωτάτω περίβολος καὶ μήκει καὶ πλάτει μέγιστος ὢν τέσσαρσι στοαῖς εἰς πολυτέλειαν ἡσκημέναις ὠχύρωται· διπλῇ δ' ἐστὶν αὐτῶν ἐκάστη, ξύλων καὶ λίθων ὕλαις καὶ χορηγίαις ἀφθόνοις καὶ δημιουργῶν ἐμπειρίαις καὶ τῶν ἐφεστηκότων ἐπιμελείαις κατεσκευασμένη, τελειότατον ἔργον· οἱ δ' εἴσω βραχύτεροι μὲν, 72 αὐστηροτέραν δ' ἔχοντες τὴν κατασκευὴν. κατὰ δὲ τὸ μεσαίτατον αὐτὸς ὁ νεὼς παντὸς λόγου κρείττων, ὥς ἐκ τῶν φαινομένων ἔστι τεκμήρασθαι· τὰ γὰρ ἔνδον ἀόρατα παντὶ τῷ πλήν ἐνὶ τῷ ἀρχιερεῖ, καὶ τούτῳ μέντοι, δι' ἔτους ἐπιτετραμμένον ἅπαξ εἰσιέναι, πάντ' ἐστὶν ἀθέατα· πυρεῖον γὰρ ἀνθράκων πλήρες καὶ θυμιαμάτων εἰσκομίζει, πολλῆς δ' ἀναδιδομένης ὡς εἰκὸς ἀτμίδος κατέχεται τὰν κύκλῳ πάντα καὶ ἡ ὄψις ἐπισκιάζεται καὶ ἀνακοπὴν ἴσχει 73 πρόσω χωρεῖν ἀδυνατοῦσα. μέγιστος δὲ ὢν καὶ

^a Lit. "they are at leisure with the most necessary leisure." For this use of ἀναγκαῖος cf. § 54 above. Possibly, however, "the leisure which they are compelled by the nature of the circumstances to have," and so perhaps Heinemann ("unentbehrlicher"). But the cognate accusative, as used by Philo, seems to me to point clearly to the rendering in the translation.

^b Here the mss. insert a heading *Περὶ τοῦ ἱεροῦ*, and Cohn begins a fresh numeration of the chapters, as in § 12. For a note on the description which follows see App. pp. 618-619.

^c i.e. with two rows of pillars (so Heinemann).

THE SPECIAL LAWS, I. 70-73

with comfortable hopes they devote the leisure, as is their bounden duty,^a to holiness and the honouring of God. Friendships are formed between those who hitherto knew not each other, and the sacrifices and libations are the occasion of reciprocity of feeling and constitute the surest pledge that all are of one mind.

XIII. ^bThis temple is enclosed by an outermost 71 wall of very great length and breadth, which gains additional solidity by four porticos so adorned as to present a very costly appearance. Each of them is twofold,^c and the stone and timber used as its materials and supplied in abundance, combined with the skill of experienced craftsmen and the care bestowed on it by the master-builders, have produced a very perfect piece of work. The inner walls are smaller and in a severer style of architecture. Right in the very middle stands the sanctuary itself 72 with a beauty baffling description, to judge from what is exposed to view. For all inside is unseen except by the high priest alone, and indeed he, though charged with the duty of entering once a year, gets no view of anything.^d For he takes with him a brazier full of lighted coals and incense,^e and the great quantity of vapour which this naturally gives forth covers everything around it, beclouds the eyesight and prevents it from being able to penetrate to any distance. The huge size and height of the 73

^a See Lev. xvi. 34 and *of*. Hebrews ix. 7, and in Philo, *De Ebr.* 136, *De Gig.* 52. Philo, however, seems to make a strange mistake, as it is only "the holy place within the veil" to which this applies. In § 274 and § 296 below he clearly states that the other priests had access to the rest of the sanctuary.

^c See Lev. xvi. 12, 13.

ὑψηλότετος, καίτοι¹ ἐν χθαμαλωτέρῳ κείμενος, τῶν
 [224] περιμηκεστάτων ὁρῶν οὐδενὸς | ἀποδεῖ. τὰ μὲν
 οὖν ἐν οἰκοδομαῖς ὑπερβολὰς ἔχοντα περίβλεπτά τ'
 ἐστὶ καὶ θαυμάζεται πρὸς τῶν ὁρώντων καὶ μάλιστα
 τῶν ἐπιφοιτῶντων ξένων, οἱ συγκρίνοντες ταῖς
 οἰκίων δημοσίων κατασκευαῖς ἐκπλήττονται τό τε

74 κάλλος ὁμοῦ καὶ τὴν πολυτέλειαν. ἄλλος

δὲ οὐδέν ἐστιν ἐν τῷ περιβόλῳ προστάξει νόμου, διὰ
 πολλά· πρῶτον μὲν ὅτι οὐχ ἡδονὴν καὶ τέρψιν
 εὐδιάγωγον ἐπιζητεῖ τὸ πρὸς ἀλήθειαν ἱερὸν ἀλλ'
 αὐστηρὰν ἀγιστείαν· δεύτερον δ' ὅτι τὰ συντείνοντα
 πρὸς τὴν τῶν δένδρων χλόην οὐ θέμις εἰσκομί-
 ζεσθαι, τὰ δ' ἐστὶν ἀνθρώπων καὶ ζώων ἀλόγων
 περιπτώματα· τρίτον δ' ὅτι τὰ μὲν τῆς ἀγρίας ὕλης
 πρὸς οὐδέν ὄφελος, “ ἄχθος ” δ' ὡς οἱ ποιηταὶ φασὶ
 “ γῆς,” τὰ δὲ τῆς ἡμέρου, καρπῶν ἡμέρων οἰ-
 στικά, μεθέλξει τοὺς ὀλιγόφρονας ἀπὸ τῆς περὶ τὴν

75 ἱερουργίαν σεμνότητος. πρὸς δὲ τούτοις λάσια
 χωρία καὶ δρυμοὶ βαθεῖς κακούργων εἰσὶν ἐνδαιτιή-
 ματα τὴν ἐκ τοῦ συσκιάζεσθαι ποριζομένων ἀσφά-
 λειαν καὶ τὰς ἐξ ἐνέδρας καθ' ὧν ἂν ἐθελήσωσιν
 αἰφνιδίους ἐπιθέσεις. αἱ δ' εὐρυχωρίαι καὶ τὸ
 ἀναπεπταμένον καὶ τὸ ἀνειμένον πάντῃ, μηδενὸς τὰς
 ὄψεις ἐμποδίζοντος, πρὸς τὴν τῶν εἰσιόντων καὶ
 ἐνδιατριβόντων ἀκριβῆ θεῶν ἱερῷ πρεπωδέστατον.²

¹ MSS. καὶ.

² MSS. ἱεροπρεπωδέστατον.

^a See Deut. xvi. 21. LXX ἄλλος, R.V. Asherah. Hecataeus in his description of the temple (see on § 274) notes the absence of anything like a grove.

THE SPECIAL LAWS, I. 73-75

sanctuary make it in spite of its comparatively low situation as prominent an object as any of the highest mountains. In fact, so vast are the buildings that they are seen conspicuously and strike the eye with admiration, especially in the case of foreign visitors, who compare them with the architecture of their own public edifices and are amazed both at their beauty and magnificence.

But there is no grove within the walled area by 74 order of the law, for many reasons. ^a First, because the temple which is truly holy does not seek to provide pleasure and hours of easy enjoyment but the austerity of religion; secondly, because the means used to promote the verdure of trees, being the excrements of men and irrational animals, cannot be brought in there without profanity; thirdly, because the plants of the wild kind of vegetation are of no use, but only, as the poets say, "a burden to the soil," ^b while those of the cultivated variety which produce fruits of the same quality will distract the weak-minded from the solemnity of the 75 sacred rites. Furthermore, overgrown places and dense thickets are the resort of malefactors, who use their obscurity for their own safety and as an ambush whence they can suddenly attack whomsoever they wish. Broad spaces and openness and absence of restriction on every side, where there is nothing to hinder the sight, are most suitable to a temple, to enable those who enter and spend their time there to have an accurate view.

^b *Ibid.* xviii. 104, *Od.* xx. 379; in both cases ἄχθος ἀρούρης. Plato, however, has the form γῆς ἄχθη, *Theæt.* i. 176 D. In all these cases it is applied to human beings, and so by Philo, *Mos.* i. 30, *De Cong.* 171; but see *Spec. Leg.* iii. 50.

76 XIV. Προσόδους δ' ἔχει τὸ ἱερὸν οὐ μόνον ἀπο-
τομὰς γῆς ἀλλὰ καὶ πολὺ μείζους ἑτέρας, αἱ μὴ δὲν
χρόνῳ φθαρῇσονται· ἐφ' ὅσον γὰρ τὸ ἀνθρώπων
γένος διαμενεῖ—διαμενεῖ δ' εἰς αἰεὶ,—καὶ αἱ πρόσ-
οδοι τοῦ ἱεροῦ φυλαχθήσονται συνδιαιωνίζουσαι
77 παντὶ τῷ κόσμῳ. προστέτακται γὰρ ἕκαστον ἀνὰ
πᾶν ἔτος ἀπαρχὰς εἰσφέρειν ἀπὸ εἰκοσαετίας ἀρξά-
μενον. αἱ δ' εἰσφοραὶ “λύτρα” προσονομάζονται·
διὸ καὶ προθυμότατα ποιοῦνται τὰς ἀπαρχάς,
φαιδροὶ καὶ γεγηθότες, ὥς ἅμα τῇ καταθέσει
μέλλοντες ἢ δουλείας ἀπαλλαγὴν ἢ νόσων ἄκεσιν
εὐρίσκεσθαι καὶ βεβαιωτάτην ἐλευθερίαν ὁμοῦ καὶ
78 σωτηρίαν εἰς ἅπαν καρποῦσθαι. πολυανθρωπο-
τάτου δ' ἔθνους ὥς εἰκὸς καὶ τὰς ἀπαρχὰς
ἀφθονωτάτας εἶναι συμβέβηκε· σχεδὸν γοῦν ἀνὰ
πᾶσαν πόλιν ταμεία τῶν ἱερῶν χρημάτων ἐστίν,
εἰς ἃ παραγινομένοις ἔθος ἀπάρχεσθαι· καὶ χρόνοις
ὠρισμένοις ἱεροπομποὶ τῶν χρημάτων ἀριστίνδην
ἐπικριθέντες, ἐξ ἐκάστης οἱ δοκιμώτατοι, χειρο-
τονοῦνται, σώους τὰς ἐλπίδας ἐκάστων παρα-
πέμψοντες· ἐν γὰρ ταῖς νομίμοις ἀπαρχαῖς αἱ
τῶν εὐσεβούντων ἐλπίδες εἰσίν.

[225]

79

XV. | ¹ Φυλαὶ μὲν εἰσι τοῦ ἔθνους δώδεκα, μία δ'
ἐκ πασῶν ἀριστίνδην ἐπικριθεῖσα ἱερᾶται, γέρας
ἀνδραγαθίας καὶ φιλοθέου σπουδῆς τουτὶ λαβοῦσα,
καθ' ὃν καιρὸν ἔδοξεν ἡ πληθὺς ἀμαρτεῖν ἀπ-

¹ Here the mss. insert the heading *Περὶ ἱερέων*.

^a See Ex. xxx. 12-16, where the “ransom” is to be paid at the census to avert the plague, which might be expected to follow such a proceeding (see Driver).

^b Here the mss. give the heading “Of the priests,” but Cohn does not begin a new numeration of chapters.

^c The allusion is of course to the slaughter of the Calf-

THE SPECIAL LAWS, I. 76-79

XIV. The revenues of the temple are derived not 76 only from landed estates but also from other and far greater sources which time will never destroy. For as long as the human race endures, and it will endure for ever, the revenues of the temple also will remain secure co-eternal with the whole universe. For it is 77 ordained that everyone, beginning at his twentieth year, should make an annual contribution of first-fruits.^a These contributions are called "ransom money," and therefore the first-fruits are given with the utmost zeal. The donors bring them cheerfully and gladly, expecting that the payment will give them release from slavery or healing of diseases and the enjoyment of liberty fully secured and also complete preservation from danger. As the nation is 78 very populous, the offerings of first-fruits are naturally exceedingly abundant. In fact, practically in every city there are banking places for the holy money where people regularly come and give their offerings. And at stated times there are appointed to carry the sacred tribute envoys selected on their merits, from every city those of the highest repute, under whose conduct the hopes of each and all will travel safely. For it is on these first-fruits, as prescribed by the law, that the hopes of the pious rest.

XV.^b The nation has twelve tribes, but one out 79 of these was selected on its special merits for the priestly office, a reward granted to them for their gallantry and godly zeal on an occasion^c when the multitude was seen to have fallen into sin through worshippers by the Levites in Ex. xxxii. As to the statement that the Levites received their consecration as a reward for this, a statement made by Philo also in his longer account of the event in *Mos.* ii. 160 f. and repeated in *Spec. Leg.* iii. 125 f., see App. p. 619.

ακολουθήσασα γνώμας ἐνίων ἀγνώμοσιν, οἱ τὴν Αἰγυπτιακὴν ἔπεισαν ζηλοῦν ἡλιθιότητα καὶ τὸν ἐγγώριον τύφον, ὃν ἐπ' ἀλόγοις ζώοις καὶ μάλιστα ταύροις μυθοπλαστοῦσι· τοὺς γὰρ ἡγεμόνας τῆς ἀπονοίας ἅπαντας ἡβηδὸν αὐτοκέλευστοι κατακτείναντες εὐαγὲς ἔδοξαν ἔργον εἰργάσθαι, τοὺς ὑπὲρ εὐσεβείας ἀγῶνας διαθλήσαντες.

- 80 XVI. Νόμοι δὲ ἱερέων εἰσὶν οἷδε. παντελῇ καὶ ὁλόκληρον εἶναι τὸν ἱερέα προστέτακται, μηδεμίαν ἐν τῷ σώματι λώβην ἔχοντα, μήτε κατ' ἔνδειαν ἐπιλείποντος ἢ ἀκρωτηριασθέντος μέρους μήτε κατὰ πλεονασμὸν ἅμα τῇ γενέσει περιττεύσαντος ἢ ὕστερον ἐκ νόσου προσφύντος μήτε τῆς χροᾶς μεταβαλούσης εἰς λέπραν ἢ λειχήνας ἀγρίους ἢ μυρμηκίας ἢ τινας ἄλλας ἐξανθημάτων ἐκφύσεις· ἅ μοι δοκεῖ πάντα σύμβολα τῆς περὶ ψυχὴν εἶναι
81 τελειότητος. εἰ γὰρ τὸ φύσει θνητὸν σῶμα τοῦ ἱερέως ἐπισκεπτέον, ἵνα περὶ μηδὲν ἀτύχημα κηραίνῃ, πολὺ πλεον ψυχὴν τὴν ἀθάνατον, ἣν φασὶ τυπωθῆναι κατὰ τὴν εἰκόνα τοῦ ὄντος· λόγος δ' ἐστὶν εἰκὼν θεοῦ, δι' οὗ σύμπας ὁ κόσμος ἐδημιουργεῖτο.
- 82 Μετὰ δὲ τὴν ἐξ εὐπατριδῶν εὐγένειαν καὶ παντέλειαν τὴν ἐν τε σώμασι καὶ ψυχαῖς περὶ ἐσθῆτος, ἣν ἀναλαμβάνειν χρή τὸν ἱερέα μέλλοντα λειτουργ-
83 γεῖν τὰς ἱερὰς λειτουργίας, νενομοθέτῃται. ἡ δ' ἐσθῆς ἐστὶ χιτῶν λινοῦς καὶ περιζῶμα, τὸ μὲν εἰς αἰδοίων σκέπην, ἃ μὴ πρὸς τῷ θυσιαστηρίῳ γυ-

^a See Lev. xxi. 17-21 and xxii. 4. On "redundant" see App. p. 619.

THE SPECIAL LAWS, I. 79-83

following the ill-judged judgement of some who persuaded them to emulate the foolishness of Egypt and the vainly imagined fables current in that land, attached to irrational animals and especially to bulls. For the men of this tribe at no bidding but their own made a wholesale slaughter of all the leaders of the delusion and thus carrying to the end their championship of piety were held to have done a truly religious deed.

XVI. With regard to the priests there are the 80 following laws. It is ordained that the priest should be perfectly sound throughout, without any bodily deformity.^a No part, that is, must be lacking or have been mutilated, nor on the other hand redundant, whether the excrescence be congenital or an after-growth due to disease. Nor must the skin have been changed into a leprous state or into malignant tetter or warts or any other eruptive growth. All these seem to me to symbolize perfection of soul. For if 81 the priest's body, which is mortal by nature, must be scrutinized to see that it is not afflicted by any serious misfortune, much more is that scrutiny needed for the immortal soul, which we are told was fashioned after the image of the Self-existent.^b And the image of God is the Word through whom the whole universe was framed.

After providing for his pure descent from a noble 82 stock and his perfection both of body and soul, the legislation deals with the dress which the priest must assume when he is about to carry out the sacred rites. It consists of a linen tunic and short breeches, the 83 latter to cover the loins, which must not be exposed

^b Gen. i. 27. See note on § 171.

μνουσθαι θέμις, ὁ δὲ χιτῶν ἔνεκα τῆς πρὸς τὴν ὑπηρεσίαν ὀξύτητος· ἀνείμονες γὰρ ἐν μόνοις χιτωνίσκοις τά τε ἱερεῖα καὶ τὰς εὐχὰς¹ καὶ τὰς σπονδὰς καὶ ὅσα ἄλλα θυσίαις χρήσιμα προσ-
 84 ἀγούσιν εἰς ἀνυπέρθετον τάχος ἡσκημένοι. τῷ δ' ἀρχιερεῖ διείρηται μὲν τὴν παραπλησίαν ἐσθῆτα ἀναλαμβάνειν, ἡνίκα ἂν εἰς τὰ ἄδυτα ἐπιθυμιάσων εἰσῆ, διὰ τὸ τὴν ὀθόνην ἐκ μηδενὸς τῶν ἀποθνησκόντων ὥσπερ τὰ ἔρια γεννᾶσθαι, προστέτακται δὲ καὶ ἑτέρα χρῆσθαι πάνυ ποικίλῃν ἐχούσῃ κατασκευῇ, ὡς ἀπεικόνισμα καὶ μίμημα τοῦ κόσμου
 85 δοκεῖν εἶναι. σαφὴς δὲ πίστις ἡ κατασκευῇ. πρῶτον μὲν γὰρ ἔνδυμα περιφερὲς ἐστίν, ὅλον δι' ὅλων ὑακίνθινον, ποδήρης χιτῶν, ἀέρος σύμβολον, ἐπειδήπερ ὁ ἀὴρ καὶ φύσει μέλας ἐστὶ καὶ τρόπον τινὰ ποδήρης, ἄνωθεν ἀπὸ τῶν μετὰ σελήνην
 [226] | τόπων ταθεῖς ἄχρι τῶν κατωτάτω γῆς μυχῶν.
 86 εἰθ' ὕφασμα θωρακοειδὲς ἐπὶ τούτῳ, σύμβολον οὐρανοῦ· δύο τε γὰρ ἐπὶ τῶν ἀκρωμίων λίθοι σμαράγδου τῆς τιμαλφεστάτης ὕλης εἰσίν, ὁ μὲν ἔνθεν, ὁ δ' ἔνθεν, εἰς ἐκατέρωθεν, περιφερεῖς, δείγματα τῶν ἡμισφαιρίων, ὧν τὸ μὲν ὑπὲρ γῆν τὸ δ'

¹ καὶ τὰς εὐχὰς is omitted in the other mss. and appears in R as καὶ τὰς followed by a word which Cohn prints as εὐχὰς?. He does not say anything about the Armenian. See App. p. 620.

^a See Ex. xxviii. 40-43.

^b For the word ἀνείμονες see note on *De Som.* i. 99.

^c See App. p. 620.

^d Lev. xvi. 4. The linen garment worn on this special occasion is not mentioned in the account of *Mos.* ii. 109 ff.,

THE SPECIAL LAWS, I. 83-86

at the altar, while the tunic is to make them nimble in their ministry.^a For in this undress,^b with nothing more than the short tunics, they are attired so as to move with unhampered rapidity when they bring the victims and the votive offerings^c and the libations and all other things needed for the sacrifices. The high priest is bidden to put on a similar dress^d when he enters the inner shrine to offer incense, because its fine linen is not, like wool, the product of creatures subject to death, and also to wear another, the formation of which is very complicated.^e In this it would seem to be a likeness and copy of the universe. This is clearly shewn by the design. In the first place, it is a circular garment of a dark blue colour throughout, a tunic with a full-length skirt, thus symbolizing the air, because the air is both naturally black and in a sense a full-length robe stretching from the sublunar region above to the lowest recesses of the earth. Secondly, on this is set a piece of woven work in the shape of a breastplate, which symbolizes heaven. For on the shoulder-points there are two emerald stones, a kind of substance which is exceedingly valuable. There is one of these on each side and both are circular, representing the hemispheres, one of which is above and one under but its significance is pointed out at length in *De Ebr.* 86 ff. Cf. *Leg. All.* ii. 56.

^a §§ 84-94. This account and interpretation of the long robe (see Ex. xxviii.) follow closely that of *Mos.* ii. 109-135, and the differences, mainly in the treatment of the two mysterious objects called in the LXX Clear shewing and Truth (E.V. Urim and Thummim), § 88, and of the Bells, § 93, were, together with a comparison of the interpretation of the Bells in *De Mig.* 102 f., discussed in the note in Vol. VI. p. 609, and the discussion need not be repeated here.

- 87 ὑπὸ γῆν ἐστίν. εἴτα πρὸς τοῖς στέρνοις δώδεκα λίθοι πολυτελεῖς τὰς χροὰς διαφέροντες, ἐκ τριῶν τεταγμένοι τετραστοιχεί, πρὸς παράδειγμα τοῦ ζωδιακοῦ τυπωθέντες· καὶ γὰρ ἐκεῖνος ἐκ δώδεκα συνεστὼς ζωδίων τὰς ἐτησίους τέτταρας ὥρας ἀπο-
 88 τελεῖ τρία νείμας εἰς ἐκάστην. σύμπας δ' ὁ τόπος καλεῖται λογεῖον ἐτύμως, ἐπειδὴ τὰ ἐν οὐρανῷ πάντα λόγοις καὶ ἀναλογίαις δεδημιούργηται καὶ συντέτακται· τῶν γὰρ ἐκεῖ τὸ παράπαν ἄλογον οὐδέν. ἐπὶ δὲ τοῦ λογείου διττὰ ὑφάσματα καταποικίλλει προσαγορεύων τὸ μὲν δῆλωσιν, τὸ δὲ
 89 ἀλήθειαν. αἰνίττεται δὲ διὰ μὲν τῆς ἀληθείας, ὅτι οὐρανοῦ τὸ παράπαν ψεῦδος ἐπιβαίνειν οὐ θεμιτόν, ἀλλὰ τοῦθ' ἅπαν εἰς τὸν περίγειον πεφυγάδευται χῶρον ψυχαῖς ἐναγῶν ἀνθρώπων εἰσοικιζόμενον, διὰ δὲ τῆς δηλώσεως, ὅτι αἱ κατ' οὐρανὸν φύσεις ἕκαστα δηλοῦσι τῶν παρ' ἡμῖν, ἃ καθ' αὐτὰ πάντως
 90 ἂν ᾗν ἄγνωστα. σημεῖον δ' ἐναργέστατον· εἰ μὴ φῶς ἡλίου¹ ἀνέλαμψε, πῶς ἂν αἱ τῶν σωμάτων ἀμύθητοι ποιότητες διεφάνησαν, πῶς δ' ἂν αἱ πολύμορφοι τῶν χρωμάτων καὶ σχημάτων ἰδέαι; ἡμέρας δὲ καὶ νύκτας μῆνάς τε καὶ ἐνιαυτοὺς καὶ συνόλως χρόνον τίς ἀνέδειξεν ὅτι μὴ σελήνης καὶ ἡλίου καὶ τῶν ἄλλων ἀστέρων αἱ ἐναρμόνιοι καὶ
 91 παντὸς λόγου κρείττους περιφοραί; τίς δὲ τὴν

¹ So R and the Armenian. The other mss. have φῶς ἡλῖος or φῶς ἡλῖος δ'. Cohn prints φῶς, ἡλίου ἡλῖος, appealing to § 279 below, but there the "sun's sun" is God. He also cites (*Hermes*, 1908, p. 187) *De Op.* 31 as representing light as the source of the sun, but that light is the φῶς νοητόν, an idea which is not, I think, suited to this passage. For further discussion see App. p. 620.

THE SPECIAL LAWS, I. 87-91

the earth. Then on the breast there are twelve 87
precious stones of different colours, arranged in four
rows of three each, set in this form on the model of
the zodiac, for the zodiac consisting of twelve signs
makes the four seasons of the year by giving three
signs to each.

^aThis part of the dress as 88
a whole is significantly called the reason-seat, be-
cause heaven and its contents are all framed and
ordered on rational principles and proportions, for
nothing there is irrational. On the reason-seat he
embroidered two pieces of woven work, one of which
he called Clear Shewing and the other Truth. By 89
Truth he suggests the thought that no falsehood is
allowed to set foot in heaven but has been banished
entirely to the earthly regions and has its lodging in
the souls of accursed men: by Clear Shewing that
the heavenly beings make clear all things that we
are or do, which in themselves would be altogether
unknown. Here is a self-evident proof. If the light 90
of the sun had never shone, how could the numberless
qualities of bodily things have been perceived? Or
the multiform varieties of colours and shapes? ^bWho
else could have shewn us nights and days and months
and years and time in general except the revolutions,
harmonious and grand beyond all description, of the
sun and the moon and the other stars? How but 91

^a If I understand Philo aright, this description of the dress identifies what in *Mos.* ii. 109 is called the *ἐπωμίς* (there translated "ephod") with the *λογεῖον* or "oracle of judgement" (for the translation "reason-seat" see note on *Mos.* ii. 112), while there the *λογεῖον* is attached by chains to the *ἐπωμίς*.

^b For the general sense of what follows cf. *De Op.* 58-62; also the eulogy of sight, *De Abr.* 158, 159, all of them deriving originally from Plato, *Timaeus* 47.

ἀριθμοῦ φύσιν εἰ μὴ τὰ λεχθέντα κατὰ τὰς τῶν
 μερῶν τοῦ χρόνου συνθέσεις; τίς δὲ τὰς ἐν θα-
 λάσσει καὶ τοσοῦτοις πελάγεσιν ὁδοὺς ἀνέτεμε καὶ
 διέδειξε πλωτῆρσιν εἰ μὴ αἱ τῶν ἀστέρων στροφαὶ
 92 καὶ περίοδοι; σοφοὶ δ' ἄνδρες καὶ μυρία ἄλλα
 παρατηρήσαντες ἀνέγραψαν, ἐκ τῶν οὐρανίων ση-
 μειωσάμενοι νηνεμίας καὶ βίας πνευμάτων, φορὰς
 καὶ ἀφορίας καρπῶν, ἀνειμένα καὶ φλογωδέστατα
 θέρη, χειμῶνας ἐξαισίους καὶ ἐαρίζοντας, αὐχμοὺς
 καὶ ἐπομβρίας, εὐγονίας ζώων καὶ φυτῶν καὶ τοῦ-
 ναντίον ἐκατέρων ἀγονίας καὶ ὅσα τοιουτότροπα·
 πάντων γὰρ ἐστηλίτευται τῶν ἐπὶ γῆς ἐν οὐρανῷ
 τὰ σημεία.

- 93 XVII. Πρὸς δὲ τοῖς κατωτάτω μέρεσι τοῦ
 ποδήρους ἀπηώρηται χρυσοὶ ροῖσκοι κώδωνές τε
 καὶ ἄνθινα· τὰ δ' ἐστὶ σύμβολα γῆς καὶ ὕδατος, γῆς
 μὲν τὰ ἄνθινα, παρόσον βλαστάνει καὶ ἀνθεῖ πάντα
 ἐκ ταύτης, ὕδατος δὲ οἱ ροῖσκοι λεχθέντες ἐτύμως
 παρὰ τὴν ῥύσιν, τὴν δ' ἁρμονίαν καὶ συμφωνίαν καὶ
 συνήχῃσιν τῶν τοῦ κόσμου μερῶν οἱ κώδωνες
 94 ἐμφαίνουσιν. εὖ δ' ἔχει καὶ ἡ θέσις· ἀνωτάτω μὲν,
 ἐν ᾧ οἱ λίθοι, τὸ καλούμενον περιστήθιον, οὐρανοῦ
 μίμημα, διότι καὶ ὁ οὐρανὸς ἀνωτάτω, ὁ δὲ ποδήρης
 [227] ὑπ' αὐτῷ, ὅλος δι' ὅλων ὑακίνθινος, ἐπειδὴ | καὶ ὁ
 ἄηρ μέλας ὢν τὴν μετ' οὐρανὸν δευτέραν τάξιν
 κεκλήρωται, τὰ δ' ἄνθινα καὶ οἱ ροῖσκοι πρὸς τοῖς
 ἐσχάτοις, διότι γῆ καὶ ὕδωρ τὴν κατωτάτω τοῦ
 95 παντὸς μοῖραν ἔλαχον. ἥδ' ἐστὶν ἡ τῆς ἱερᾶς
 ἐσθῆτος κατασκευή, μίμημα τοῦ παντός, θαυμασίον

THE SPECIAL LAWS, I. 91-95

through the same heavenly bodies teaching us to compute the divisions of time could we have learnt the nature of number? Who could have opened and shewn to the voyager his path through the seas and all the expanses of the deep had not the stars as they wheel and revolve in their courses done the work? Numberless other phenomena have been observed and 92 recorded by wise men who by study of the heavenly bodies have marked the signs of calm weather and stormy winds, of plentifulness and scarcity of crops, of mild and scorching summers, of sinister and spring-like winters, of droughts and rainy seasons, of fecundity in animals and plants and on the other hand of sterility in both and all other matters of the same kind. For of all the things that happen upon earth, the signs are graven in the face of heaven.

XVII. At the very lowest part of the skirt there 93 are appended golden pomegranates and bells and flower-work, symbols of earth and water : the flower patterns of earth because they grow and flower out of it, the pomegranate or flowing fruit, of water, the name preserving its derivation from "flowing," while the bells shew forth the harmony and concord and unison of the parts of the universe. The order in 94 which the parts are arranged is also admirable. At the very top is what he calls the breastpiece in which are placed the stones, a copy of heaven because heaven also is at the top. Then under it the full-length skirt, dark blue right through because the air also is black and occupies the second position below the heaven, and the flower-work and pomegranates at the extremities because to earth and water is allotted the lowest place in the universe. Such is 95 the form in which the sacred vesture was designed,

- ἔργον καὶ ὀφθῆναι καὶ νοηθῆναι· καὶ γὰρ ὅψιν ἔχει καταπληκτικωτάτην οἷαν οὐδέν ὕφασμα τῶν παρ' ἡμῖν ἔνεκα ποικιλίας ὁμοῦ καὶ πολυτελείας καὶ
- 96 νόησιν τὴν περὶ τῶν αὐτῆς μερῶν φιλόσοφον. βούλεται γὰρ τὸν ἀρχιερέα πρῶτον μὲν εἰκόνα τοῦ παντὸς ἔχειν ἐμφανῇ περὶ ἑαυτόν, ἵν' ἐκ τῆς συνεχοῦς θεᾶς ἄξιον παρέχῃ τὸν ἴδιον βίον τῆς τῶν ὅλων φύσεως, ἔπειθ' ὅπως ἐν ταῖς ἱερουργίαις συλλειτουργῇ πᾶς ὁ κόσμος αὐτῷ· πρεπωδέστατον δὲ τὸ τὸν ἱερωμένον τῷ τοῦ κόσμου πατρὶ καὶ τὸν υἱόν, τὸ πᾶν,¹ ἐπάγεσθαι πρὸς θεραπείαν τοῦ δε-
- 97 δημιουργηκότος καὶ γεγεννηκότος. ἔστι δὲ καὶ τρίτον τι τῆς ἱερᾶς ἐσθῆτος σύμβολον ἀναγκαῖον μὴ ἡσυχασθῆναι· τῶν μὲν γὰρ ἄλλων οἱ ἱερεῖς ὑπὲρ οἰκείων καὶ φίλων καὶ πολιτῶν αὐτὸ μόνον εἰώθασιν τὰς τε εὐχὰς καὶ θυσίας ἐπιτελεῖν, ὁ δὲ τῶν Ἰουδαίων ἀρχιερεὺς οὐ μόνον ὑπὲρ ἅπαντος ἀνθρώπων γένους ἀλλὰ καὶ ὑπὲρ τῶν τῆς φύσεως μερῶν, γῆς, ὕδατος, ἀέρος, πυρός, τὰς τε εὐχὰς καὶ τὰς εὐχαριστίας ποιεῖται, τὸν κόσμον, ὅπερ ἐστὶ ταῖς ἀληθείαις, ἑαυτοῦ πατρίδα εἶναι νομίζων, ὑπὲρ ἧς ἱκεσίαις καὶ λιταῖς εἴωθεν ἐξευμενίζεσθαι τὸν ἡγεμόνα ποτνιώμενος τῆς ἐπιεικοῦς καὶ ἱλεω φύσεως αὐτοῦ μεταδιδόναι τῷ γενομένῳ.
- 98 XVIII. Ταῦθ' ὑπειπὼν προσνομοθετεῖ κελεύων τὸν προσιόντα τῷ βωμῷ καὶ ψαύοντα θυσιῶν, ἐν ᾧ χρόνῳ τέτακται τὰς ἱερὰς λειτουργίας ἐπιτελεῖν, μήτ' οἶνον μήτε τι ἄλλο μέθυσμα πίνειν, τεττάρων

¹ So Cohn combining the τὸν υἱὸν of some authorities with the τὸ πᾶν of others. On ἱερωμένον see App. p. 620.

^a See Lev. x. 8-11, and cf. *De Ebr.* 130 f.

THE SPECIAL LAWS, I. 95-98

a copy of the universe, a piece of work of marvellous beauty to the eye and the mind. To the eye it presents a most amazing appearance transcending any woven work that we possess in variety and costliness, to the mind the philosophical conceptions which its parts suggest. For it expresses the wish first 96 that the high priest should have in evidence upon him an image of the All, that so by constantly contemplating it he should render his own life worthy of the sum of things, secondly that in performing his holy office he should have the whole universe as his fellow-ministrant. And very right and fit it is that he who is consecrated to the Father of the world should take with him also that Father's son, the universe, for the service of the Creator and Begetter.

There is also a third truth symbolized 97 by the holy vesture which must not be passed over in silence. Among the other nations the priests are accustomed to offer prayers and sacrifices for their kinsmen and friends and fellow-countrymen only, but the high priest of the Jews makes prayers and gives thanks not only on behalf of the whole human race but also for the parts of nature, earth, water, air, fire. For he holds the world to be, as in very truth it is, his country, and in its behalf he is wont to propitiate the Ruler with supplication and intercession, beseeching Him to make His creature a partaker of His own kindly and merciful nature.

XVIII.^a After saying this by way of prelude, he 98 proceeds to lay down another statute commanding that he who approaches the altar and handles the sacrifices should not during the time in which it is his duty to perform the sacred rites drink wine or any other intoxicant, and this for four most cogent reasons :

- 99 ἔνεκα τῶν ἀναγκαιοτάτων, ὅκνου καὶ λήθης καὶ ὕπνου καὶ ἀφροσύνης. ἄκρατος γὰρ τὰς μὲν τοῦ σώματος δυνάμεις ἀνιῖς δυσκινήτοτερα τὰ μέλη ποιεῖ καὶ ὀκνηροτέρους ἀπεργάζεται καὶ βία καταδρθάνειν ἀναγκάζει, τοὺς δὲ τῆς ψυχῆς τόνους ἐπιχαλῶν λήθης ὁμοῦ καὶ ἀφροσύνης αἴτιος γίνεται· νήφοντος δὲ τὰ τε μέρη τοῦ σώματος ἐπελαφρίζομενα εὐκινήτοτερα αἱ τε αἰσθήσεις καθαρώτεραι καὶ εἰλικρινέστεραι ὅ τε νοῦς ἐξυωπέστερος, ὥς καὶ προϋδέσθαι πράγματα δύνασθαι καὶ ἂ πρότερον
- 100 εἶδεν ἀπομνημονεῦσαι. συνόλως μὲν οὖν τὴν οἴνου χρήσιν ἅπασιν τοῖς κατὰ τὸν βίον ἀλυσιτελεστάτην ὑποληπτέον, ψυχῆς πιεζομένης, αἰσθήσεων ἀμανρουμένων, βαρυνομένου σώματος—ἐλεύθερον γὰρ καὶ ἄφετον οὐδὲν ἔῃ τῶν παρ' ἡμῖν, ἀλλ' ἐκάστω πρὸς ὃ πέφυκεν ἐμπόδιός ἐστιν,—ἐν δὲ ταῖς ἀγίστειαις καὶ ἱεουργίαις τὸ βλάβος | ἀργαλεώτερον, ὅσω καὶ τὸ περὶ θεὸν ἐξαμαρτεῖν τοῦ περὶ ἄνθρωπον ἀφορητότερον. ὅθεν εἰκότως προστέτακται νηφάλιους¹ θύειν, “ εἰς διαστολὴν καὶ διάκρισιν ἀγίων καὶ βεβήλων καὶ καθαρῶν καὶ ἀκαθάρτων ” καὶ νομίμων καὶ παρανόμων.
- 101 XIX. Ἐπεὶ δ' ὁ ἱερεὺς πολὺ πρότερον ἀνὴρ ἐστι καὶ ταῖς πρὸς συνουσίαν ὁρμαῖς ἐξ ἀνάγκης ὀφείλει χρῆσθαι, γάμον αὐτῷ μνᾶται παρθένον καθαρᾶς καὶ ἐκ καθαρῶν γονέων καὶ πάππων καὶ προγόνων εἰς τε καλοκάγαθίαν καὶ εὐγένειαν ἀριστίνδην ἐπι-

¹ MSS. νηφάλια.

THE SPECIAL LAWS, I. 98-101

the dangers of slackness, forgetfulness, sleep and foolish behaviour. For strong drink enervates the 99 bodily faculties, and makes the limbs more difficult to move, increases the tendency to sluggishness in a man, and irresistibly forces him to fall asleep, while by relaxing the sinews of the soul it produces both forgetfulness and foolish conduct. When he is sober, his bodily parts are buoyant and easier to move, the senses are clearer and brighter and the mind keener-sighted, so that it can foresee events and recount what it has seen in the past. In general, indeed, wine 100 must be regarded as very unprofitable for every side of life, since it presses hard upon the soul, dulls the senses and weighs down the body, leaving none of our faculties free and untrammelled but hampering the natural activity of each. But in religious rites and ceremonies the mischief is graver in the same degree as it is more intolerable to offend against our duty to God than our duty to man. Thus it is a very proper enactment that the officiants at the sacrifice should fast from wine, "to discern and distinguish between holy and profane, clean and unclean," lawful and unlawful.^a

XIX. Since a priest is a man well before he^b is 101 a priest and must and should feel the instinct for mating, Moses arranges for his marriage with a pure virgin whose parents and grandparents and ancestors are equally pure, highly distinguished for the excel-

quotation of Lev. x. 10, but the addition "lawful and unlawful," also represents v. 11 "to teach the sons of Israel all the statutes" (LXX νόμματα).

^b Or "primarily a man, and only secondarily a priest," πολὺ πρότερον not indicating time or even importance, but that the genus comes before the species.

- 102 κριθέντων. πόρνη μὲν γὰρ καὶ βεβήλω σῶμα καὶ
 ψυχὴν οὐδὲ προσελθεῖν¹ ἔα, καὶ τὴν ἐργασίαν ἀπο-
 θεμένη σχῆμα κόσμιον καὶ σῶφρον ὑποδύηται, διὰ
 τὸ τὴν ἀρχαίαν προαίρεσιν ἀνιέρον αὐτῇ γενέσθαι.
 αὕτη δὲ πρὸς μὲν τὰ ἄλλα ἐπιτιμίαν ἔχέτω σπου-
 δάσασα μiasμάτων καθαρεῦσαι· μετάνοια γὰρ
 ἀδικημάτων ἐπαινετόν· καὶ μηδεὶς ἕτερος αὐτὴν
 ἄγεσθαι κεκωλύσθω, ἱερεὶ δὲ μὴ προσίτω· τὰ γὰρ
 ἱερωσύνης ἐξαιρέτα δίκαια συμφωνίαν ἐπιζητούσης
 τὴν ἀπὸ γενέσεως [ἀρχῆς] ἄχρι τελευτῆς ἀνυπαίτιον.
- 103 εὐθες γὰρ διὰ μὲν τὰς ἐκ τῶν τραυμάτων ἐπιγενο-
 μένας οὐλὰς ἐν τοῖς σώμασιν εἶργεσθαί τινας
 ἱερωσύνης, αἱ σύμβολον ἀτυχίας, οὐ μοχθηρίας,
 εἰσί, τὰς δὲ μὴ κατ' ἀνάγκην μόνον ἀλλ' ἔστιν ὅτε
 καὶ ἐκουσίους γνώμας πεπρακυίας τὴν ἰδίαν ὥραν,
 ἐπειδήπερ ὅψε καὶ μόλις μετέγνωσαν, εὐθύς ἀπὸ
 ἐραστῶν ἱερεῦσιν ἀρμόζεσθαι καὶ ἀπὸ χαμαιτυ-
 πείων εἰς ἱερὰ χωρία μετοικίζεσθαι· μένουσι γὰρ
 οὐδὲν ἥττον ἐν ταῖς ψυχαῖς τῶν μετανοούντων οὐλαὶ
- 104 καὶ τύποι τῶν ἀρχαίων ἀδικημάτων. εὖ καὶ
 παγκάλως ἐν ἑτέροις διείρηται “μηδὲ μίσθωμα
 πόρνης εἰσκομίζειν εἰς τὸ ἱερόν”· καίτοι τό γε
 νόμισμα καθ' αὐτὸ οὐκ ἔνοχον, ἀλλὰ διὰ τὴν
 λαβοῦσαν καὶ τὴν πράξιν ἐφ' ἧ δέδοται. σχολῇ γ'

¹ MSS. προσιδεῖν.

^a See Lev. xxi. 7 (not as Cohn, 13, 14, which refer to the high priest), “They shall not take a woman that is a harlot or profane, or a woman put away from her husband.” By a “pure virgin” Philo, as appears from § 108, means that if she is unmarried she must be pure. The instruction to inquire into her lineage has no scriptural authority. But Josephus, *Contra Apion*. i. 31, entirely supports it as a

THE SPECIAL LAWS, I. 102-104

lence of their conduct and lineage.^a For a harlot is 102
profane in body and soul, even if she has discarded her
trade and assumed a decent and chaste demeanour,
and he is forbidden even to approach her, since her
old way of living was unholy. Let such a one indeed
retain in other respects her civic rights as she has
been at pains to purge herself from her defilements,
for repentance from wrongdoing is praiseworthy.
Nor let anyone else be prevented from taking her
in marriage, but let her not come near to the priest.
For the rights and duties of the priesthood are of a
special kind, and the office demands an even tenor
of blamelessness from birth to death. It would be 103
foolish if, while the bodily scars which wounds leave
behind them, marks of misfortune and not of de-
pravity, preclude one from the priesthood, the women
who have sold their personal charms not only under
compulsion but sometimes by free and deliberate
choice, should just because of a belated and reluctant
repentance pass straight from their lovers to wedlock
with the priests and exchange the stews for a lodging
in holy ground. For in the souls of the repentant
there remain, in spite of all, the scars and prints of
their old misdeeds.^b It is well and admirably said in 104
another place,^c "Neither shall the hire of a harlot be
brought into the Temple," though the coins are not
guilty in themselves but only because of the recipient
and the business for which it was given her. Surely

practice, "He must inquire into her pedigree, obtaining the
genealogy from the archives and producing a number of
witnesses." Josephus goes on to say that the practice is
observed among the Jews of Egypt, Babylonia, and else-
where, as much as in Palestine.

^b See App. p. 620.

^c Deut. xxiii. 18.

ἂν ἔτι προσοῖτό τις εἰς κοινωνίαν ἱερέων γυναῖκας, ὧν καὶ τὰ χρήματα βέβηλα καὶ παράσημα, εἰ καὶ ταῖς ὕλαις καὶ τοῖς χαρακτῆρσι δόκιμα.

- 105 XX. Τὰ μὲν οὖν περὶ γάμον οὕτως ἡκρίβωται τῷ ἀρχιερεῖ, ὥστ' οὐδὲ χήραν ἐφέϊται γαμεῖν αὐτῷ, οὔτε τετελευτηκότος ἀνδρὸς μονωθεῖσαν οὔτε ἀπηλλαγμένην ἔτι ζῶντος, ἵνα πρῶτον μὲν εἰς ἄβατον καὶ καθαρὰν ἄρουραν ὁ ἱερὸς σπόρος χωρῇ καὶ μηδεμίαν κρᾶσιν αἱ γοναὶ πρὸς ἑτέραν οἰκίαν λαμβάνωσιν, εἶτα δ' ὅπως ἀκακωτάταις καὶ ἀδιαστρόφοις ταῖς ψυχαῖς συνερχόμενοι ῥαδίως δια-
[229] πλάττωσι τὰ | ἥθη καὶ τοὺς τρόπους αὐτῶν· ὅλκοι γὰρ καὶ εὐάγωγοι διάνοιαι παρθένων πρὸς ἀρετὴν,
106 εἰς διδασκαλίαν ἐτοιμόταται· ἡ δ' ἑτέρου πείραν ἀνδρὸς λαβοῦσα κατὰ τὸ εἶκος ἀπειθεστέρα πρὸς μάθησιν, ἅτε τὴν ψυχὴν ἀκραιφνεστάτην οὐκ ἔχουσα καθάπερ τινὰ λελειασμένον κηρὸν εἰς τρανότητα τῶν ἐγγραφησομένων δογμάτων, ἀλλὰ τραχεῖαν ὑπὸ τῶν προεγχαραχθέντων τύπων, οἱ δυσεξάλειπτοι παραμένοντες ἢ οὐ παραδέχονται σφραγίδας ἑτέρας ἢ παραδεξάμενοι συγγέουσι ταῖς ἑαυτῶν ἀνωμα-
107 λίαις. παρθένον οὖν ὁ ἀρχιερεὺς ἀγέσθω γάμων ἀγνήν· λέγω δὲ παρθένον οὐ μόνον ἥ μὴ ἕτερος ὠμίλησεν, ἀλλὰ καὶ ἐφ' ἣ μηδεὶς ἄλλος ἀνὴρ ὠνομάσθη διὰ τινων ὁμολογιῶν, κἂν ἀγνεύῃ τὸ σῶμα.

^a Lev. xxi. 13, 14.

^b i.e. successive high priests. The use of the plural is odd and might suggest that it refers to the couple; and so

THE SPECIAL LAWS, I. 104-107

one would not care to admit to partnership with the priests the women whose very money is profane and regarded as base, even though the metal and the stamp is true.

XX. ^a So strict are the regulations laid down for the 105 marriage of the high priest that he is not even permitted to marry a widow, whether her isolation is due to the death of her husband or divorce from him while still alive. This is laid down first in order that the holy seed may pass into pure and untrodden soil and the issue receive no admixture with another family.

Secondly, that by mating with souls entirely innocent and unperverted they ^b may find it easy to mould the characters and dispositions of their wives, for the minds of virgins are easily influenced and attracted to virtue and very ready to be taught. But she who has had experience of another husband 106 is naturally less amenable to instruction. For her soul is not one of the completely simple kind like a sheet of wax levelled to show clearly the lessons to be inscribed upon it, but rather like one roughened by the imprints already scored upon it, which resist effacement and either do not yield to the dint of other seals or, if they do, confuse them with their own indentations. Let the high priest then take a virgin 107 who is innocent of marriage. And when I say "virgin" I exclude not only one with whom another man has had intercourse but also one with whom any other has been declared to have an agreement of betrothal, even though her body is that of a maid intact.^c

apparently Heinemann takes it, but it seems to me impossible that Philo should be supposing that the high priest's character is moulded by his wife.

^c See on *Spec. Leg.* iii. 72 (App.).

- 108 XXI. Τοῖς δὲ κατὰ μέρος ἱερεῦσι τὰ μὲν ἄλλα
περὶ γάμων διατέτακται ταῦτ' ἅ καὶ τοῖς τὴν
μεγίστην ἔχουσιν ἱερωσύνην, ἐφέειται δ' οὐ μόνον
παρθένους ἀλλὰ καὶ χήρας, οὐ πάσας ἀλλ' ὧν τε-
τελευτήκασιν ἄνδρες, μετ' ἀδείας ἄγεσθαι. φιλο-
νικίας γὰρ καὶ στάσεις ἐκ τοῦ βίου τῶν ἱερέων
οἶεται δεῖν ὁ νόμος ἀναιρεῖν· πρὸς μὲν οὖν τοὺς
ζῶντας γένοιντ' ἂν ἴσως ἔριδες ἐκ πάθους γυναι-
κείου, ζηλοτυπίας, τοῖς δ' ἀποθανοῦσι συναποθνή-
σκει καὶ τὰ τῆς πρὸς τοὺς δευτέρους ἀνδρας ἔχθρας.
- 109 ἄλλως τε τὸν ἀρχιερέα πλείονος ἐδικαίωσεν ἀγι-
στείας καὶ καθάρσεως ὥσπερ ἐν ἅπασι τοῖς ἄλλοις
καὶ ἐν γάμου κοινωνίᾳ μεταλαχεῖν, οὐκ ἐάσας ὅτι
μὴ κόρην ἄγεσθαι· τοῖς δὲ τῆς δευτέρας τάξεως
ὑπανῆκε τὰ περὶ συνόδους γυναικῶν, ἐφίεις καὶ
πεπειραμένους ἐτέρων ἀνδρῶν ἐγγυᾶσθαι.
- 110 XXII. πρὸς δὲ τούτῳ καὶ τὸ γένος ἠκρίβωσε τῶν
μελλουσῶν γαμεῖσθαι, προστάξας τῷ μὲν ἀρχιερεῖ
μᾶσθαι μὴ παρθένον μόνον ἀλλὰ καὶ ἱέρειαν ἐξ
ἱερέων, ἵν' ἐκ μιᾶς οἰκίας καὶ τρόπον τινὰ τοῦ
αὐτοῦ αἵματος ὧσι νυμφίος τε καὶ νύμφη πρὸς
ἀρμονίαν ἐπιδειξάμενοι παρ' ὅλον τὸν βίον κρᾶσιν
- 111 ἡθῶν βεβαιοτάτην. ἐπετράπη δὲ τοῖς ἄλλοις καὶ

^a Or "ordinary." So Heinemann; Mangey "privatis." But all these are strange uses for the phrase which should mean the several or particular priests, like οἱ κατὰ μέρος νόμοι. Possibly it means the priests who stood by themselves as a μέρος of the whole class, the other μέρος being the high priest, and so almost—"as a class." So perhaps ἀρχοντος ἐν μέρει, § 226.

^b Lev. xxi. 7. The permission is reasonably deduced from the prohibition to marry the divorced.

THE SPECIAL LAWS, I. 108-111

XXI. As for the subordinate^a priests, while the 108 other marriage regulations are the same for them as for those who hold the highest priesthood, they are permitted to wed with immunity not only virgins but widows,^b though only such as have lost their husbands by death. This limitation is due to the desire of the law to remove animosities and feuds from the lives of the priests. While the first husband lives, quarrels might be engendered by the feminine proclivity to jealousy.^c His death carries with it the death of any hostility to the second husband. As for 109 the distinction between priests and high priests, the view of the law was that the greater sanctity and purity required of the latter in all other matters should be extended to his choice of a partner in marriage, and therefore it forbade him to take to wife any but a maiden. But to those of the second rank it made concessions as to their relations with women and permitted them to espouse such as had had experience of other husbands.

XXII. Further, it made clear distinctions as to the 110 birth of the intended wives. The high priest must not propose marriage save to one who is not only a virgin but a priestess descended from priests,^d so that bride and bridegroom may be of one house and in a sense of the same blood and so, harmoniously united, shew a lifelong blending of temperament firmly established. But the rest are permitted to marry 111

^c As the jealousy is clearly that felt by one or both of the husbands, I do not see the point of "feminine" unless it means that such a feeling is natural in a woman, but disgraceful to a man. Some word expressing "excited by a passion for women," like *γυναικομανοῦς*, seems to be wanted.

^d So Philo interprets Lev. xxi. 14 *ἐκ τοῦ γένους αὐτοῦ* and in the next verse, *ἐκ τοῦ λαοῦ αὐτοῦ* (E.V. "of his own people").

μὴ ἱερέων γαμεῖν θυγατέρας, τῇ μὲν ὅτι μικρὰ τούτων καθάρσια, τῇ δ' ὅτι τὸ ἔθνος οὐκ ἐβουλήθη γενεᾶς εἰς ἅπαν ἱερατικῆς ἀμοιρῆσαι τε καὶ παντελῶς ἀπεξεῦχθαι.¹ δι' ἣν αἰτίαν οὐκ ἐκώλυσε τοὺς ἄλλους ἱερέας ἐπιγαμίας ποιεῖσθαι πρὸς τοὺς ἀπὸ [230] τοῦ ἔθνους, | αἵπερ εἰσὶ δεύτεραι συγγένειαι· γαμβροὶ γὰρ ἀνθ' υἱῶν πενθεροῖς καὶ ἀντὶ πατέρων γαμβροῖς πενθεροί.

112 XXIII. Τὰ μὲν δὴ περὶ γάμου ταῦτα καὶ τὰ τούτοις ὅμοια χάριν παίδων γενέσεως. ἐπεὶ δ' ἔπεται γενέσει φθορά, καὶ τοὺς ἐπὶ τελευταῖς ἀνέγραψε τοῖς ἱερεῦσι νόμους, κελεύσας μὴ ἐφ' ἅπασιν αὐτοὺς μιαίνεσθαι τοῖς ὅπως οὖν ἢ κατὰ φιλίαν ἢ κατὰ συγγένειαν ὤκειωμέναις, ἀλλ' ἐπὶ μόνοις πατράσι καὶ μητράσιν, υἱοῖς καὶ θυγατράσιν,

113 ἀδελφοῖς καὶ ἀδελφαῖς παρθένοις. τὸν δ' ἀρχιερέα παντὸς πένθους ὑπεξείλετο· καὶ μήποτ' εἰκότως· τὰς μὲν γὰρ τῶν ἄλλων ἱερέων ὑπηρεσίας ἀνθ' ἑτέρων ἕτεροι λειτουργεῖν δύνανται, ὥς, κὰν πενθῶσί τινες, μηδὲν τῶν ἐξ ἔθους ὑστερίζειν, τὰς δὲ τοῦ ἀρχιερέως οὐδενὶ δρᾶν ἐφέϊται. παρ' ἣν αἰτίαν ἀμίαντος αἰεὶ διατελείτω μὴ προσαπτόμενος νεκροῦ σώματος, ὅπως τὰς ὑπὲρ τοῦ ἔθνους εὐχὰς καὶ θυσίας ἔτοιμος ὦν ἐν καιροῖς τοῖς προσήκουσιν
114 ἀκωλύτως ἐπιτελῇ. καὶ γὰρ ἄλλως προσκεκληρωμένος θεῷ καὶ τῆς ἱερᾶς τάξεως γεγονὼς ταξίαρχος ὀφείλει πάντων ἀλλοτριοῦσθαι τῶν ἐν γενέσει, μὴ

¹ MSS. ἀποξεῦξαι.

^a Deduced from the absence of the prohibition which Philo believes to be imposed on the high priest.

^b καθάρσια usually means purificatory rites, but here, like

THE SPECIAL LAWS, I. 111-114

the daughters of others than priests ^a partly because the restrictions required to ^b maintain their purity are slight, partly because the law did not wish that the nation should be denied altogether a share in the priestly clanship or be entirely excluded from it. This was the reason why he did not forbid the other priests to intermarry with the laity of the nation, for intermarriage is kinship in the second degree. Sons-in-law are sons to their fathers-in-law, and the latter are fathers to the former.

XXIII. These and similar regulations as to marriage are intended to promote the generation of children, but since generation is followed by dissolution, he has laid down laws for the priests dealing with deaths.^c In these he ordains that they should not incur defilement for all connected with them by friendship or kinship whatever the degree, but only for fathers and mothers, sons and daughters, brothers and maiden sisters. But the high priest is precluded ¹¹² from all outward mourning and surely with good reason.^d For the services of the other priests can be performed by deputy, so that if some are in mourning none of the customary rites need suffer. But no one else is allowed to perform the functions of a high priest and therefore he must always continue undefiled, never coming in contact with a corpse, so that he may be ready to offer his prayers and sacrifices at the proper time without hindrance on behalf of the nation. Further, since he is dedicated to God and ¹¹⁴ has been made captain of the sacred regiment, he ought to be estranged from all the ties of birth and

κάθαρσις in § 109, seems to be used of what keeps a person pure.

^c See Lev. xxi. 1-3.

^d See Lev. xxi. 10-12.

- γονέων, μὴ τέκνων, μὴ ἀδελφῶν εὐνοίας οὕτως ἡττώμενος, ὥς ἢ παρελθεῖν ἢ ὑπερθέσθαι τι τῶν
- 115 ὁσίων, ὃ πραχθῆναι πάντως αὐτίκα ἄμεινον. κελεύει δὲ μήτε τὰ ἱμάτια περιρρήττειν ἐπὶ τοῖς οἰκειοτάτοις ἀποθανοῦσι μήτε ἀφαιρεῖν ἀπὸ τῆς κεφαλῆς τὰ παράσημα τῆς ἱερωσύνης μήτε συνόλως ἐκ τῶν ἁγίων ἐξιέναι κατὰ πρόφασιν πένθους, ἵνα καὶ τὸν τόπον αἰδούμενος καὶ τὰ περὶ ἑαυτὸν προκοσμήματα οἷς ἀνέστεπται, κρείττων οἴκτου γενόμενος, ἄλυπος εἰς αἰεὶ διατελῇ. βούλεται γὰρ αὐτὸν ὁ νόμος μείζονος μεμοιραῖσθαι φύσεως ἢ κατ' ἀνθρώπον, ἐγγυτέρω προσιόντα τῆς θείας, μεθόριον, εἰ δεῖ τὰληθὲς λέγειν, ἀμφοῖν, ἵνα διὰ μέσου τινὸς ἀνθρώποι μὲν ἰλάσκωνται θεόν, θεὸς δὲ τὰς χάριτας ἀνθρώποις ὑποδιακόνῳ τινὶ χρώμενος ὀρέγῃ καὶ χορηγῇ.
- 117 XXIV. Ταῦτ' εἰπὼν ἐξῆς εὐθὺς¹ νομοθετεῖ περὶ τῶν χρησομένων ταῖς ἀπαρχαῖς. ἐὰν οὖν τις, φησί, τῶν ἱερέων ὀφθαλμοὺς ἢ χεῖρας ἢ βάσεις ἢ τι μέρος ἄλλο πηρωθῇ τοῦ σώματος ἢ καὶ τινα μῶμον ἐνδέξῃται, λειτουργιῶν μὲν ἀνεχέτω διὰ τὰς ἐγγενομένας κῆρας, τὰ δὲ κοινὰ τῶν ἱερέων γέρα
- 118 καρπούσθω διὰ τὴν ἀνυπαίτιον εὐγένειαν. ἐὰν μέντοι λέπραι τινὸς ἐξανθήσασαι κατάσχωσιν ἢ καὶ γονορρυῆς τις γένηται τῶν ἱερέων, μήτε τραπέζης ἱερᾶς ψαυέτω μήτε τῶν προκειμένων ἄθλων τῷ γένει, μέχρις ἂν ἢ τε ῥύσις ἐπίσχη καὶ ἢ λέπρα μεταβαλοῦσα τῷ τῆς ὑγιоῦς σαρκὸς ἐξομοιωθῇ

¹ Some mss. ἐξῆς, others εὐθὺς.

^a Cf. *De Som.* ii. 188.

^b See Lev. xxi. 17 f., already cited on § 80. Here the stress

THE SPECIAL LAWS, I. 114-118

not be so overcome by affection to parents or children or brothers as to neglect or postpone any one of the religious duties which it were well to perform without any delay. He forbids him also either to rend his 115 garments for his dead, even the nearest and dearest, or to take from his head the insignia of the priesthood, or on any account to leave the sacred precincts under the pretext of mourning. Thus, showing reverence both to the place and to the personal ornaments with which he is decked, he will have his feeling of pity under control and continue throughout free from sorrow. For the law desires him to be endued with 116 a nature higher than the merely human and to approximate to the Divine, on the border-line,^a we may truly say, between the two, that men may have a mediator through whom they may propitiate God and God a servitor to employ in extending the abundance of His boons to men.

XXIV. These rules are followed directly by his 117 legislation on those who are to share in the first-fruits. ^b If any of the priests, he tells us, has lost the use of his eyes or hands or feet or any part of his body, or suffers from any defect, he must refrain from officiating because of the afflictions which have befallen him, but he may enjoy the privileges common to the priests because his pure lineage still remains without reproach. ^c If, however, leprous eruptions 118 appear upon him or he is suffering from seminal issue, the priest must not touch the holy table or any of the prizes to which his clan is entitled until in the one case the issue has ceased, in the other the leprosy is converted into a resemblance to the hue of healthy flesh.

is on v. 22 "the gifts of God are most holy and he shall eat of the holy" (LXX).

^c See Lev. xxii. 4-7.

- 119 χρώματι. καὶν προσάψεται μέντοι τις ὅτου δήποτε
 [231] τῶν | ἀκαθάρτων ἱερεὺς ἢ καὶ νύκτωρ, οἷα φιλεῖ
 πολλάκις, ὀνειρώξῃ, τὴν ἡμέραν ἐκείνην μηδὲν
 προσφερέσθω τῶν καθιερωθέντων, λουσάμενος δ'
 ἐπιγενομένης ἐσπέρας χρῆσθαι μὴ κεκωλύσθω.
 120 πάροιχος δ' ἱερέως καὶ μισθωτὸς εἰργέσθω τῶν
 ἀπαρχῶν, ὁ μὲν πάροιχος, ἐπειδὴ γείτονες τὰ πολλὰ¹
 συνέστιοι καὶ ὁμοτράπεζοι· δέος γάρ, μὴ προῆταί
 τις τὰ καθιερωθέντα προφάσει καταχρησάμενος εἰς
 ἀσέβειαν ἀκαίρῳ φιλανθρωπία· μεταδοτέον γάρ οὐ
 πᾶσι πάντων, ἀλλὰ τῶν ἐφαρμοζόντων τοῖς ληψο-
 μένοις· εἰ δὲ μὴ, τὸ κάλλιστον καὶ λυσιτελέστατον
 τῶν ἐν τῷ βίῳ, τάξις, ἀναιρεθήσεται ὑπὸ τοῦ
 121 βλαβερωτάτου παρενημερηθεῖσα, συγχύσεως. εἰ
 γὰρ ἴσον μὲν μέρος² ἐν ὀλκάσιν οἷσονται ναῦται
 κυβερνήταις, ἴσον δὲ ἐν ταῖς μακραῖς τριήρεσι
 τριηράρχοις³ καὶ ναυάρχοις ἐρέται καὶ τὸ ἐπιβατικόν,
 ἐν δὲ στρατοπέδοις ἴσον ἱππεῖς μὲν ἱππάρχοις,
 ὀπλίται δὲ ταξιάρχοις, λοχαγοὶ δὲ στρατηγοῖς, ἐν
 δὲ πόλεσι κρινόμενοι δικασταῖς καὶ βουλευταὶ προ-
 βούλοις καὶ συνόλως ἄρχουσιν ἰδιῶται, ταραχαὶ καὶ
 στάσεις γενήσονται καὶ ἡ <διὰ> λόγων ἰσότης τὴν
 δι' ἔργων ἀνισότητα γεννήσει· τὸ γὰρ τοῖς τὰς ἀξίας
 ἀνομοίοις ὅμοια ἀπονέμειν ἄνισον, τὸ δ' ἄνισον
 122 πηγὴ κακῶν. οὗ χάριν καὶ τὰ γέρα τῶν ἱερέων οὐ
 δοτέον ὥσπερ ἄλλοις οὐδὲ τοῖς παροίοις ἕνεκα τοῦ

¹ Some mss. μὴ πάντες γείτονες, and so Mangey, who perhaps understood it to mean that if the neighbour is one who habitually shared the table of the priest, the danger would be avoided.

² Some mss. omit μὲν, the others μέρος.

³ Some mss. omit τριήρεσι, the others τριηράρχοις.

THE SPECIAL LAWS, I. 119-122

Further, if a priest touches any impure object or, as 119 often happens, has an emission during the night, he must not during that day partake of consecrated food but bathe himself, and after sundown he should not be debarred from its use. But the first-fruits must 120 be kept out of the hands of a dweller near the priest^a or his hired servant; the first is mentioned because board and hospitality are usually given to neighbours, and there is a danger that the consecrated meats may be profaned^b through an untimely generosity abused as a pretext for impiety. For we must not share everything with everyone, but restrict our gifts to what are suitable to the recipient. Otherwise the most excellent and valuable thing which life possesses, order, will be destroyed, vanquished by its most mischievous foe, confusion. For if sailors on merchant vessels 121 were remunerated equally with the pilots, or oarsmen and marines on men-of-war with captains and admirals, or cavalry soldiers in armies with their commanders, or rank and file with their officers, or regimental captains with generals, or in cities litigants with judges, councillors with their chairmen, or in general private individuals with rulers, disturbances and factions would arise and the nominal equality would engender an actual inequality. For like pay for unlike worth is inequality, and inequality is the fountain of evil. On the same principle the general 122 law against giving away the prerogatives of the priests should be extended to the neighbours also. Otherwise they will be handling the forbidden meats

^a See Lev. xxii. 10. Philo evidently takes *πάροικος* = "neighbour" (a sense which the word no doubt can bear). E.V. "sojourner," presumably meaning a stranger residing temporarily (?) with the priest.

^b Lit. "lest one throw away."

- γεινιᾶν ἐφαρμομένοις ὧν οὐ θέμις· οὐ γὰρ οἰκίας
 123 ἀλλὰ γένους ἐστὶν ἡ τιμή. XXV. ὁμοίως
 μέντοι μηδὲ μισθωτῷ μηδεὶς παρεχέτω μήτε μισθὸν
 μήθ' ὑπηρεσίας ἀμοιβὴν ἱερὸν γέρας· χρήσεται γὰρ
 ὁ λαβὼν ἔστιν ὅτε πρὸς ᾧ μὴ δεῖ, βέβηλα τὰ τῆς
 εὐγενείας ἄθλα καὶ τῆς περὶ τὸν νεὼν λειτουργίας
 124 ἀπεργασάμενος. δι' ἣν αἰτίαν οὐδ' ἄλλογενεῖ
 συνόλως ὁ νόμος ἐπιτρέπει μεταλαμβάνειν τῶν
 ἁγίων, καὶ ἐνπατρίδης ὧν τυγχάνη τῶν αὐτοχθόνων
 καὶ πρὸς ἀνδρῶν καὶ πρὸς γυναικῶν ἀνεπίληπτος
 [ὧν], ἵνα αἱ τιμαὶ μὴ νοθεύωνται, μένωσι δ' ἐν τῇ
 125 ἱερατικῇ τάξει βεβαίως φυλαττόμεναι. καὶ γὰρ
 ἄτοπον τὰς μὲν θυσίας καὶ ἱεουργίας καὶ ὅσα ἄλλα
 περὶ τὸν βωμὸν ἁγιστεύεται μὴ πᾶσιν ἀλλὰ τοῖς
 ἱερεῦσι μόνοις ἐπιτετράφθαι, τὰ δὲ ἀντὶ τούτων
 ἄθλα κοινὰ γίνεσθαι καὶ τῶν ἐπιτυχόντων, ὥς δέον
 μὲν πόνοις πολλοῖς καὶ καμάτοις καὶ ταῖς μεθ'
 ἡμέραν καὶ νύκτωρ φροντίσιν ἀποτρύχειν τοὺς
 ἱερέας, τὰ δ' ἄθλα κοινὰ καὶ τοῖς ἀργουῦσιν ἀπο-
 126 φαίνειν. οἰκογενεῖ δέ, φησὶν, καὶ ἀργυ-
 ρωνήτῳ μεταδιδότῳ δεσπότης ἱερεὺς σιτίων καὶ
 ποτῶν ἐκ τῶν ἀπαρχῶν· πρῶτον μὲν ὅτι θεράποντι
 πόρος εἰς ὃ δεσπότης, ὁ δὲ τοῦ δεσπότητος κλήρος αἱ
 ἱεραὶ φιλανθρωπίαι, ἐξ ὧν ἀνάγκη τὸν δοῦλον
 127 τρέφεσθαι· δεύτερον δ' ὅτι τὰ γενησόμενα πάντως
 ἀνάγκη δρᾶν ἐκόντας· οἱ δ' οἰκέται, καὶ μὴ θέ-
 λωμεν, αἵτε αἰὲ συνόντες καὶ συνδιαιτώμενοι, σιτία

* See Lev. xxii. 10: LXX ἄλλογενής, E.V. "stranger," meaning "one who is not a priest." The word might mean "foreigner," but as the LXX uses the same word in v. 12, where Philo interprets it as a non-priest (§ 129), he probably means the same here.

THE SPECIAL LAWS, I. 122-127

just because they live in the vicinity. For the privilege belongs not to a dwelling-house, but to a caste.

XXV. In the same way no one 123 must bestow the sacred prerogative on a hired servant, either as his hire or in exchange for his service. For he will sometimes use the gift for improper purposes, thus profaning the rewards attached to pure lineage and the ministry of the sanctuary. This is the 124 reason why no one at all of alien race,^a even though he be nobly born and of the original stock, without flaw either on the male or the female line, is permitted by the law to share in the sacred things, in order that the privileges may not be tainted with bastardy but remain the securely guarded possessions of the priestly order. For it would be preposterous 125 that while the sacrifices and sacred rites and all the ceremonies of the altar are committed not to all but to the priests alone, the rewards assigned to these offices should become common property and at the service of chance comers, as though it were right to wear out the priests with toil and labour and the cares that beset them night and day and at the same time to allow their rewards to be shared by idlers.

^b But the home-bred or purchased slave, he proceeds, 126 should be given his share in food and drink from the first-fruits by the priest, his master. First, because the servant has no resources but his master, and that master's estate consists of the sacred gifts of charity by which the slave must necessarily be maintained. Secondly, what is sure to come to pass anyhow should 127 most certainly be done voluntarily. Our domestics are always with us and share our lives. They prepare

^a See Lev. xxii. 11.

- [232] | τε καὶ ποτὰ καὶ ὄψα τοῖς δεσπόταις προευτρεπι-
 ζόμενοι καὶ τραπέζαις ἐφeskώτες καὶ τὰ λείψανα
 ἐκκομίζοντες, κὰν μὴ φανερώς λαμβάνωσι, λάθρα
 γοῦν ὑφαιρήσονται, κλέπτειν ὑπὸ τῆς ἀνάγκης
 βιασθέντες, ὡς ἀνθ' ἐνὸς ἐγκλήματος, εἴπερ ἐστὶν
 ἀδίκημα τὸ ἐκ τῶν δεσποτικῶν τρέφεσθαι, καὶ
 ἕτερον προσκατασκευάζεσθαι, κλοπὴν, ἵνα οἱ α
 φῶρες πρὸ τῶν ἀνυπαιτίως ζώντων ἀπολαύσωσι
 128 τῶν καθιερωθέντων, ὅπερ ἐστὶν ἀτοπώτατον· τρίτον
 καὶ ἐκεῖνο χρή λογίζεσθαι, ὅτι τὰ τῶν ἀπαρχῶν οὐ
 παρόσον ἐπινέμεται τοῖς οἰκέταις ὀλιγορηθήσεται,
 διὰ τὸν δεσποτικὸν φόβον· ἱκανὸς γὰρ οὗτος ἐπι-
 στομίζειν τὴν τινων εὐχέρειαν ῥαθυμεῖν οὐκ ἐφίεις.
 129 XXVI. Ταῦθ' ὑπειπὼν φιλανθρωπίας μεστὸν
 νόμον ἐξῆς ἀναγράφει. ἐὰν θυγάτηρ, φησὶν, ἱερέως
 γημαμένη μὴ ἱερεῖ χηρεύσῃ, τελευτήσαντος ἀνδρὸς
 ἢ καὶ ἔτι ζώντος, ἅπαις καταλειφθεῖσα, πάλιν ἐπὶ
 τὸν πατρῶον οἶκον ἐπανερχέσθω μεταληφομένη τῶν
 ἀπαρχῶν, ὧν καὶ ἡνίκα παρθένος ἦν ἐκοινώνει·
 τρόπον γάρ τινα καὶ νῦν ἐστὶ δυνάμει παρθένος ἢ
 καὶ ἀνδρὸς καὶ παιδων ἔρημος, οὐδεμίαν ἑτέραν
 130 ἔχουσα καταφυγὴν ὅτι μὴ τὸν πατέρα. υἱῶν δὲ
 ὄντων ἢ θυγατέρων, ἀνάγκη τὴν μητέρα τοῖς τέκ-
 νοις συντετάχθαι· υἱοὶ γὰρ² καὶ θυγατέρες τῆς τοῦ
 γεννήσαντος οἰκίας ὄντες εἰς ταύτην συνεφέλκονται
 καὶ τὴν μητέρα.³
 131 XXVII. Τοῖς ἱερεῦσιν οὐκ ἀπένειμε χώρας ἀπο-

¹ MSS. πρὸς τῶν or τρόπον.

² MSS. δέ.

³ Here the mss. insert the heading Γέρα ἱερέων.

^a i.e. if the sacred meats are pilfered and eaten on the sly, they would be treated irreverently; but if they are eaten openly and under supervision, this danger is avoided.

THE SPECIAL LAWS, I. 127-131

the ordinary food and drink and additional dishes for their masters, stand by the table and carry out the remains. Whether we wish it or not, they will even if they do not take them openly, pilfer them on the sly. Thus they are compelled perforce to steal and instead of a single indictment, if indeed it is an offence to feed off the master's viands, a second is provided, namely, stealing, with the result that the enjoyment of the consecrated meats appears to fall to thieves instead of to those who live a blameless life, which is the height of absurdity. There is a third point for consideration. The dignity of the first-fruits will not be brought into contempt because they are shared by the servants. The fear of the master will prevent this, for by keeping them from idle habits he is able to check any light conduct on their part.^a 128

XXVI. As a sequel to this he proceeds to lay down a law full of humane feeling.^b If the daughter of a priest, he says, is widowed after marrying one who is not a priest, either by his death or divorce during his lifetime, and left without children, she should return to her father to regain the share in the first-fruits which she enjoyed as a virgin. For she is still in a sense virtually a virgin, destitute as she is of both husband and children and with no refuge except her father. But if there are sons or daughters, the mother must take her place with her children.^c For sons and daughters belong to the house of the male parent and carry with them into it the mother also.^d 129 130

XXVII. The priests were not allotted a section of 131

^b See Lev. xxii. 13.

^c A reasonable deduction from the above.

^d Here the mss. give the heading "Privileges of the Priests." In Cohn a fresh numeration of chapters.

τομὴν ὁ νόμος, ἵν' ὡς ἕτεροι τὰς ἀπὸ τῆς γῆς
 καρπούμενοι προσόδους τῶν ἀναγκαίων εὐπορώσιν,
 ἀλλ' ὑπερβολῇ χρησάμενος τιμῆς τὸν θεὸν ἔφη
 κλῆρον αὐτῶν εἶναι, κατ' ἀναφορὰν τὴν ἐπὶ τὰ
 καθιερούμενα, дуεῖν ἔνεκα, τῆς τε ἀνωτάτω τιμῆς,
 ἐπεὶ κοινωνοὶ τῶν κατ' εὐχαριστίαν ἀπονεμομένων
 γίνονται θεῷ, καὶ τοῦ περὶ μόνα πραγματεύεσθαι
 δεῖν τὰ περὶ τὰς ἀγιστείας ὥσπερ τινὰς κλήρων
 [233] ἐπιμελητάς. ἃ δὲ | προτίθησιν ἄθλα καὶ ἀριστεία
 132 ταῦτ' ἐστὶ. πρῶτον μὲν ἄπονον καὶ ἀταλαίπωρον
 τροφήν ἐτοίμην· κελεύει γὰρ τοὺς σιτοπονοῦντας
 ἀπὸ παντὸς στέατός τε καὶ φυράματος ἄρτον
 ἀφαιρεῖν ἀπαρχὴν εἰς ἱερέων χρῆσιν, προνοούμενος
 ἅμα καὶ τῆς εἰς εὐσέβειαν ἀγούσης ὁδοῦ νομίμῳ
 133 διδασκαλίᾳ τῶν ἀφαιρούντων. ἐθιζόμενοι γὰρ αἰεὶ
 καὶ τῆς ἀναγκαίας τροφῆς ἀπάρχεσθαι τὴν θεοῦ
 μνήμην ἄληστον ἔξουσιν, οὐ μείζον ἀγαθὸν οὐκ
 ἔστιν εὐρεῖν. πολυανθρωποτάτου δ' ἔθνους ἀναγ-
 καῖον εἶναι καὶ τὰς ἀπαρχὰς ἀφθότους, ὡς καὶ τὸν
 ἀπορώτατον τῶν ἱερέων ἔνεκα περιουσίας τροφῶν

^a The reference is to Deut. xviii. 1, 2, "The priests shall have no part nor inheritance with Israel. The offerings (καρπώματα) of the Lord shall be their inheritance, they shall eat them, and they shall have no inheritance among their brethren. The Lord Himself is their inheritance." Philo sees that in this text "the offerings of the Lord are their inheritance" is equivalent to "the Lord is their inheritance," and explains the latter phrase as meaning (1) they share the

territory by the law so that like the others they might reap the proceeds of the land and have abundance of their requisites therefrom. Instead, when referring to the consecrated offerings, it paid them the transcendent honour of saying that God was their inheritance.^a He is their inheritance for two reasons. One is the supreme honour conferred by sharing with God in the thank-offering rendered to Him. The other is the obligation to concern themselves only with the sacred rites, thus becoming in a sense trustees of inheritances. The prizes and guerdons which the law offers are as follows. ^b First, a main- 132
tenance ready to hand and entailing no labour or trouble. For he commands that from all dough of wheat or other grain,^c the bakers should set apart a loaf as a first portion for the use of the priests. In this he is also thinking of the avenue to piety provided by the lesson which the law of setting apart gives to those who obey it. For through being accustomed to make this offering 133
out of their necessary food, they will have God in indelible recollection and no greater blessing can be gained than this. As the nation is very populous, the first-fruits are necessarily also on a lavish scale, so that even the poorest of the priests has so superabundant a maintenance that he seems exceedingly offerings with the Lord; (2) as consecrating the offerings they are trustees and managers of the "inheritances." *ἐπιμελεῖται τῶν κλ.* seems to be a technical term for the commoner *ἐπίτροποι* = "executors." Cf. Diog. Laert. v. 55, 56. In *De Plant.* 63 he explains the phrase "the Lord is their inheritance," which occurs also in Num. xviii. 20 and Deut. x. 9, as meaning simply the priesthood.

^b See Num. xv. 18-20.

^c *i.e.* στέαρ is wheaten flour made into dough, *φύραμα* dough in general.

- 134 εὐπορώτατον δοκεῖν εἶναι. δεύτερον δὲ προστάττει καὶ ἀπὸ τῆς ἄλλης ἀπάσης κτήσεως ἀπάρχεσθαι, καθ' ἐκάστην μὲν ληνὸν οἶνον, καθ' ἐκάστην δ' ἄλωνα σῖτόν τε καὶ κριθήν, ὁμοίως δ' ἐξ ἐλαιῶν ἔλαιον καὶ ἀπὸ τῶν ἄλλων ἀκροδρύων ἡμέρους καρπούς, ἵνα μὴ τὰναγκαῖα μόνον ἔχοντες αὐχμηρότερον ἀποζῶσιν, ἀλλὰ καὶ τῶν πρὸς ἀβροδίατον βίον εὐποροῦντες ἱλαρώτερον ἐξ ἀφθόνων τρυφῶσι μετὰ κόσμου τοῦ προσήκοντος.
- 135 τρίτον ἐστὶ γέρας τὰ πρωτότοκα ἀρρενικὰ πάντα τῶν χερσαίων ὅσα πρὸς ὑπηρεσίαν καὶ χρῆσιν ἀνθρώπων· ταῦτα γὰρ κελεύει διαδίδοσθαι τοῖς ἱερεῦσι, βοῶν μὲν καὶ προβάτων καὶ αἰγῶν αὐτὰ τὰ ἔκγονα, μόσχους καὶ κριοὺς καὶ χιμάρους, ἐπειδὴ καθαρὰ καὶ πρὸς ἔδωδὴν καὶ πρὸς θυσίας ἐστί τε καὶ νενόμισται, λύτρα δὲ τῶν ἄλλων κατατιθέναι, ἵππων καὶ ὄνων καὶ καμήλων καὶ τῶν παρα-
 136 πλησίων, μὴ μειοῦντας τὴν ἀξίαν. ἔστι δὲ καὶ ταῦτα παμπληθῆ· κτηνοτροφοῦσι γὰρ καὶ ζωοτροφοῦσιν ἐν τοῖς μάλιστα οἱ ἀπὸ τοῦ ἔθνους αἰπόλια καὶ βουκόλια καὶ ποιμένας καὶ μυρίας ἄλλας ἀγέλας
 137 παντοδαπῶν ζώων ἐκνέμοντες. ἤδη μέντοι καὶ προσυπερβάλλων ὁ νόμος οὐ μόνον ἀπὸ τῆς κτήσεως καθ' ἐκάστην ἰδέαν ἀπάρχεσθαι προστάττει, ἀλλὰ καὶ ἀπὸ τῶν οἰκείων ψυχῶν τε καὶ σωμάτων· μέρη γὰρ διαιρετὰ γονέων παῖδες εἰσιν, εἰ δὲ δεῖ τάληθές εἰπεῖν, ἀδιαίρετα, συγγενικῶ αἵματι καὶ λόγοις προγόνων, ἀοράτοις εἶδουσιν, εἰς

^a There is some dispute as to the texts to which Philo refers. See notes in Heinemann (Translation, pp. 49, 50); *Bildung*, pp. 35, 36. The references given in Cohn are Ex. xxii. 29, xxxiv. 26, Num. xviii. 13, Deut. xviii. 4, xxvi. 2 ff.

THE SPECIAL LAWS, I. 134-137

well-to-do. ^a Secondly, he ordains that 134
first-fruits should be paid of every other possession ;
wine from every winepress, wheat and barley from
every threshing-floor, similarly oil from olives, and
fruits from the other orchard-trees, so that the
priests may not have merely bare necessities, just
keeping themselves alive in comparatively squalid
conditions, but enjoy abundance of the luxuries
of life and pass their days amid cheerful and
unstinted comfort in the style which befits their
position.

A third perquisite is the first- 135
born males of all land animals suitable for the use and
service of men.^b These he orders to be distributed
to the priests : in the case of kine and sheep and
goats the actual offspring, male calves and lambs and
kids, since they are " clean " for the purposes both
of eating and sacrificing, and are recognized as such.
For the others, horses and asses and camels and the
like, compensation is to be paid without chaffering
about the value. All these are very numerous, for 136
the men of the nation are noted particularly as
graziers and stock-breeders, and keep flocks and herds
of goats and oxen and sheep and of every kind of animal
in vast numbers.

And this is not all. We 137
find the laws carrying the principle to a further extent
by commanding that first-fruits should be paid not
only from possessions of every kind but also from
their own souls and bodies. For children are separ-
able parts of their parents, or rather to speak more
truly, inseparable parts, joined to them by kinship
of blood, by the thoughts and memories of ancestors,
invisible presences still alive among their descendants,

^b See Ex. xxii. 30, Num. xviii. 15-20.

- ἐκγόνους διήκουσι φίλτροις τε ἐνωτικῆς εὐνοίας καὶ
 138 φύσεως δεσμοῖς ἀλύτοις ἡρμοσμένοι. ἀλλ' ὅμως
 καὶ τούτων τοὺς πρωτοτόκους ἄρρενας τρόπον
 ἀπαρχῆς καθιεροῖ, χαριστήρια εὐτεκνίας καὶ εὐ-
 γονίας οὔσης τε καὶ ἐλπιζομένης, καὶ ἅμα βουλό-
 μενος οὐ μόνον ἀμέμπτους ἀλλὰ καὶ σφόδρα
 ἐπαινετοὺς εἶναι τοὺς γάμους. ἐξ ὧν ὁ πρῶτος
 βλαστήσας καρπὸς καθιεροῦται· ὅπερ χρὴ λογιζο-
 μένους καὶ ἄνδρας καὶ γυναῖκας σωφροσύνης καὶ
 οἰκουρίας καὶ ὁμονοίας περιέχεσθαι καὶ συμπνέοντας
 ἀλλήλοις ἐν τε λόγῳ καὶ ἔργῳ τὴν λεγομένην
 139 κοινωνίαν ἀληθείᾳ παγίως¹ βεβαιοῦσθαι. τῆς δὲ
 [234] τῶν πρωτοτόκων | υἱῶν καθιερώσεως,² ὑπὲρ τοῦ
 μήτε γονεῖς τέκνων μήτε τέκνα γονέων διαζεύγνυ-
 σθαι, τιμᾶται τὴν ἀπαρχὴν ἀργυρίῳ ῥητῷ, προσ-
 τάξας ἴσον εἰσφέρειν καὶ πένητα καὶ πλούσιον, οὐ
 πρὸς ἀξίωμα τῶν εἰσφερόντων οὐδὲ πρὸς εὐεξίαν
 καὶ κάλλος τῶν γεννηθέντων ἀπιδῶν, ἀλλ' ὅσον
 δυνατόν εἰσενεγκεῖν καὶ τῷ λίαν ἀπόρῳ σταθμησά-
 140 μενος. ἐπειδὴ γὰρ ἡ παίδων γένεσις ἐν ἴσῳ καὶ
 τοῖς λαμπροτάτοις καὶ τοῖς ἀφανεστάτοις εἶωθε
 συμβαίνειν, ἴσην ἐδικαίωσε καὶ τὴν εἰσφορὰν
 νομοθετῆσαι στοχασάμενος, ὥς ἔφην, μάλιστα τοῦ

¹ MSS. παγίῳ (=παγίῳ).

² Cohn considers this genitive as impossible, and following καθιέρωσιν in F and the apparent insertion of ἀλλὰ before τιμᾶται in the Armenian, suggests τὴν . . . καθιέρωσιν <οὐ δέχεται> . . . <ἀλλὰ> τιμᾶται. See *Hermes*, 1908, p. 189. I

THE SPECIAL LAWS, I. 137-140

by the love-ties of the affection which unites them, by the indissoluble bonds of nature.^a Yet even 138 parents have their first-born male children consecrated as a first-fruit, a thank-offering for the blessings of parenthood realized in the present and the hopes of fruitful increase in the future. At the same time he shews his wish that the marriages, the first produce of which is a fruit sacred to His service, should be not only blameless but worthy of the highest praise. And reflection on this should lead both husbands and wives to cherish temperance and domesticity and unanimity, and by mutual sympathy shewn in word and deed to make the name of partnership a reality securely founded on truth. ^b But to 139 prevent the parents being separated from the children and the children from their parents, he assessed the first-fruit arising from the consecration of the first-born sons at a fixed sum of money, and ordered rich and poor to make the same contribution. He did not take into consideration either the dignity of the contributors or the good condition and beauty of the offspring, but fixed the payment at an amount which was within the power of even the very poor. For 140 since the birth of children is an event equally common with the grandest and the meanest, he considered it just to enact that the contribution should be equal also, aiming, as I have said, as nearly as possible at a

^a See Ex. xiii. 2, xxii. 29.

^b See Num. xviii. 15, 16, where "the fixed sum of money" is given as five shekels.

see no great difficulty in taking καθιερώσεως either as a genitive of respect or as depending on ἀπαρχήν.

- 141 πᾶσι δυνατοῦ. XXVIII. μετὰ δὲ ταῦτα
καὶ ἄλλον πόρον οὐ βραχὺν ἐπινέμει τοῖς ἱερεῦσιν,
ἕκαστον τῶν προσόδων ἀπάρχεσθαι κελεύσας, ἀπό
τε σίτου καὶ οἴνου καὶ ἐλαίου καὶ ἔτι θρεμμάτων
ἐπιγονῆς κατὰ τε ποιμένας καὶ βουκόλια καὶ αἰπόλια
καὶ τὰς ἄλλας ἀγέλας. ὅση δὲ καὶ τούτων ἐστὶν
ἀφθονία, τεκμήραιτ' ἂν τις ἐκ τῆς περὶ τὸ ἔθνος
142 πολυανθρωπίας. ἐξ ὧν ἀπάντων δῆλόν ἐστιν, ὅτι
βασιλέων σεμνότητα καὶ τιμὴν περιάπτει τοῖς
ἱερεῦσιν ὁ νόμος· ὥς γοῦν ἡγεμόσι φόρους ἀπὸ
παντὸς μέρους κτήσεως δίδοσθαι κελεύει, καὶ
δίδονται τὸν ἐναντίον τρόπον ἢ ὃν αἱ πόλεις τοῖς
143 δυνάσταις εἰσφέρουσιν· αἱ μὲν γὰρ ἐξ ἀνάγκης καὶ
μόλις, ἐπιστένουσαι, τοὺς ἐκλογεῖς τῶν χρημάτων
ὥς κοινούς λυμεῶνας ὑποβλεπόμεναι καὶ προφάσεις
ἄλλοτε ἄλλοίς σκηπτόμεναι καὶ τῶν προθεσμιῶν
ἀλογοῦσαι τὰ ὀρισθέντα τέλη καὶ δασμοὺς κατα-
144 τιθέασιν· οἱ δ' ἀπὸ τοῦ ἔθνους [τὰ ἱερατικά] γεγε-
θότες, χαίροντες, τοὺς αἰτοῦντας φθάνοντες, τὰς
προθεσμίας ἐπιτέμνοντες, λαμβάνειν ἄλλ' οὐ δι-
δόναι νομίζοντες, μετ' εὐφημίας καὶ εὐχαριστίας
καθ' ἐκάστην τῶν ἐτησίων ὥρων ποιοῦνται τὰς
εἰσφοράς, ἄνδρες ὁμοῦ καὶ γυναῖκες, αὐτοκελεύστω
προθυμία καὶ ἐτοιμότητι καὶ σπουδῇ παντὸς λόγου
κρίπτουσι.
145 XXIX. Καὶ ταῦτα μὲν ἀπὸ τῆς ἐκάστου κτήσεως
ἐπινέμεται· ἄλλαι δὲ εἰσὶν ἐξαίρετοι πρόσοδοι

^a Cohn gives Num. xviii. 12 as the reference for this tax which appears to differ from those of §§ 134 and 135 in being paid not as a first-fruit on each form of produce in its first stage or on the first-born of the animals, but on the final

THE SPECIAL LAWS, I. 141-145

sum within the means of all.

XXVIII. 141

"After that he assigns another considerable source of wealth to the priests when he commands everyone to give first-fruits of his revenues from corn and wine and oil, and again of the increase of their livestock levied on their flocks and herds, of sheep and oxen and goats and other animals, and how great an abundance the nation possesses of these may be judged from the magnitude of the population. From 142 all this it is clear that the law invests the priests with the dignity and honours of royalty. Thus he commands that tribute should be given from every part of a man's property as to a ruler, and the way in which the tribute is paid is a complete contrast to the spirit in which the cities make their payments to their potentates. The cities pay under compulsion and 143 reluctantly and groan under the burden. They look askance at the tax-collectors as general agents of destruction. They trump up different excuses to suit the occasion, and when they discharge the appointed dues and assessments they do so without regard to the time limits allowed. But our people 144 pay gladly and cheerfully. They anticipate the demand, abridge the time limits and think that they are not giving but receiving. And so at each of the yearly seasons they make their contributions with benediction and thankfulness, men and women alike, and with a zeal and readiness which needs no prompting and an ardour which no words can describe.

XXIX. These are the contributions levied on the 145 personal possessions of every individual, but the priests have also other special incomings drawn very

harvest or property as a whole. For further discussion see Heinemann *ad loc.*

- πρεπωδέσται ιερεύσιν αἱ ἀπὸ τῶν ἀναγομένων
 θυσιῶν. παντὸς γὰρ ἱερείου προστέτακται δύο τοῖς
 ἱερεύσιν ἀπὸ θυεῖν δίδοσθαι μελῶν, βραχίονα μὲν
 ἀπὸ χειρὸς δεξιᾶς, ἀπὸ δὲ τοῦ στήθους ὅσον πῖον,
 τὸ μὲν ἰσχύος καὶ ἀνδρείας καὶ πάσης νομίμου
 πράξεως ἐν τε τῷ δίδόναι καὶ λαμβάνειν καὶ ἐν-
 εργεῖν σύμβολον, τὸ δὲ τῆς περὶ τὸν θυμὸν ἵλεω
 146 πραότητος. ἐνοικεῖν γὰρ αὐτὸν λόγος ἔχει τοῖς
 στήθεσιν, ἐπειδὴ χωρίον οἰκειότατον ἢ φύσις ἀπ-
 ἐνευε τὰ στέρνα θυμῷ πρὸς ἐνδιαίτησιν, ὥ καθάπερ
 στρατιώτῃ περιέβαλεν εἰς τὸ δυσάλωτον ἔρκος
 ὀχυρώτατον, τὸν ἐπικαλούμενον θώρακα, ὃν ἐκ
 πολλῶν καὶ συνεχῶν καὶ κραταιοτάτων ὀστέων
 [235] ἀπειργάσατο | σφίγξας αὐτὸν εὖ μάλα νεύροις
 147 ἀρραγέσιν. ἀπὸ δὲ τῶν ἔξω τοῦ βωμοῦ θυομένων
 ἕνεκα κρεωφαγίας τρία προστέτακται τῷ ἱερεῖ
 δίδοσθαι, βραχίονα καὶ σιαγόνας καὶ τὸ ἔνυστρον
 καλούμενον, τὸν μὲν βραχίονα διὰ τὴν ὀλίγῳ πρό-
 τερον εἰρημένην αἰτίαν, τὰς δὲ σιαγόνας τοῦ τε
 κυριωτάτου τῶν μελῶν, κεφαλῆς, καὶ λόγου τοῦ
 κατὰ προφορὰν ἀπαρχήν, οὗ τὸ νᾶμα ρεῖν ἔξω δίχα
 τῆς τούτων κινήσεως οὐκ ἂν δύναίτο· σειομένων γὰρ
 —ἀφ' οὗ καὶ προσωνομάσθησαν ἐτύμως—ὅταν
 πληχθῶσιν ὑπὸ γλώττης, ἅπαντα ἢ τῆς φωνῆς
 148 ὀργανοποιῶσα συνηχεῖ. τὸ δὲ ἔνυστρον ἔκφυσις
 κοιλίας ἐστί· κοιλίαν δὲ φάτνην ἀλόγου θρέμματος,

^a Lev. vii. 31-34 (LXX 21-24). There, however, the fat on the breast is to be burnt, and not, as here implied, taken as a perquisite by the priest. (This discrepancy is not noticed by Cohn or Heinemann, and there may perhaps be some explanation of it.)

^b Or "needed to control" (the θυμός). For a similar thought as to the breast being the seat of θυμός cf. *Leg. All.*

THE SPECIAL LAWS, I. 145-148

appropriately from the sacrifices offered. ^a It is ordained that with every victim two gifts should be presented to the priest from two of its parts, the arm or shoulder from the right side and all the fat from the breast, the former as a symbol of strength and manliness and of all lawful operations in giving and receiving and general activity, the latter of gentle mildness applied to the spirited element.^b For it is 146 held that this element resides in the breast, since nature has appointed the chest as the most suitable place for its mansion and girded it like a soldier armed against attack with the stoutest of fenceworks called the thorax, or breastplate, which she has formed of a number of bones one upon another, strong and hard, and bound them tight with unbreakable sinews. But 147 of animals sacrificed away from the altars as meat for private consumption, three portions are appointed to be given to the priests, the shoulder and the jaws and the maw, as it is called.^c The shoulder for the reason mentioned a little above, the jaws both as belonging to that master-limb, the head, and as a first-fruit of the uttered word which needs their movement to make possible the outflow of its stream. The jaws are shaken—and thence the derivation of their name^d—when the tongue strikes upon them and then the whole vocal mechanism joins with them in producing sound. The maw is an excrescence of the 148 belly, and it is the fate of the belly to be the manger

iii. 115. Since gentleness is brought into play by being needed to control *θυμός*, it also is placed in the breast. In much the same way, as reason is needed to curb high spirit, the *λογεῖον* or reason-seat is placed on Aaron's breast (*ibid.* 119). See further App. pp. 620-621.

^c See Deut. xviii. 3.

^d *ἰ.ε. σιαγώνῃς* derived from *σεῖω*.

- ἐπιθυμίας, εἶναι συμβέβηκεν, ἥτις ὑπ' οἰνοφλυγίας καὶ ὀψοφαγίας ἀρδομένη τροφαῖς ἐπαλλήλοις σιτίων ὁμοῦ καὶ ποτῶν αἰὲ κατακλύζεται καὶ σὺς τρόπον ἐν βορβόρῳ διαιτωμένη χαίρει· παρὸ καὶ τόπος ἀπενεμήθη σφόδρα οἰκειότατος ὁ τῶν περιττωμάτων ἀκολάστῳ καὶ ἀπρεπεστάτῳ θρέμματι.
- 149 ἀντίπαλον δὲ ἐπιθυμίας ἐγκράτεια, ἣν ἀσκητέον καὶ διαπονητέον καὶ σπουδαστέον μηχανῇ πάσῃ περιποιεῖσθαι ὡς μέγιστον ἀγαθὸν καὶ τελειότατον ἰδίᾳ
- 150 τε καὶ κοινῇ συμφέρον. ἐπιθυμία μὲν οὖν βέβηλος καὶ ἀκάθαρτος καὶ ἀνίερος οὖσα πέρα τῶν ἀρετῆς ὅρων ἐλήλαται καὶ πεφυγάδευται δεόντως· ἐγκράτεια δέ, καθαρὰ καὶ ἀκηλίδωτος ἀρετῇ, πάντων ὅσα πρὸς βρῶσιν καὶ πόσιν ἀλογοῦσα καὶ ἐπάνω τῶν γαστρὸς ἡδονῶν αὐχοῦσα ἵστασθαι, βωμῶν ἱερῶν ψαυέτω καὶ¹ τὴν πρόσφυσιν ἐπιφερομένη τῆς κοιλίας, ὑπόμνημα τοῦ καταφρονητικῶς ἔχειν ἀπληστίας καὶ λαιμαργίας καὶ πάντων ὅσα τὰ εἰς
- 151 τὰς ἐπιθυμίας ἀναφλέγει. XXX. ἐφ' ἅπασιν μέντοι καὶ τὰς τῶν ὀλοκαυτωμάτων—ἀμύθητα δὲ ταῦτ' ἐστί—δορὰς προστάττει τοὺς ὑπηρετοῦντας ταῖς θυσίαις ἱερεῖς λαμβάνειν, οὐ βραχεῖαν ἀλλ' ἐν τοῖς μάλιστα πολυχρήματον δωρεάν. ἐξ ὧν δῆλόν ἐστιν, ὅτι κλῆρον ἓνα μὴ παρασχὼν τῇ ἱερωμένῃ φυλῇ κατὰ ταῦτά ταῖς ἄλλαις τοῦ πασῶν ἔδωκε σεμνότερον πόρον² καὶ ἀγιώτερον, κατὰ πρόφασιν ἀπαρχῶν τῶν ἐξ ἅπαντος θυσίας εἵδους.

¹ Perhaps omit καί.

² MSS. τρόπον (or τόπον).

^a The phrase is taken from Plato, *Timaeus* 70 E "They (i.e. God's agents) constructed the part between the midriff and the navel as a manger (φάτνη), for the sustenance of the

THE SPECIAL LAWS, I. 148-152

of that irrational animal, desire,^a which drenched by wine-bibbing and gluttony, is perpetually flooded with relays of food and drink administered to it, and like a sow rejoices to make its home in the mire. And therefore the place of dregs and leavings has been assigned as by far the fittest for a licentious and most unseemly animal. But the opposite of desire is continence, the acquisition of which is a task to be practised and pressed forward by every possible means as the greatest and most perfect of blessings promoting personal and public welfare alike. So then desire, profane, impure and unholy, has been expelled outside the confines of virtue and well deserved is its banishment. But let continence, that pure and stainless virtue which disregards all concerns of food and drink and claims to stand superior to the pleasures of the stomach, touch the holy altars and bring with it the appendage of the belly as a reminder that it holds in contempt gluttony and greediness and all that inflames the tendencies to lust. XXX. ^b In addition to all the rest it ordains that the priests who minister at the holy sacrifices should receive the hides of the whole-burnt-offerings, the number of which is incalculable, and this is no small gift, but represents a very large sum of money. From these things it is clear that the law did not provide the consecrated tribe with a single portion, like the others, but gave it, under the guise of first-fruits from every kind of sacrifice, a source of revenue of greater dignity and sanctity than that of them all put together. But that none of the

body, and then they chained it (*i.e.* the part of the soul which lusts after meat and drink) like a wild beast" (κατέδησαν ὡς θρέμμα ἄγριον).

^b See Lev. vii. 8 (LXX vi. 38).

152 ὑπὲρ δὲ τοῦ μηδένα τῶν διδόντων ὀνειδίζειν τοῖς λαμβάνουσι, κελεύει τὰς ἀπαρχὰς εἰς τὸ ἱερὸν [236] κομίζεσθαι πρότερον, εἴτ' | ἐνθὲνδε τοὺς ἱερεῖς λαμβάνειν· ἡρμωττε γὰρ θεῷ μὲν τοὺς εὐεργετούμενους ἐν ᾧ αὖτις τοῖς κατὰ τὸν βίον χαριστηρίους ἀνάγειν ἀπαρχὰς, τὸν δὲ ἄτε μηδενὸς ἐπιδεᾷ τοῖς ἀμφὶ τὸ ἱερὸν ὑπηρέταις καὶ λειτουργοῖς χαρίζεσθαι μετὰ σεμνότητος καὶ τιμῆς τῆς ἀπάσης· τὸ γὰρ μὴ παρ' ἀνθρώπων ἀλλὰ παρὰ τοῦ πάντων εὐεργέτου δοκεῖν λαμβάνειν ἀδυσώπητον ἔχει δωρεάν.

153 XXXI. Τοσούτων οὖν προκειμένων ἄθλων, ἐάν τινες ἀπορῶσι τῶν ἱερέων κοσμίως καὶ ἀνυπαιτίως ζῶντες, τῆς ἡμετέρας παρανομίας ἐφεστᾷσι κατήγοροι, κἂν ἡσυχάζωσιν· εἰ γὰρ ἐπειθαρχοῦμεν τοῖς κελευσθεῖσι καὶ τὰς ἀπαρχὰς ἐποιούμεθα ἢ προστέτακται, οὐκ ἂν μόνον ἐκείνοι τῶν ἀναγκαίων εὐπόρουν, ἀλλὰ καὶ τῶν ἄλλων ὅσα πρὸς ἀβροδιαί-

154 τους χορηγίας ἀνεπίμπλαντο. κἂν ἄρα ποτὲ αὖθις ἡ φυλὴ τῶν ἱερέων ἐν ᾧ αὖτις τοῖς κατὰ τὸν βίον ἀφθόνοις ἐξετάζεται, μέγα δεῖγμα γενήσεται τοῦτο κοινῆς ὁσιότητος καὶ τῆς τῶν νομίμων ἐπ' ἀκριβὲς εἰς ἅπαν φυλακῆς. ἀλλ' ἢ τινων ὀλιγωρία—ἅπαντας γὰρ οὐκ ἀσφαλὲς αἰτιᾶσθαι—γέγονεν αἰτία πενίας τοῖς ἱερωμένοις, εἰ δὲ δεῖ τάληθὲς εἰπεῖν, καὶ αὐτοῖς

155 ἐκείνοις. τὸ γὰρ παρανομεῖν ἐπιζήμιον τοῖς παρανομοῦσι, κἂν πρὸς ὀλίγον δελεάζῃ χρόνον· τὸ δὲ ἔπεσθαι τοῖς τῆς φύσεως νόμοις ὠφελιμώτατον, κἂν παραντίκα αὐστηρὸν ἢ καὶ μηδὲν προσηνὲς ἐμφαίνειν.

^a Deduced from the language of Num. xviii. 8-19, particularly v. 19, where the offerings described in detail are said to be the gift of God to the priests.

THE SPECIAL LAWS, I. 152-155

donors should taunt the recipients, it ordered the first-fruits to be first brought into the temple and then taken thence by the priests.^a It was the proper course that the first-fruits should be brought as a thank-offering to God by those whose life in all its aspects is blessed by His beneficence, and then by Him, since He needs nothing at all, freely bestowed with all dignity and honour on those who serve and minister in the temple. For if the gift is felt to come not from men but from the Benefactor of all, its acceptance carries with it no sense of shame.

XXXI. Since, then, the prospective rewards are so 153
great, if any of the priests who live a decent and blameless life are in need, they confront us as accusers of our disobedience to the law, even though they bring no charge. For if we obeyed the commandment and gave the first-fruits as it is ordained, they would have not only abundance of mere necessities but a full measure of all else that the luxurious can require. And on the other hand if the priestly tribe 154
shall in the course of the future be found to possess all the means of life in abundance, it will be strong evidence that the practice of religion is general and the law carefully observed in all respects. But the neglectfulness of some^b—for it would not be safe to accuse all—has brought about the impoverishment of the consecrated class and indeed, it is true to say, of the defaulters themselves. Disobedience to the 155
law, for all its short-lived seductiveness, recoils upon the disobedient. But in compliance with the laws of nature, though for the moment it is stern and wears a grim aspect, there is the greatest of rewards.

^b This rather modifies the glowing statement of § 144.

- 156 XXXII. Τοσαύτας προσόδων ἀφορμὰς χαρισά-
 μενος τοῖς ἱερεῦσιν οὐδὲ τῶν ἐν τῇ δευτέρᾳ τάξει
 κατωλιώρησεν· εἰσὶ δὲ νεωκόροι. τούτων οἱ μὲν
 ἐπὶ θύραις ἴδρυνται παρ' αὐταῖς ταῖς εἰσόδοις
 πωλοῖ, οἱ δ' εἴσω κατὰ τὸ πρόναον ὑπὲρ τοῦ μή-
 τινά ὦν οὐ θέμις ἐκόντα ἢ καὶ ἄκοντα ἐπιβῆναι, οἱ
 δ' ἐν κύκλῳ περινοστοῦσιν ἐν μέρει διακληρωσά-
 μενοι νύκτα καὶ ἡμέραν, ἡμεροφύλακες καὶ νυκτο-
 φύλακες, ἕτεροι δὲ τὰς στοὰς καὶ τὰ ἐν ὑπαίθρῳ
 κοροῦντες τὸν φορυτὸν ἐκκομίζουσιν ἐπιμελούμενοι
 καθαριότητος· οἷς ἅπασι μισθὸς ὠρίσθησαν αἱ
 157 δεκάται, κλήρος γὰρ νεωκόρων οὗτος. οὐ πρότερον
 γοῦν εἶασεν ὁ νόμος αὐταῖς χρῆσθαι τοὺς λαβόντας
 ἢ πάλιν ἄλλας δεκάτας ὥς ἀπὸ κτημάτων ἰδίων
 ἀπάρξασθαι καὶ δοῦναι τοῖς τῆς ἀμείνωνος τάξεως
 ἱερεῦσι· τηνικαῦτα γὰρ ἐφῆκεν ἀπολαύειν, πρότερον
 158 δ' οὐκ ἔα. ἀπένειμε δὲ καὶ πόλεις αὐτοῖς
 ὀκτὼ πρὸς ταῖς τεσσαράκοντα καὶ καθ' ἑκάστην
 προάστυα εἰς δισχιλίους πήχεις ἐν κύκλῳ πρὸς
 νομὰς θρεμμάτων καὶ τὰς ἄλλας ὦν δεῖ πόλεσιν
 ἀναγκαίας ὑπηρεσίας. ἐκ δὲ τούτων ἀπεκληρώ-
 θησαν ἕξ, αἱ μὲν ἐκτὸς αἱ δὲ ἐντὸς Ἰορδάνου τοῦ
 159 ποταμοῦ, τρεῖς ἐκατέρωθεν, εἰς καταφυγὴν τοῖς
 [237] ἀκούσιον φόνον δράσασιν. ἐπειδὴ γὰρ τὸν ὅπω-
 σουν γενόμενον ἀνθρώπῳ τελευτῆς παραιτίον οὐκ
 ἦν εὐαγὲς εἴσω περιρραντηρίων παρέρχεσθαι χρώ-
 μενον πρὸς ἀσφάλειαν καταφυγῇ τῷ ἱερῷ, τὰς
 εἰρημένας ἀνῆκε πόλεις, ἱερὰ δὲ δεύτερα, πολλήν

^a See Num. xviii. 21.

^b See Num. xviii. 26-28.

^c See Num. xviii. 32, "ye shall not bear sin by reason of it (i.e. eating the fruits), because ye shall have offered an offering of first-fruits from it." (LXX.)

THE SPECIAL LAWS, I. 156-159

XXXII. After bestowing these great sources of 156
revenue on the priests, he did not ignore those of the
second rank either, namely the temple attendants.
Some of these are stationed at the doors as gate-
keepers at the very entrances, some within in front
of the sanctuary to prevent any unlawful person from
setting foot thereon, either intentionally or unintentionally. Some patrol around it turn by turn in relays
by appointment night and day, keeping watch and
guard at both seasons. Others sweep the porticoes
and the open court, convey away the refuse and
ensure cleanliness. ^a All these have the tithes ap-
pointed as their wages, this being the portion settled
on them as temple attendants. ^b It should be noted 157
that the law does not allow them to avail themselves
of these tithes until they have rendered other tithes
from them treated as their own property as first-
fruits to the priests of the superior class. ^c Only when
this condition has been fulfilled are they allowed to
enjoy their income. ^d He also assigned 158
them forty-eight cities with a frontage of land each
to the depth of 2000 cubits to graze their cattle and
carry on other kinds of business necessary for the
service of the cities. ^e Of these there were six allotted,
three on the near side and three on the far side of the
river Jordan, as a refuge for the perpetrators of in-
voluntary homicide. For since it would be sacrilege 159
for a person responsible for the death of a man, how-
ever it was caused, to come within the sacred pre-
cincts, and use the temple as a refuge from danger, he
made over to them the aforesaid cities as secondary

^a See Num. xxxv. 2-8.

^e For the sequel to the end of § 161 see Num. xxxv.
9-28.

ἀσυλίαν ἐχούσας ἔνεκα τῆς περὶ τοὺς οἰκήτορας
 προνομίας τε καὶ τιμῆς, οἳ τοὺς ἰκέτας διασώζειν
 ἔμελλον, εἰ βιάζοιτό τις ἐχυρωτέρα δύναμις, οὐ
 παρασκευαῖς ταῖς εἰς πόλεμον οὖσαις, ἀλλ' ἀξιώ-
 μασι καὶ προνομίαις, ἅπερ ἐκ τῶν νόμων διὰ τὴν
 160 σεμνότητα τῆς ἱερωσύνης εἶχον. ὁ δὲ φυγὰς ἐντὸς
 ὄρων τῆς πόλεως, εἰς ἣν πεφυγάδευται, κατα-
 κεκλείσθω διὰ τοὺς ἐφέδρους κολαστάς, οἳ γένει
 προσήκοντες τῷ τεθνεῶτι πόθῳ τοῦ συγγενοῦς, κἂν
 μὴ ὑφ' ἐκόντος ἀναιρεθῇ, κατὰ τοῦ κτείναντος
 φονῶσι, νικῶντος τοῦ οἰκείου πάθους τὸν ἀκριβῆ
 τῶν δικαίων λογισμὸν. ἔξω δὲ προῖων ἐπ' ὀλέθρῳ
 ἀνενδοιάστῳ προελευσόμενος ἴστω· λήσεται γὰρ
 οὐδένα τῶν ἀφ' αἵματος, ὑφ' ὧν αὐτίκα λίνοις καὶ
 161 πάγαις σαγηνευθεῖς οἰχήσεται. προθεσμία δ' ἔστω
 τῆς φυγῆς ὁ βίος τοῦ μεγάλου ἱερέως, οὗ τελευτή-
 σαντος ἀμνηστίας ἀξιωθεὶς κατίτω.

Ταῦτα καὶ τὰ τούτοις παραπλήσια νομοθετήσας
 περὶ τῶν ἱερέων ἐξῆς ἀναδιδάσκει περὶ ζώων, ἃ
 162 πρὸς θυσίας ἐστὶν ἐπιτήδεια. XXXIII. ¹ τῶν εἰς
 τὰς ἱεουργίας ζώων τὰ μὲν ἐστὶ χερσαῖα, τὰ
 δὲ ἀεροπόρα. τὰ μὲν οὖν τῶν πτηνῶν ἔθνη
 μυρία ὅσα παρελθὼν δύο μόνα ἐξ ἀπάντων εἵλετο,
 περιστερὰν καὶ τρυγόνα, διότι περιστερὰ μὲν τῶν
 [238] φύσει | τιθασῶν καὶ ἀγελαστικῶν ἡμερώτατον,

¹ Here the mss. insert a new heading *Περὶ ζώων τῶν εἰς ἱεουργίας καὶ τίνα τῶν θυσιῶν τὰ εἶδη*.

^a A new heading in mss., "Of the sacrificial animals and
 190

THE SPECIAL LAWS, I. 159-162

temples, well secured from violation through the privileged and honourable position of the inhabitants, who, if any stronger power should attempt to use force against the suppliants, would keep them safe, not with warlike preparations, but through the dignities and privileges conferred on them by the laws in virtue of the reverence attached to the priestly office. But the fugitive must remain shut up within ¹⁶⁰ the confines of the city to which he has come as a refuge because of the avengers waiting at the door, whose relationship to the dead makes them seek the blood of the slayer in their bitterness at the loss of their kinsman, even though the fatal act was involuntary. For strong family feeling overpowers the sense of justice which strict reason would give. But if he advances outside he must understand that his movements will entail certain destruction, for they will not be unobserved by any member of the family, and enmeshed in their nets and snares he will be a lost man. The time limit of his banishment is to ¹⁶¹ coincide with the life of the high priest, at whose death he may return with immunity assured as his due.

After making these and other similar enactments he next proceeds to give instructions as to the animals suitable for sacrifice. XXXIII. ^a Of the ¹⁶² animals used for this purpose some are confined to the dry land and others travel in the air. The winged creatures are divided into numberless tribes, all of which he ignored except two, the pigeon and the turtle-dove,^b the pigeon because it is the gentlest of those whose nature is tame and gregarious, the dove

the different kinds of sacrifice." Cohn begins a fresh numeration of chapters.

^b See Lev. i. 14.

- τρυγῶν δὲ τῶν φύσει μονωτικῶν τιθασώτατον.
 163 τὰς δὲ τῶν χερσαίων ἀμυθήτους ἀγέλας, ὧν οὐδ' ἀριθμὸν εὐρεῖν εὐπορον, ὑπερβὰς τρεῖς ἀριστίνδην ἐπέκρινε, βοῶν καὶ προβάτων καὶ αἰγῶν· ἡμερώ-
 τатаи γὰρ αὐταὶ καὶ χειροθηέσται· βουκόλια γοῦν μεγάλα καὶ ποιμνία καὶ αἰπόλια πρὸς ἐνὸς ἄγεται τοῦ τυχόντος, οὐκ ἀνδρὸς μόνον ἀλλὰ καὶ κομιδῇ νηπίου παιδός, εἰς τε νομὴν ἐξιόντα καὶ ὁπότε δέοι πάλιν εἰς σηκοὺς ὑποστρέφοντα ἐν
 164 κόσμῳ. τῆς δ' ἡμερότητος πολλὰ μὲν καὶ ἄλλα σημεία, σαφέστατα δὲ ταυτί· τό τε πάντα εἶναι χλοηφάγα καὶ μηδὲν αὐτῶν σαρκοβόρον καὶ τὸ μήτε γαμβροὺς ἔχειν ὄνυχας μήτε τὴν ἔκφυσιν τῶν ὀδόντων παντελεῖ· τὸ γὰρ ἀνωτέρω φάτνιον οὐκ ὀδοντοφυεῖ, ἀλλ' ὅσοι τομῖαι τῶν ὀδόντων κατ'
 165 αὐτὸ ἐπιλελοίπασιν. πρὸς δὲ τούτοις καὶ βιωφελέ-
 στατα τῶν ζώων ἐστί· κριοὶ μὲν εἰς ἐσθῆτας, τὴν ἀναγκαιοτάτην σκέπην σωμάτων, βόες δὲ εἰς τὸ ἀρόσαι γῆν καὶ προετοιμάσασθαι πρὸς σπóρον καὶ τὸν γενόμενον ἀλοῆσαι καρπὸν εἰς μετουσίαν καὶ ἀπόλαυσιν τροφῆς, αἰγῶν δὲ αἱ τρίχες καὶ δοραὶ συννυφαινόμεναί τε καὶ συρραπτόμεναι φορηταὶ γε-
 γόνασιν ὁδοιπόροις οἰκίαι καὶ μάλιστα τοῖς ἐν στρατείαις, οὓς ἔξω πόλεως ἐν ὑπαίθρῳ τὰ πολλὰ
 166 διατρίβειν ἀναγκάζουσιν αἱ χρεῖαι. XXXIV. πάντα δ' ὀλόκληρα, περὶ μηδὲν μέρος κηραίνοντα τοῦ σώματος, ὅλα δι' ὅλων ἀσινῇ, μώμων ἀμέτοχα· τοσαύτη γοῦν ἐστὶ πρόνοια, οὐ μόνον τοῖς ἀνάγουςι

^a Oxen, Lev. i. 3 f.; sheep and goats, i. 10 f.

^b See Lev. xxii. 19-24.

^c No scriptural authority is quoted for this. As Cohn

THE SPECIAL LAWS, I. 162-166

because it is the tamest of those which are naturally fond of solitude. The land animals collect in vast 163 multitudes and the number of their varieties is almost incalculable. All these he passed over after selecting three as of superior merit, namely, oxen, sheep and goats.^a For these are the gentlest and the most docile. We see great herds and flocks of each kind led by a single person, it matters not who. He may even be not a grown man, but the merest child, and under his guidance they go out to the pasture and when required return back in order to their pens. This tameness is shewn by many other indications, 164 but most clearly by the following facts. All of them are eaters of grass, none eat flesh ; none of them have crooked talons nor a full supplement of teeth, for the upper gum does not lend itself to the growth of teeth, but all the incisors are missing there. Further- 165 more, in the whole animal kingdom they are the most serviceable for human life. The rams produce raiment, the indispensable shelter for the body, the ox ploughs the soil and prepares it for the seed, and when the crop is produced threshes it, thus making it into food which can be shared and enjoyed, while the skin and hair of the goat, when woven or sewn together, supply portable houses for travellers and particularly for campaigners who are compelled by the exigencies of their life to spend most of their time outside the city and in the open air. XXXIV. 166

^b All the animals selected must be perfect, with no affliction troubling any part of their body, scathless throughout and free from fault or flaw. ^c In fact, so great is the forethought exercised not only by those

suggests, Philo may be relying on personal observation (or hearsay?).

- τὰς θυσίας ἀλλὰ καὶ τοῖς ἱερωμένοις, ὥστε οἱ δοκιμώτατοι τῶν ἱερέων ἀριστίνδην ἐπικριθέντες εἰς τὴν τῶν μώμων ἐπίσκεψιν ἀπὸ κεφαλῆς ἄχρι ποδῶν ἄκρων ἐρευνῶσιν ὅσα τε ἐμφανῆ καὶ ὅσα ὑπὸ γαστρὶ καὶ μηροῖς ἀποκέκρυπται, μή που τις βραχεῖα λώβῃ
 167 διαλέληθε. τὸ δ' ἀκριβὲς καὶ περιττὸν τῆς ἐξετάσεως οὐχ ἔνεκα τῶν καταθυομένων ἀλλὰ τοῦ περὶ τοὺς καταθύοντας ἀνυπαιτίου γίνεται· βούλεται γὰρ αὐτοὺς ἀναδιδάξαι διὰ συμβόλων, ὅποτε προσέρχονται βωμοῖς ἢ εὐξόμενοι ἢ εὐχαριστήσοντας, μηδὲν ἀρρώστημα ἢ νόσημα ἢ πάθος ἐπιφέρεισθαι τῇ ψυχῇ, πειρᾶσθαι δ' ὅλην δι' ὅλων ἀκηλίδων ἀγιάζειν, ὡς ἰδόντα μὴ ἀποστραφῆναι θεόν.
- 168 XXXV. Ἐπεὶ δὲ τῶν θυσιῶν αἱ μὲν εἰσιν ὑπὲρ ἅπαντος τοῦ ἔθνους, εἰ δὲ δεῖ τάληθὲς εἰπεῖν, ὑπὲρ
 [239] ἅπαντος ἀνθρώπων γένους, αἱ δ' ὑπὲρ ἐκάστου | τῶν ἱεουργεῖν ἀξιούντων, λεκτέον πρότερον περὶ τῶν κοινῶν. θαυμαστὴ τούτων ἡ τάξις ἐστίν· αἱ μὲν γὰρ ἀνάγονται καθ' ἐκάστην ἡμέραν, αἱ δὲ ταῖς ἐβδόμαις, οἱ δὲ νομηνίαις καὶ ἱερομηνίαις, αἱ δὲ
 169 νηστείαις, αἱ δὲ τρισὶ καιροῖς ἑορτῶν. καθ' ἐκάστην μὲν οὖν ἡμέραν δύο ἄμνους ἀνάγειν διείρηται, τὸν μὲν ἅμα τῇ ἔω, τὸν δὲ δείλης ἑσπέρας, ὑπὲρ εὐχαριστίας ἐκάτερον, τὸν μὲν ὑπὲρ τῶν μεθ' ἡμέραν, τὸν δ' ὑπὲρ τῶν νύκτωρ εὐεργεσιῶν, ἃς ἀπαύστως καὶ ἀδιαστάτως ὁ θεὸς τῷ γένει τῶν
 170 ἀνθρώπων χορηγεῖ. ταῖς δ' ἐβδόμαις διπλασιάζει

^a See Num. xxviii. 3, 4. They are offered ἐνδελεχῶς, and in v. 6 are called a ὀλοκαύτωμα ἐνδελεχισμού, whence Philo's ἐνδελεχεία in § 170.

THE SPECIAL LAWS, I. 166-170

who bring the sacrifices but also by the officiants, that the most highly approved of the priests, selected as most suitable for such inspection, examine them from the head to the extremities of the feet, both the visible parts and those which are concealed under the belly and thighs, for fear that some small blemish has passed unobserved. The examination is carried 167 out with this excessive minuteness in consideration not of the victims offered but of the innocence of those who offer them. For the law would teach them under this symbol that when they approach the altar to offer either prayers or thanks they must come with no infirmity or ailment or evil affection in the soul, but must endeavour to have it sanctified and free throughout from defilement, that God when He beholds it may not turn away His face from the sight.

XXXV. But since the sacrifices are of two kinds, 168 some offered for the whole nation, or rather, it would be correct to say, for all mankind, others for each separate individual among those whose sense of duty makes them worshippers, we must first speak of those which are general. The system on which they are arranged is admirable. Some are offered 169 daily, others on the seventh days, others at the new moons or the beginnings of the sacred month, others at the fasts, others at the three festal seasons. ^a Every day two lambs are to be brought to the altar, one at dawn, the other towards dusk. Both these are thank-offerings, one for the benefactions of the day-time, the other for those of the night, given to the human race ceaselessly and constantly by the bounty of God. ^b On the seventh days he doubles the number 170

^b See Num. xxviii. 9, 10.

- τὸν τῶν ἱερείων ἀριθμόν, ἴσα προστιθεὶς ἴσοις, ἰσότημον ἡγούμενος αἰῶνι τὴν ἐβδόμην, ἣν καὶ γενέθλιον τοῦ κόσμου παντὸς ἀνέγραψεν· οὐδ' χάριν τὴν τῆς ἐβδόμης θυσίαν ἐξομοιωσαὶ τῇ “ἐνδε-
 171 λεχεία” τῶν ἡμερησίων ἀμνῶν διενόηθη. δις δὲ καθ’ ἐκάστην ἡμέραν ἐπιθυμιᾶται τὰ πάντων εὐ-
 ωδέστατα θυσιῶν εἴσω τοῦ καταπετάσματος, ἀνίσχοντος ἡλίου καὶ δυομένου, πρό τε τῆς ἑωθινῆς θυσίας καὶ μετὰ τὴν ἑσπερινήν, ὥς εἶναι τὰ μὲν ἔναιμα εὐχαριστίαν ὑπὲρ ἡμῶν τῶν ἐναίμων, τὰ δὲ θυσιάματα ὑπὲρ τοῦ ἡγεμονικοῦ, τοῦ ἐν ἡμῖν λογικοῦ πνεύματος, ὅπερ ἐμορφώθη πρὸς ἀρχέ-
 172 τυπον ἰδέαν εἰκόνης θείας. ἄρτοι δὲ προ-
 τίθενται ταῖς ἐβδόμαις ἐπὶ τῆς ἱερᾶς τραπέζης ἰσ-
 αριθμοὶ τοῖς μηνσὶ τοῦ ἐνιαυτοῦ, δυσὶ θέμασιν ἀνὰ ἕξ, [δώδεκα,] κατὰ τὸν λόγον τῶν ἰσημεριῶν ἐκά-
 τερα—δύο γάρ εἰσιν ἀνὰ πᾶν ἔτος, ἑαρινή τε καὶ μετοπωρινή, αἱ μηνσὶν ἕξ καταριθμοῦνται—δι’ ἣν αἰτίαν * * * <ἑαρινῇ μὲν>¹ τὰ σπαρτὰ πάντα τελειο-
 γονεῖται, καθ’ ὃν χρόνον τὰ δένδρα γεννᾶν ἄρχεται, μετοπωρινῇ δὲ καὶ ὁ τῶν δένδρων καρπὸς τελεσ-
 φορεῖται, ἐν ᾧ καιρῷ πάλιν ἀρχὴ σπορᾶς. οὕτως δολιχεύουσα ἡ φύσις τὸν αἰῶνα ἅλλας ἐπ’ ἅλλαις ἀμείβει δωρεὰς ἀνθρώπων γένει, ὧν εἰσι σύμβολα
 173 αἱ διτταὶ τῶν προκειμένων ἄρτων ἐξάδες. αἰνίτ-
 τονται δὲ καὶ τὴν ὠφελιμωτάτην τῶν ἀρετῶν

¹ There is clearly a lacuna after δι’ ἣν αἰτίαν, which must have ended with ἑαρινῇ μὲν or something like it. For Cohn’s suggestion for filling it see App. p. 621.

^a See on *Spec. Leg.* ii. 59.

^b See Ex. xxx. 7, 8, and note on § 276 below.

^c i.e. the lower part of the ψυχή, cf. *Quis Rerum* 55 with its quotation of Lev. xvii. 11 ψυχὴ πάσης σαρκὸς αἱμὰ ἐστίν,

THE SPECIAL LAWS, I. 170-173

of the victims. He makes this addition of a number equal to the original because he considers the seventh day, called also in his records the birthday of the whole world,^a to be of equal value to eternity, and therefore he purposes to assimilate the sacrifice of the seventh day to the "perpetuity" of the daily offering of lambs. ¹⁷¹
^bTwice too every day the perfume of the most fragrant kinds of incense is exhaled within the veil at sunrise and at sunset, both before the morning and after the evening sacrifice. Thus the blood offerings serve as thanksgivings for the blood elements in ourselves ^c and the incense offerings for our dominant part, the rational spirit-force within us which was shaped according to the archetypal form of the divine image.^d

^e But on each seventh day loaves are ¹⁷² exposed on the holy table equal in number to the months of the year in two layers of six each, each layer corresponding to the equinoxes. For there are two equinoxes in each year, in spring and autumn, with intervals, the sum of which is six months. For this reason * * * At the spring equinox all the seed crops come to their fulness just when the trees begin to produce their fruit, and at the autumn equinox that same fruit is brought to maturity and it is the season when the sowing begins again. Thus nature running its agelong round alternates its gifts to the human race, symbolized by the two sets of six loaves exposed upon the table. They are also emblematic ¹⁷³ of that most profitable of virtues, continence, which

rather than as Heinemann "our bodies." Possibly, however, τῶν ἐναιμῶν agrees with ἡμῶν, i.e. "the animals with blood are for us who share it with them."

^a i.e. the Logos, which, being the εἰκὼν of God, becomes the ἀρχέτυπος ἰδέα of the human spirit. Cf. § 81 above and note on *De Som.* ii. 45.

^e See Lev. xxiv. 5-8.

- ἐγκράτειαν, ἣ δορυφορεῖται πρὸς εὐτελείας καὶ
 εὐκολίας καὶ ὀλιγοδείας, διὰ τὸν ἐξ ἀκολασίας καὶ
 πλεονεξίας βλαβερώτατον ἐπιτειχισμόν· ἄρτος γὰρ
 ἐραστῇ σοφίας διαρκῆς τροφή, παρέχουσα καὶ τὰ
 σώματα ἄνοσα καὶ τὸν λογισμόν ὑγιῇ καὶ ἐν τοῖς
 174 μάλιστα νηφάλιον· ὅψα δὲ καὶ μελίπηκτα καὶ
 ἡδύσματα καὶ ὅσα σιτοπόνων καὶ ὀψαρτυτῶν περι-
 εργίαι τεχνιτεύουσι καταγοητεύουσαι τὴν ἄμουσον
 καὶ ἀφιλόσοφον καὶ ἀνδραποδωδεστάτην τῶν αἰ-
 σθήσεων γεῦσιν, ὑπηρετοῦσαν καλῶ μὲν οὐδενὶ
 θεάματι ἢ ἀκούσματι, γαστρὸς δὲ τῆς ταλαίνης
 ἐπιθυμίαις, νόσους σώματι καὶ ψυχῇ κατασκευάζει
 175 πολλάκις ἀνιάτους. συνεπιτίθεται δὲ τοῖς ἄρτοις
 [240] λιβανωτὸς καὶ | ἄλς, ὃ μὲν σύμβολον τοῦ μηδὲν
 ἡδυσμα εὐωδέστερον ὀλιγοδείας εἶναι καὶ ἐγκρα-
 τείας παρὰ σοφίᾳ δικαζούσῃ, οἱ δ' ἄλς διαμονῆς τε
 τῶν συμπάντων—οἷς γὰρ ἂν παραπασθῶσι δια-
 176 τηροῦσι—καὶ ἱκανοῦ προσοιψήματος. οἶδ' ὅτι γέλωτα
 καὶ χλεύην ταῦτα θήσονται οἱ περὶ τὰ συμπόσια καὶ
 τὰς εὐωχίας πραγματευόμενοι καὶ πολυτελεῖς
 τραπέζας μεταδιώκοντες, οἱ ὀρνέων καὶ ἰχθύων καὶ
 κρεῶν καὶ τῆς ὁμοιοτρόπου φλυαρίας ἄθλιοι δούλοι,
 μηδ' ὄναρ ἀληθοῦς ἐλευθερίας γεύσασθαι δυνάμενοι.
 ὧν ὀλίγα φροντιστέον τοῖς κατὰ θεὸν καὶ πρὸς τὴν
 τοῦ ὄντως ὄντος ἀρέσκειαν ζῆν ἐγνωκόσιν, οἱ τῶν
 σαρκὸς ἀλογεῖν ἡδονῶν πεπαιδευμένοι τὰς διανοίας
 χαρὰς καὶ εὐπαθείας θεωρίᾳ τῶν τῆς φύσεως ἐν-
 ασκούμενοι μεταδιώκουσι.

^a For the general sense of the next sections cf. *De Som.* ii. 48-51.

THE SPECIAL LAWS, I. 173-176

has simplicity and contentment and frugality for its bodyguard against the baleful assaults engineered by incontinence and covetousness. ^aFor bread to a lover of wisdom is sufficient sustenance, making the body proof against disease and the reason sound and sober in the highest degree. But dainty dishes and honey- 174 cakes and relishes and all the elaborate preparations with which the skill of pastrycooks and other experts at the art bewitches the taste, that most slavish of all the senses, a stranger to culture and philosophy, a servant not to things beautiful to see or hear but to the lusts of the wretched belly, create distempers of soul and body which are often past all cure. On 175 the loaves there are placed also frankincense and salt,^b the former as a symbol that in the court of wisdom no relish is judged to be more sweet-savoured than frugality and temperance, the salt to shew the permanence of all things, since it preserves whatever it is sprinkled on, and its sufficiency as a condiment. All this I know will excite the mockery and ridicule 176 of those to whom banquetings and high feasting are a matter of much concern, who run in search of richly laden tables, miserable slaves to birds and fishes and fleshpots and similar trash, unable even in their dreams to taste the flavour of true freedom. All these things should be held in little account by those who are minded to live with God for their standard and for the service of Him that truly is—men who, trained to disregard the pleasures of the flesh and practised in the study of nature's verities, pursue the joys and sweet comforts of the intellect.

^b So LXX, Lev. xxiv. 7. Not in the Hebrew, *cf.* Mos. ii. 104.

- 177 Ταῦτα περὶ τῆς ἑβδόμης διαταξάμενος ταῖς
 νουμηνίαις φησὶ δεῖν θύειν ὀλόκαυτα δέκα τὰ
 σύμπαντα· μόσχους δύο, κριὸν ἓνα, ἄμνους ἑπτὰ.
 ἐπειδὴ γὰρ ὁ μὴν τέλειος, ἐν ᾧ σελήνη τὸν ἑαυτῆς
 κύκλον περατοῦται,¹ τέλειον ἀριθμὸν ζώων ἡξίωσεν
 178 ἱερουργεῖσθαι. ἡ δεκάς δὲ παντελὴς ἀριθμὸς, ὃν εὖ
 μάλα διένειμεν εἰς τὰ λεχθέντα, τοὺς μὲν δύο
 μόσχους, ἐπειδὴ δύο κινήσεις εἰσὶ σελήνης αἰεὶ
 διαυλοδρομούσης, ἡ μὲν κατ' αὔξησιν ἄχρι πλησι-
 φαοῦς, ἡ δὲ κατὰ μείωσιν ἄχρι συνόδου, τὸν δ' ἓνα
 κριόν, ἐπειδὴ λόγος εἰς ἔστι, καθ' ὃν αὔξεται τε καὶ
 μειοῦται τοῖς ἴσοις διαστήμασι καὶ φωτιζομένη καὶ
 ἐπιλείπουσα, τοὺς δὲ ἑπτὰ ἄμνους, ὅτι καθ' ἑβδο-
 μάδας ἐπιδέχεται τοὺς τελείους σχηματισμούς,
 πρώτη μὲν ἑβδομάδι τῇ ἀπὸ συνόδου τὸν διχότομον,
 δευτέρα δὲ τὸν πλησιφαῆ, καὶ ὅταν ἀνακάμπτη
 πάλιν, εἰς διχότομον τὸ πρῶτον, ἔπειτ' εἰς σύνοδον
 179 ἀπολήγει. μετὰ δὲ τῶν ἱερείων σεμίδαλιν ἀνα-
 δεδευμένην ἐλαίῳ προσφέρειν καὶ οἶνον εἰς σπονδὰς
 μέτροις (ῥοισμέν)οις² διετάξατο, διότι καὶ ταῦτα
 σελήνης περιόδοις κατὰ τὰς ἑτησίους ὥρας τελε-
 σφορεῖται διαφερόντως τοὺς καρποὺς πεπαινούσης,
 σῖτος δὲ καὶ οἶνος καὶ ἔλαιον, βιωφελέσταται
 οὐσίαι καὶ πρὸς χρῆσιν ἀνθρώποις ἀναγκαιόταται,
 πάσαις εἰκότως θυσίαις συγκαθιεροῦνται.

¹ So Cohn: mss. *περαιοῦται*. I feel very doubtful about the correction. The use of *περαιοῦμαι* for "cross," "pass over" is common enough, and the association with a cycle, if rather strange, is not impossible. On the other hand, while *περατοῦσθαι* in a passive sense is common, I have not seen any example of its use as a transitive middle.

² So Cohn. Perhaps *μέτροις οἷς <εἶδει or δεῖ> διετάξατο*.

^a See Num. xxviii. 11-14.

THE SPECIAL LAWS, I. 177-179

Having given these orders with regard to the 177
seventh days, he deals with the new moons. ^aAt
these times whole-burnt-offerings must be sacrificed,
ten in all, two calves, one ram, and seven lambs.
For since the month in which the moon fulfils its
cycle is a complete or perfect whole,^b he considered
that the number of animals to be sacrificed should be
perfect. Now ten is a perfect number, and he dis- 178
tributed it excellently among the above-mentioned
items ; two calves because the moon as she runs for
ever her race forwards and backwards has two
motions, one as she waxes till she becomes full, one
as she wanes to her conjunction with the sun ; one
ram because there is one law or principle by which
she waxes and wanes at equal intervals, both when
her light grows and when it fails ; seven lambs be-
cause the complete changes of form to which she is
subject are measured in sevens.^c In the first seven
from the conjunction we have the half moon, in the
second the full moon, and when she is reversing her
course she passes first into the half moon and then
dies away into the conjunction. With the victims 179
he ordered that fine meal, soaked in oil, should be
brought, and wine for libations in stated quantities,
because these also are brought to their fullness by
the revolutions of the moon at the various seasons
of the year, and especially by its effect upon the
ripening of the fruits, and corn, oil and wine are
things possessing qualities most profitable to life and
most necessary for human use and therefore are
naturally consecrated with all the sacrifices.

^b Or "since the month (*i.e.* the past month) is completed,"
and so Heinemann, but the context suggests that it is the
month which is coming which is under consideration.

^c *Cf. De Op.* 101.

- 180 Τῇ δ' ἱερομηνία διττὰ θύματα προσάγεται προσ-
ηκόντως, ἐπεὶ καὶ διττὸς ὁ περὶ αὐτῆς λόγος, ὁ
μὲν ὡς νουμηνίας, ὁ δὲ ὡς ἱερομηνίας. ἥ μὲν οὖν
νουμηνία, τὰ ἴσα ταῖς ἄλλαις ἱεουργεῖσθαι δι-
εῖρηται, ἥ δὲ καὶ ἱερομηνία, διπλασιάζεται τὰ δῶρα,
δίχα τῶν μόσχων· εἰς γὰρ ἀντὶ δυεῖν προσάγεται,
τοῦ βραβευτοῦ δικαιώσαντος ἀδιαίρετῳ φύσει
μονάδος πρὸ διαιρετῆς δυάδος χρήσασθαι ἐν ἀρχῇ
τοῦ ἐνιαυτοῦ.
- 181 Ἐν δὲ τῷ πρώτῳ καιρῷ—πρώτον δὲ καιρὸν τὴν
ἑαρινὴν ὥραν καὶ ἰσημερίαν καλεῖ—προστάξας ἑπτὰ
ἡμέρας ἑορτὴν ἄγειν τὴν ἐπικαλουμένην τῶν ἀζύ-
μων ἰσοτίμους ἀπέφηνε πάσας ἐν ταῖς ἱεουργίαις·
δέκα γὰρ ὅσα καὶ ταῖς νουμηνίαις θύειν καθ'
ἐκάστην κελεύει, τὰ σύμπαντα ὁλόκαυτα, δίχα τῶν
- 182 περὶ πλημμελείας, ἀριθμὸν ἐβδομήκοντα. τὸν γὰρ
αὐτὸν ἔχειν ὥθη λόγον πρὸς μῆνα νουμηνίαν ὃν
πρὸς ἰσημερίαν ἐβδόμῳ μηνὶ γινομένην τὰς ἑπτὰ
τῆς ἑορτῆς ἡμέρας, ἵν' ἀποφύγῃ καὶ τὴν ἀρχὴν
ἐκάστου μηνὸς ἱερὰν καὶ ἀθρόων τῶν ἑπτὰ τὰς
ἰσαριθμούς ταῖς νουμηνίαις ἡμέρας.
- 183 Μεσοῦντος δὲ ἔαρος ἄμητος ἐνίσταται, καθ' ὃν
καιρὸν χαριστήρια μὲν ἀνάγεται τῷ θεῷ τῆς πεδιά-

^a See Num. xxix. 1-6. On the term ἱερομηνία see on *De Dec.* 159 (App.).

^b See App. p. 621.

^c See Num. xxviii. 17-24.

^d Implied though not actually stated in Ex. xxiii. 14, "Three times (καιροὺς) in the year keep a feast for Me." Then after enumerating the three great feasts "three times (καιροὺς) shall all thy males appear before the Lord thy God."

^e In § 172 Philo based the number of sacrifices on the six months between the equinoxes; here on the fact that each equinox occurs in the seventh month before the next.

THE SPECIAL LAWS, I. 180-183

^aAt the beginning of the sacred month double 180 sacrifices are offered in accordance with its double aspect, first as new moon simply, secondly as the opening of the sacred month. Regarding it as new moon, the sacrifices ordered are the same as those of other new moons. Taking it as a sacred-month-day the oblations are doubled except in the case of the calves : only one of these is offered, the awarder having judged that at the beginning of the year^b the monad whose nature is indivisible is preferable to the divisible dyad.

^cAt the first season, which name^d he gives to the 181 springtime and its equinox, he ordained that what is called the feast of unleavened bread should be kept for seven days, all of which he declared should be honoured equally in the ritual assigned to them. For he ordered ten sacrifices to be offered each day as at the new moons, whole-burnt-offerings amounting to seventy in all apart from the sin-offerings. He 182 considered, that is, that the seven days of the feast bore the same relation to the equinox which falls in the seventh month^e as the new moon does to the month. Thus he assigned the same sanctity both to the beginning of each month considered singly and to the seven days of the feast, which being of the same number as the new moons represented them collectively.

^fIn the middle of the spring comes the corn harvest. 183 At this season thank-offerings are brought for the

^g See for the Feast of Weeks Lev. xxiii. 15 ff.-Num. xxviii. 26 ff. There is some discrepancy as to the details. The name *πρωτογεννημάτων* and the lambs for the "preservation-offering" (E.V. "peace-offering") come from the former. The name *πρωτ.* is also given to it in Ex. xxiii. 16.

- δος ἐπὶ τῷ πλήρῃ τὸν καρπὸν ἐννοχέειν καὶ τὰ
 θέρη συγκομίζεσθαι, δημοτελεστάτῃ δ' ἄγεται ἑορτὴ
 προσαγορευομένη πρωτογεννημάτων ἐτύμως ἀπὸ
 τοῦ συμβεβηκότος, ἐπειδὴ τῶν γεννημάτων τὰ
 184 πρῶτα, αἱ ἀπαρχαί, τότε καθιεροῦνται. προστέτα-
 κται δ' ἀνάγειν θυσίας μόσχους δύο, κριὸν ἓνα καὶ
 ἑπτὰ ἄμνους, ταῦτα μὲν δέκα ἱερεῖα ὀλόκαυτα, δύο
 δ' ἄμνους εἰς βρώσιν ἱερέων, οὓς ἐπικαλεῖ σωτηρίου
 διὰ τὸ τὰς τροφὰς ἀνθρώποις ἐκ πολλῶν καὶ παντο-
 दाπῶν διασεσῶσθαι· φθοραὶ γὰρ εἰώθασι κατα-
 λαμβάνειν, αἱ μὲν ἐπομβρίαις, αἱ δ' αὖχμοῖς, αἱ δ'
 ἄλλαις ἀμυθήτοις νεωτεροποιΐαις, αἱ δ' αὖ χειρο-
 ποιήτοι κατ' ἐφόδους ἐχθρῶν τὴν τῶν πέλας γῆν
 185 δροῦν ἐπιχειρούντων. εἰκότως οὖν τὰ σῶστρα τῷ
 πάσας ἀποσκεδάσαντι τὰς ἐπιβουλάς ἀνάγεται χαρι-
 στήρια καὶ ἀνάγεται ἄρτοις, οὓς προσενεγκόντες τῷ
 βωμῷ καὶ ἄνω πρὸς οὐρανὸν ἀνατείναντες ἐπι-
 διανέμουνσι τοῖς ἱερεῦσι μετὰ τῶν κρεῶν τῆς τοῦ
 σωτηρίου θυσίας εἰς ἱεροπρεπεστάτην εὐωχίαν.
- 186 "Ὅταν δ' ὁ τρίτος ἐνστῇ καιρὸς ἐν τῷ ἐβδόμῳ
 μηνὶ κατ' ἰσημερίαν μετοπωρινήν, ἐν ἀρχῇ μὲν
 ἱερομηνία ἄγεται προσαγορευομένη σαλπίγγων,
 περὶ ἧς ἐλέχθη πρότερον, δεκάτῃ δ' ἡ νηστεία, περὶ
 ἣν ἐσπουδάκασιν οὐ μόνον οἷς ζῆλος εὐσεβείας καὶ
 ὁσιότητος, ἀλλὰ καὶ οἷς κατὰ τὸν ἄλλον βίον εὐαγὲς
 οὐδὲν δρᾶται· πάντες γὰρ ἡττώμενοι τοῦ περὶ αὐτὴν

^a i.e. in § 180. For the name "feast of trumpets" see Lev. xxiii. 24 E.V. "a memorial of blowing of trumpets" (LXX *μνημόσυνον σαλπίγγων*).

^b For the "Fast" or "Day of Atonement" see Num. xxix. 7-11.

THE SPECIAL LAWS, I. 183-186

lowlands because they have borne fruit in full and the summer crops are being gathered in. This feast, which is universally observed, is called the feast of first-products, a name which expresses the facts, because the first specimens of the produce, the sample oblations, are then consecrated. The sacrifices 184 ordered on this occasion are two calves, one ram and seven lambs, these ten as victims to be entirely consumed by fire, and also two lambs to be eaten by the priests. These last he calls preservation-offerings because mankind has had its food preserved from many vicissitudes of every kind. For that food is commonly subject to destructive forces, sometimes rain-storms, sometimes droughts, or numberless other violent changes in nature, sometimes again from human activities through the invasions of enemies who attempt to lay waste the land of their neighbours. Naturally, therefore, the thank-offerings for preserva- 185 tion are brought to Him Who has scattered all the forces which threatened mischief. They are also brought in the form of loaves which the worshippers carry to the altar and after holding them with outstretched arms up to heaven distribute to the priests together with the flesh of the preservation-offering to regale them in a way well worthy of their sacred office.

When the third special season has come in the 186 seventh month at the autumnal equinox there is held at its outset the sacred-month-day called trumpet day, of which I have spoken above.^a On the tenth day is the fast,^b which is carefully observed not only by the zealous for piety and holiness but also by those who never act religiously in the rest of their life. For all stand in awe, overcome by the sanctity of the

- ιεροπρεποῦς τεθήπασι καὶ οἱ χεῖρους τοῖς βελτίοσι τότε γοῦν εἰς ἐγκράτειαν καὶ ἀρετὴν ἀμιλλῶνται.
- 187 διττοὺς δ' ἔχει λόγους τὸ ἀξίωμα τῆς ἡμέρας, τοὺς μὲν ὡς ἑορτῆς, τοὺς δὲ ὡς καθάρσεως καὶ φυγῆς ἁμαρτημάτων, ἐφ' οἷς ἀμνηστία δέδοται χάρισι τοῦ Ἰλεω θεοῦ μετάνοιαν ἐν ἴσῳ τῷ μηδὲ¹ ἁμαρτάνειν
- 188 τετιμηκότος. τὰς μὲν οὖν ὡς ἑορτῆς θυσίας ἰσαρίθμους ἀπέφηνε ταῖς τῶν ἱερομνηϊῶν, μόσχον καὶ κριὸν καὶ ἑπτὰ ἄρνας, ἀνακερασάμενος μονάδα ἑβδομάδι καὶ πρὸς ἀρχὴν τὸ τέλος ἀπευθύνας—τέλος μὲν γὰρ ἔργων ἑβδομάς, ἀρχὴν δὲ μονὰς κεκλήρωται,—τὰς δ' ὡς καθάρσεως <τρεῖς>· προστάττει γὰρ δύο χιμάρους ἀνάγειν καὶ κριόν, εἰτά φησι δεῖν τὸν μὲν ὀλοκαυτοῦν, διακληροῦν δὲ τοὺς χιμάρους, καὶ τὸν μὲν λαχόντα τῷ θεῷ θύειν, τὸν δ' ἕτερον εἰς ἀτρυβῆ καὶ ἄβατον ἐρημίαν ἐκπέμπειν ἐφ' ἑαυτῷ κομίζοντα τὰς ὑπὲρ τῶν πλημμελησάντων ἀράς, οἱ μεταβολαῖς ταῖς πρὸς τὸ βέλτιον ἐκαθάρθησαν, εὐνομία καὶ παλαιὰν ἀνομίαν ἐκκυψάμενοι.
- 189 Τῇ δὲ πεντεκαιδεκάτῃ τῆς πλησιφαοῦς σελήνης ἄγεται ἢ ἐπικαλουμένη σκηνῶν ἑορτή, καθ' ἣν πλείους εἰσὶν αἱ χορηγίαι τῶν θυσιῶν· καταθύονται γὰρ ἐφ' ἡμέρας ἑπτὰ μόσχοι μὲν ἑβδομήκοντα, κριοὶ δὲ τέσσαρες καὶ δέκα, ἄρνες δὲ δυοῖν δεόντων ἑκατόν, ἅπαντα ζῶα ὀλόκαυτα. προστέτακται δὲ καὶ τὴν ὀγδόην ἱερὰν νομίζειν, περὶ ἧς ἀκριβωτέον,

¹ MSS μηδέν. Cohn's correction is perhaps due to a feeling that τὸ μηδέν ἁμαρτεῖν would indicate complete sinlessness, which is not possible for the ordinary man. Cf. *De Virt.* 177, *De Fuga* 157.

THE SPECIAL LAWS, I. 186-189

day, and for the moment the worse vie with the better in self-denial and virtue. The high dignity of this 187 day has two aspects, one as a festival, the other as a time of purification and escape from sins, for which indemnity is granted by the bounties of the gracious God Who has given to repentance the same honour as to innocence from sin. Treating it as a festival day, he made the sacrifices of the same number as those of the sacred-month-days, namely a calf and a ram and seven lambs, thus blending the one with the seven and putting the completion in a line with the beginning. For to seven belongs the completion of actions, to one their beginning. Treating it as a 188 purification, he added three more and bade them bring two kids and a ram, ordering that the last-named should be consumed entirely by fire and that a lot should be cast for the kids. ^aThe one on whom the lot fell was to be sacrificed to God, the other was to be sent out into a trackless and desolate wilderness bearing on its back the curses which had lain upon the transgressors who have now been purified by conversion to the better life and through their new obedience have washed away their old disobedience to the law.

^b On the fifteenth day of this month at the full moon 189 is held the feast of tabernacles, as it is called, and on this the supply of sacrificial offerings is on a larger scale, for during seven days there are sacrificed seventy calves, fourteen rams and ninety-eight lambs. All these animals are consumed entirely by fire. ^c It is also commanded that the eighth day is to be observed as holy. This last must be treated in detail when

^a See Lev. xvi. 9, 10.

^b See Num. xxix. 12-34.

^c See Num. xxix. 36.

- ὅταν σύμπας ὁ περὶ τῶν ἑορτῶν ἐξετάζεται λόγος,¹
 ἐν ᾗ προσάγεται ὅσα καὶ ἐν ταῖς ἱερομηνίαις.
- 190 Αἱ μὲν οὖν ὑπὲρ τοῦ ἔθνους ἢ κυριώτερον εἰπεῖν
 ὑπὲρ παντὸς ἀνθρώπων γένους κοιναὶ καὶ ὀλόκαυτοι
 θυσῖαι κατ' ἐμὴν δύναμιν εἴρηνται. ταῖς δ' ὀλο-
 καύτοις καθ' ἑκάστην ἡμέραν ἑορτῆς παρέπεται
 χίμαρος, ὃς καλεῖται μὲν περὶ ἁμαρτίας, καταθύεται
 δὲ εἰς ἁμαρτημάτων ἄφεσιν, οὗ τὰ κρέα τοῖς
- 191 ἱερεῦσιν εἰς ἐδωδὴν ἀπονέμεται. τίς οὖν αἰτία;¹
 ἢ ὅτι ἑορτὴ καιρὸς ἐστὶν εὐφροσύνης, ἢ δ' ἀψευδῆς
 καὶ πρὸς ἀλήθειαν εὐφροσύνη φρόνησίς ἐστιν ἐν-
 ιδρυμένη ψυχῇ βεβαίως, φρόνησιν δ' ἀκλινῇ λαβεῖν
 οὐκ ἔνεστιν ἄνευ θεραπείας ἁμαρτημάτων καὶ
 παθῶν ἐκτομῆς; ἄτοπον γὰρ ἕκαστον μὲν τῶν
 ὀλακαντουμένων ἀσινὲς καὶ ἀβλαβὲς ἀνευρισκό-
 μενον καθιεροῦσθαι, τὴν δὲ τοῦ θύοντος διάνοιαν
 μὴ οὐ κεκαθάρθαι πάντα τρόπον καὶ πεφαιδρύνθαι
 λουτροῖς καὶ περιρραντηρίοις χρησαμένην, ἅπερ ὁ
 τῆς φύσεως ὀρθὸς λόγος δι' ὑγιαίνοντων καὶ ἀδια-
- 192 φθόρων ὥτων ψυχαῖς φιλοθέοις ἐπαντλεῖ. πρὸς δὲ
 τούτῳ κἀκείνο δεόντως ἂν λέγοιτο· αἱ ἑορτώδεις
 ἀνέσεις αὗται καὶ ἐκεχειρίαι μυρίας ἤδη πολλάκις
 ἁμαρτημάτων ὁδοὺς ἀνέτεμον· ἄκρατος γὰρ καὶ αἱ
 μετ' οἰνοφλυγίας ὀψοφαγίαι τὰς γαστροὺς ἀκορέ-
 στοὺς ἐπιθυμίας ἐγείρουσαι προσαναφλέγουσι καὶ
 τὰς ὑπὸ γαστέρα, καὶ ῥέουσai καὶ χεόμεναι πάντῃ
 φορὰν ἀμυθήτων ἀπεργάζονται κακῶν τὸ τῆς

¹ So Cohn punctuates. Better perhaps τίς οὖν αἰτία ἢ ὅτι,
 "What is the cause but that . . .?" Cf. iii. 34.

^a See ii. 211.

^b The mention of the sin-offering occurs regularly in Num.

THE SPECIAL LAWS, I. 189-192

the subject of the feasts as a whole comes up for discussion.^a The number of offerings brought are the same as on the sacred-month-days.

The general sacrifices in the form of burnt-offerings 190 performed on behalf of the nation or, to speak more correctly, on behalf of the human race, have now been described to the best of my ability. But these burnt-offerings are accompanied on each day of a feast by the sacrifice of a kid called the sin-offering offered for the remission of sins, its flesh being put aside to be eaten by the priests.^b What is the reason for this 191 addition? Is it that a feast is a season of joy, and the true joy in which there is no illusion is wisdom firmly established in the soul, and the wisdom that is stable cannot be acquired without applying medicine to the sin and surgery to the passions? For it would be a strange inconsistency if, while each of the victims consumed in the burnt-offering is only dedicated when found to be free from mischief and blemish, the mind of the worshipper should not be purified in every way and washed clean and fair by the ablutions and lustrations, which the right reason of nature pours into the souls of those who love God through ears that are sound in health and free from corruption. But be- 192 sides this something else may be justly said. These festal occasions of relaxation and cessation from work have often ere now opened up countless avenues to transgressions. For strong drink and gross eating accompanied by wine-bibbing, while they awaken the insatiable lusts of the belly, inflame also the lusts seated below it, and as they stream along and overflow on every side they create a torrent of evils in-

xxviii. and xxix. for the separate occasions (xxviii. 15, 22, 30; xxix. 5, 11, 22, 25, 28, 31, 34, 38).

193 *έορτής άδεές όρμητήριον έχουσαι καί προς τό μηδέν παθεΐν καταφυγήν. άπερ συνιδών ούκ έφήκε κατά τά αύτά τοίς άλλοις έορτάζειν, άλλ' έν αύτῷ τῷ τῆς εύφροσύνης καιρῷ πρώτον μέν έκέλευσεν άγνεύειν έπιστομίζοντας τās έφ' ήδονήν όρμάς, είτα είς τό ίερόν έπί μετουσίαν ύμνων καί εύχών καί θυσιών έκάλεσεν, ίνα κακ του τόπου κακ τών όρωμένων καί λεγομένων δια τών κυριωτάτων αισθήσεων, όψεως καί άκοής, έγκρατείας άμα καί εύσεβείας έρασθω- σιν, είτ' έπί πāσιν υπέμνησε του μη άμαρτάνειν δια τῆς θυσίας του περι άμαρτίας· ό γάρ άμνηστίαν έφ' οίς ήμαρτεν αίτούμενος ούχ ούτως έστι κακοδαίμων ωστ' έν ψ χρόνῳ παλαιών άδικημάτων αίτεΐται λύσιν έτερα καινοτομείν.*

194 XXXVI. Τοσαύτα περι τούτων διαλεχθείς άρ- χεται διαιρείν τά τών θυσιών γένη καί τέμνων είς είδη τρία τά άνωτάτω τό μέν όλόκαυτον καλεί, τό δέ σωτήριον, τό δέ περι άμαρτίας· είθ' έκαστον τοίς άρμόττουσιν επικοσμεΐ του πρόποντος άμα καί 195 εύαγοϋς οϋ μετρίως στοχασάμενος. παγκάλη δέ καί προσφυστάτη τοίς πράγμασιν ή διαίρεσις ακολουθίαν έχουσα καί είρμόν· εί γάρ βούλοιτό τις έξετάζειν ακριβώς τās αίτίας, ών ένεκα τοίς πρώ- τοις έδοξεν ανθρώποις έπί τās δια θυσιών εύχαρι- στίας όμοϋ καί λιτās έλθειν, εύρήσει δύο τās άνωτάτω· μίαν μέν τήν προς θεόν τιμήν, τήν άνευ τινός έτέρου δι' αύτόν μόνον γινομένην ως αναγ- καϊον <και> καλόν, έτέραν δέ τήν τών θύόντων 210

THE SPECIAL LAWS, I. 192-195

numerable, because they have the immunity of the feast for their headquarters and refuge from retribution. All this the lawgiver observed and therefore 193 did not permit his people to conduct their festivities like other nations, but first he bade them in the very hour of their joy make themselves pure by curbing the appetites for pleasure. Then he summoned them to the sanctuary to take their part in hymns and prayers and sacrifices, that the place and the spectacles there presented and the words there spoken, working through the lordliest of the senses, sight and hearing, may make them enamoured of continence and piety. Last of all by the sin-offering he warned them against continuing in sin, for he who asks for absolution of the sins he has committed is not so lost a wretch as to embark on other new offences at the very time when he asks for remission of the old.

XXXVI. After having discoursed to this extent 194 on these subjects he begins to classify the kinds of sacrifices. He divides them into three principal classes which he calls respectively the whole-burnt-offering, the preservation-offering and the sin-offering. To each of these he adds the adornment of suitable ritual, in which he succeeds admirably in combining decorum with reverence. His classification is quite 195 excellent and perfectly fits the facts to which it shews a logical sequence. For if anyone cares to examine closely the motives which led men of the earliest times to resort to sacrifices as a medium of prayer and thanksgiving, he will find that two hold the highest place. One is the rendering of honour to God for the sake of Him only and with no other motive, a thing both necessary and excellent. The other is the signal benefit which the worshipper

- προηγούμενην ὠφέλειαν· διττὴ δ' ἐστίν, ἡ μὲν ἐπὶ
 196 μετουσίᾳ ἀγαθῶν, ἡ δὲ ἐπὶ κακῶν ἀπαλλαγῇ. τῇ
 μὲν οὖν κατὰ θεὸν καὶ δι' αὐτὸν μόνον γινομένη
 προσήκουσαν ὁ νόμος ἀπένειμε θυσίαν τὴν ὀλό-
 καυτον, ὀλοκλήρῳ καὶ παντελεῖ μηδὲν ἐπιφερομένη
 τῆς θνητῆς φιλαυτίας ὀλόκληρον καὶ παντελεῖ· τὴν
 δὲ χάριν ἀνθρώπων, ἐπειδὴ διαίρεσιν ἐπεδέχετο ἡ
 δόξα, καὶ αὐτὸς διεῖλε, κατὰ μὲν τὴν μετουσίαν τῶν
 ἀγαθῶν ὀρίσας θυσίαν ἣν ὠνόμασε σωτήριον, τῇ δὲ
 197 φυγῇ τῶν κακῶν ἀπονεύμας τὴν περὶ ἁμαρτίας. ὥς
 τρεῖς εἶναι δεόντως ἐπὶ τρισί, τὴν μὲν ὀλόκαυτον δι'
 [241] αὐτὸν μόνον τὸν | θεόν, ὃν καλὸν τιμᾶσθαι, μὴ δι'
 ἕτερον, τὰς δ' ἄλλας δι' ἡμᾶς, τὴν μὲν σωτήριον ἐπὶ
 σωτηρίᾳ καὶ βελτιώσει τῶν ἀνθρωπίνων πραγ-
 μάτων, τὴν δὲ περὶ ἁμαρτίας ἐπὶ θεραπείᾳ ὧν
 ἐπλημμέλησεν ἡ ψυχή.
 198 XXXVII. Λεκτέον δὲ περὶ ἐκάστης τὰ νομο-
 θετηθέντα τὴν ἀρχὴν ποιησαμένους ἀπὸ τῆς ἀρίστης·
 ἀρίστη δ' ἐστίν ἡ ὀλόκαυτος. ἔστω δὴ, φησί,
 πρῶτον μὲν τὸ ἱερεῖον ἄρρεν, ἐκ τῶν πρὸς τὰς
 θυσίας ἀριστίνδην ζώων ἐπικριθέντων, μόσχος ἢ
 ἄμνος ἢ ἔριφος· ἔπειτα δ' ἀπονυψάμενος ὁ προσάγων
 199 τὰς χεῖρας ἐπιφερέτω τῇ τοῦ ἱερέου κεφαλῇ· καὶ
 μετὰ ταῦτα λαβὼν τις τῶν ἱερέων καταθύνετω καὶ
 φιάλῃν ἕτερος ὑποσχὼν καὶ δεξάμενος τοῦ αἵματος
 ἐν κύκλῳ περιϋὼν τὸν βωμὸν ἐπιρραινέτω, καὶ τὸ
 ἱερεῖον ἀποδαρὲν εἰς ὀλόκληρα μέλη¹ διανεμέσθω,
 κοιλίας ἀποπλυνομένης καὶ ποδῶν· εἶτα σύμπαν τῷ
 ἱερῷ πυρὶ τοῦ βωμοῦ παραδιδόσθω, γεγονὸς καὶ ἐξ

¹ MSS. μέρη.^a See Lev. i. 3 ff.

THE SPECIAL LAWS, I. 195-199

receives, and this is twofold, on one side directed to obtaining a share in blessings, on the other to release from evils. To the God-ward motive which has Him alone in view he assigned the whole-burnt-offering, for, whole and complete in itself as it is, it fits in well with the same qualities in the motive which carries with it no element of mortal self-interest ; but where human interests were concerned, since the idea admitted of division, the lawgiver also made a division, and appointed what he called a preservation-offering to correspond to the aspiration for participation in blessings, while he assigned the sin-offering for avoidance of evils. Thus very properly there are three offerings for three objects, the whole-burnt-offering having no other in view but God Himself alone Whom it is good to honour, the other two having ourselves in view, the preservation-offering for the safe preserving and bettering of human affairs, the sin-offering for the healing of the trespasses which the soul has committed. 197

XXXVII. We must now describe the ordinances dealing with each of these sacrifices, beginning with the best, which is the whole-burnt-offering. ^a First of all, he says the victim must be a male specimen of the animals selected as best for the purpose, namely, a calf or lamb or kid. Secondly, the giver must wash his hands and lay them on the head of the victim, and after this one priest must take and slay it while another priest holds a vial below and after catching some of the blood goes all round the altar and sprinkles it thereon. The victim after being flayed must be divided into parts complete in themselves, while the belly and feet are washed, and then the whole must be given over to the sacred fire of the altar. Thus 199

- 200 ἐνὸς πολλὰ καὶ ἐκ πολλῶν ἔν. ταῦτα μὲν ἡ ῥητὴ πρόσταξις περιέχει. μνηνύεται δὲ καὶ νοῦς ἕτερος αἰνιγματώδη λόγον ἔχων τὸν διὰ συμβόλων· σύμβολα δ' ἐστὶ τὰ λεχθέντα φανερά ἀδήλων καὶ ἀφανῶν. ἄρρεν εὐθέως τὸ ὀλόκαυτον ἱερεῖον, ἐπειδὴ τοῦ θήλεος καὶ τελειότερον καὶ ἡγεμονικώτερον καὶ συγγενέστερον αἰτίῳ δραστικῷ· τὸ γὰρ θήλυ ἀτελές, ὑπήκοον, ἐν τῷ πᾶσχειν
- 201 μᾶλλον ἢ ποιεῖν ἐξεταζόμενον. δυοῖν δ' ὄντων, ἐξ ὧν ἡ ἡμετέρα ψυχὴ συνέστη, λογικοῦ τε καὶ ἀλόγου, τὸ μὲν λογικὸν τῆς ἄρρενος γενεᾶς ἐστίν, ὅπερ νοῦς καὶ λογισμὸς κεκλήρωται, τὸ δ' ἄλογον τῆς πρὸς γυναικῶν, ὅπερ ἔλαχεν αἰσθησις. νοῦς δὲ αἰσθήσεως, ὡς ἀνὴρ γυναικός, καθ' ὅλον γένος ἀμείνων, ὃς ἄμωμος ὢν καὶ καθαρθεὶς καθάρσει ταῖς ἀρετῆς τελείας¹ αὐτός ἐστίν ἡ εὐαγεστάτη θυσία καὶ ὅλη
- 202 δι' ὅλων εὐάρεστος θεῷ. τὰς δὲ ἐπιτιθεμένας τῇ τοῦ ζώου κεφαλῇ χεῖρας δεῖγμα σαφέστατον εἶναι συμβέβηκε πράξεων ἀνυπαίτιων καὶ βίου μηδὲν ἐπιφερομένου τῶν εἰς κατηγορίαν ἀλλὰ τοῖς τῆς φύσεως νόμοις καὶ θεσμοῖς συνάδοντος.
- 203 βούλεται γὰρ τοῦ θύοντος πρῶτον μὲν τὸν νοῦν ὠσιῶσθαι γνώμας ἀγαθαῖς καὶ συμφερούσαις ἐνασκούμενον, ἔπειτα δὲ τὸν βίον ἐξ ἀρίστων συνεστάναι πράξεων, ὡς ἅμα τῇ τῶν χειρῶν ἐπιθέσει δύνασθαι τινα παρρησιασάμενον ἐκ καθαροῦ τοῦ
- 204 συνειδότος τοιαῦτα εἰπεῖν· αἱ χεῖρες αὐταὶ οὔτε δῶρον ἐπ' ἀδίκους ἔλαβον οὔτε τὰς ἐξ ἀρπαγῆς καὶ [242] πλεονεξίας διανομὰς οὔτε αἵματος | ἀθώου προσ-

¹ MSS. τελείαις.

THE SPECIAL LAWS, I. 199-204

the one in it has become many and the many one.^a These are the contents of the ordinance taken 200 literally. But another meaning also is indicated of the mystical character which symbols convey ; words in their plain sense are symbols of things latent and obscure.

In the first place the victim of the whole-burnt-offering is a male because the male is more complete, more dominant than the female, closer akin to causal activity, for the female is incomplete and in subjection and belongs to the category of the passive rather than the active. So 201 too with the two ingredients which constitute our life-principle, the rational and the irrational ; the rational which belongs to mind and reason is of the masculine gender, the irrational, the province of sense, is of the feminine. Mind belongs to a genus wholly superior to sense as man is to woman ; unblemished and purged, as perfect virtue purges, it is itself the most religious of sacrifices and its whole being is highly pleasing to God.

In the 202 laying of hands on the head of the animal we find the clearest possible type of blameless actions and of a life saddled with nothing that leads to censure but in harmony with the laws and statutes of nature. For 203 the law desires, first, that the mind of the worshipper should be sanctified by exercise in good and profitable thoughts and judgements ; secondly, that his life should be a consistent course of the best actions, so that as he lays his hands on the victim, he can boldly and with a pure conscience speak in this wise : " These hands have taken no gift to do injustice, nor 204 shared in the proceeds of plunder or overreaching, nor been soiled with innocent blood. None have

^a Cf. § 208.

ἤψαντο, οὐ πήρωσιν, οὐχ ὕβριν, οὐ τραῦμα, οὐ βίαν ἐξειργάσαντο, οὐκ ἄλλο τὸ παράπαν οὐδὲν τῶν κατηγορίαν καὶ φόγον ἐχόντων ὑπηρέτησαν, ἀλλ' ὑποδιάκονοι πάντων ἐγένοντο τῶν καλῶν καὶ συμφερόντων, ἃ παρὰ σοφία καὶ νόμοις καὶ σοφοῖς καὶ νομίμοις ἀνδράσι τετίμῃται. XXXVIII.

205 τὸ δ' αἷμα κύκλῳ προσχεῖται τῷ βωμῷ, διότι κύκλος σχημάτων <τὸ> τελειότατον καὶ ὑπὲρ τοῦ μέρος μηδὲν ἔρημον καὶ κενὸν ἀπολειφθῆναι ψυχικῆς σπονδῆς· ψυχῆς γὰρ κυρίως εἰπεῖν ἐστὶ σπονδὴ τὸ αἷμα. συμβολικῶς οὖν ἀναδιδάσκει τὴν διάνοιαν ὅλην δι' ὅλων ἐν κύκλῳ χορεύουσιν ἐν πάσαις ἰδέαις λόγων καὶ βουλευμάτων καὶ ἔργων ἐπιδείκνυσθαι τὴν πρὸς τὸν θεὸν ἀρέσκειαν.

206 ἀποπλύνεσθαι δὲ κοιλίαν καὶ πόδας διεύρηται, πάνυ συμβολικῶς· διὰ μὲν γὰρ τῆς κοιλίας αἰνίττεται τὴν ἐπιθυμίαν, ἣν ἐκνίπτεσθαι συμφέρον κηλίδων καὶ μiasμάτων καὶ μέθης καὶ παροινίας μεστήν, κακὸν βλαβερώτατον ἐπὶ λύμῃ τοῦ βίου τῶν ἀνθρώπων

207 συγκροτούμενόν τε καὶ συνασκούμενον· διὰ δὲ τοῦ τοὺς πόδας ἀπολούεσθαι τὸ μηκέτι βαίνειν ἐπὶ γῆς, ἀλλ' αἰθεροβατεῖν· ἡ γὰρ τοῦ φιλοθέου ψυχὴ πρὸς ἀλήθειαν ἀπὸ γῆς ἄνω πρὸς οὐρανὸν πηδᾷ καὶ πτερωθεῖσα μετεωροπολεῖ συντάττεσθαι γλιχομένη καὶ συγχορεύειν ἡλίῳ καὶ σελήνῃ καὶ τῇ τῶν ἄλλων ἀστέρων ἱερωτάτῃ καὶ παναρμονίῳ στρατιᾷ, ταξι-
αρχοῦντος καὶ ἡγεμονεύοντος τοῦ θεοῦ τοῦ τὴν ἀνανταγώνιστον καὶ ἀναφαίρετον βασιλείαν ἔχοντος,
208 δι' ἧς ἐνδίκως ἕκαστα πρυτανεύεται. ἡ δὲ εἰς μέλη τοῦ ζώου διανομὴ δηλοῖ, ἥτοι ὡς ἐν τᾷ

^a i.e. the ψυχὴ in its lower sense (cf. § 177) is an apposite symbol of the higher ψυχὴ, "the mind."

THE SPECIAL LAWS, I. 204-208

they maimed or wounded, no deed of outrage or violence have they wrought. They have done no service of any other kind at all which might incur arraignment or censure, but have made themselves humble ministers of things excellent and profitable, such as are held in honour in the sight of wisdom and law and wise and law-abiding men."

XXXVIII. The blood is poured in a circle round the 205 altar because the circle is the most perfect of figures, and in order that no part should be left destitute of the vital oblation. For the blood may truly be called a libation of the life-principle. So, then, he teaches in this symbol that the mind, whole and complete, should, as it moves with measured tread passing circle-wise through every phase of word and intention and deed, shew its willingness to do God's service.^a

The direction to wash the belly and the 206 feet is highly symbolical. Under the figure of the belly he signifies the lust which it is well to clean away, saturated as it is with stains and pollutions, with wine-bibbing and sottishness, a mighty force for ill, trained and drilled to work havoc in the life of men. By the washing of the feet is meant that his 207 steps should be no longer on earth but tread the upper air. For the soul of the lover of God does in truth leap from earth to heaven and wing its way on high, eager to take its place in the ranks and share the ordered march of sun and moon and the all-holy, all-harmonious host of the other stars, marshalled and led by the God Whose kingship none can dispute or usurp, the kingship by which everything is justly governed.

The division of the animal 208 into its limbs indicates either that all things are one

πάντα ἢ ὅτι ἐξ ἑνός τε καὶ εἰς ἓν, ὅπερ οἱ μὲν κόρον
καὶ χρησμοσύνην ἐκάλεσαν, οἱ δ' ἐκπύρωσιν καὶ
διακόσμησιν, ἐκπύρωσιν μὲν κατὰ τὴν τοῦ θερμοῦ¹
δυναστείαν τῶν ἄλλων ἐπικρατήσαντος, δια-
κόσμησιν δὲ κατὰ τὴν τῶν τεττάρων στοιχείων
209 ἰσονομίαν, ἣν ἀντιδιδόασιν ἀλλήλοις. ἐμοὶ δὲ
εὐθυβολώτερον σκοπομένῳ δοκεῖ τοῦτο δηλοῦσθαι·
ἢ τιμῶσα ψυχὴ τὸ ὄν δι' αὐτὸ τὸ ὄν ὀφείλει μὴ
ἀλόγως μηδ' ἀνεπιστημόνως ἀλλὰ σὺν ἐπιστήμῃ
καὶ λόγῳ τιμᾶν. ὁ δὲ περὶ αὐτοῦ λόγος τομὴν
ἐπιδέχεται καὶ διαίρεσιν καθ' ἐκάστην τῶν θείων
δυνάμεων καὶ ἀρετῶν· ὁ γὰρ θεὸς ἀγαθὸς τέ ἐστι
καὶ ποιητὴς καὶ γεννητὴς τῶν ὄλων καὶ προνοη-
τικὸς ὧν ἐγέννησε, σωτὴρ τε καὶ εὐεργέτης, μακα-
ριότητος καὶ πάσης εὐδαιμονίας ἀνάπλεως· ὧν
ἕκαστον καὶ καθ' αὐτὸ ἰδίᾳ σεμνὸν καὶ ἐπαινετὸν
καὶ μετὰ τῶν ὁμογενῶν ἐξεταζόμενον.
210 ἔχει δὲ καὶ τὰ ἄλλα ταύτη. ὅταν | βουλευθῇς, ὦ
[243] διάνοια, εὐχαριστῆσαι περὶ γενέσεως κόσμου θεῷ,
καὶ περὶ τοῦ ὅλου ποιοῦ τὴν εὐχαριστίαν καὶ περὶ
τῶν ὀλοσχερεστάτων αὐτοῦ μερῶν ὡς ἂν ζῶου

¹ So R. The one other ms. which contained the sentence had θεοῦ, which was the accepted reading before the discovery of R, and it is so quoted by Arnim and others. Presumably they understood it as expressing the view of Heracleitus that the Deity was fire.

^a The terms belong to the philosophy of Heracleitus, cf. *Leg. All.* iii. 7 and note. Whatever Heracleitus meant by them, Philo clearly here equates κόρος to ἐκπύρωσις and χρησμοσύνη to διακόσμησις.

or that they come from and return to one, an alternation which is called by some Fullness and Want,^a by others a General Conflagration and Reconstruction,^b the Conflagration being the state when the supremacy of heat has prevailed over the rest, the Reconstruction when the four elements, by concession to each other, obtain equilibrium. My own reflections 209 lead me to think the following a more correct explanation. The soul which honours the Existent having the Existent Himself only in view, ought to honour Him not irrationally nor ignorantly, but with knowledge and reason. And when we reason about Him we recognize in Him partition and division into each of the Divine powers and excellences. For God is good, He is the maker and begetter of the universe and His providence is over what He has begotten; He is a saviour and a benefactor, and has the plenitude of all blessedness and all happiness. Each of these attributes calls for veneration and praise, both separately in itself and when ranked with its congeners. So, too, it is with the rest.^c 210

When, my mind, thou wishest to give thanks to God for the creation of the universe, give it both for the sum of things and for its principal parts, thinking of them as the limbs of a living creature of the utmost

^b For ἐκπύρωσις see *Quis Rerum* 228 and note. διακόσμησις should perhaps rather be translated by "disposal" or "distribution," without the "re-". Since fire is the primary substance (τὸ ἐν), creation itself was a διακόσμησις. So too ἐκπύρωσις though regularly translated "general conflagration" is rather "resolution into fire." See further App. p. 621.

^c Or perhaps ταύτη = "as follows," as not unfrequently; see note on *De Mut.* 129. By "the rest" he means that the universe and the man himself are to be "divided" in the same way as God's attributes have been in the previous section.

- τελειοτάτου μελῶν, οἷον οὐρανοῦ λέγω καὶ ἡλίου καὶ σελήνης, πλανήτων καὶ ἀπλανῶν ἀστέρων, εἴτα γῆς καὶ τῶν ἐν αὐτῇ ζώων καὶ φυτῶν, εἴτα πελαγῶν καὶ ποταμῶν αὐθιγενῶν τε καὶ χειμάρρων καὶ τῶν ἐν αὐτοῖς, ἔπειτα ἀέρος καὶ τῶν κατ' αὐτὸν μεταβολῶν· χειμῶν γὰρ καὶ θέρος, ἔαρ τε καὶ μετόπωρον, αἱ ἐτήσιοι καὶ βιωφελέσταται ὥραι, παθήματα ἀέρος γεγόνασιν ἐπὶ σωτηρία τῶν μετὰ σελήνην
- 211 τρεπομένων. καὶ ἄρα ποτὲ περὶ ἀνθρώπων εὐχαριστῆς, μὴ μόνον περὶ τοῦ γένους ἀλλὰ καὶ περὶ τῶν εἰδῶν καὶ ἀναγκαιοτάτων μερῶν εὐχαρίσται, ἀνδρῶν, γυναικῶν, Ἑλλήνων, βαρβάρων, τῶν ἐν ἡπείροις, τῶν τὰς νήσους εἰληχότων· καὶ περὶ ἐνὸς ἀνδρός, τέμε τῷ λόγῳ τὴν εὐχαριστίαν, μὴ εἰς τὰ λεπτότατα μέχρι τῶν ἐσχάτων, ἀλλὰ εἰς τὰ συνεκτικώτατα, σῶμα καὶ ψυχὴν τὸ πρῶτον, ἐξ ὧν συνέστηκεν, εἴτα εἰς λόγον καὶ νοῦν καὶ αἴσθησιν· οὐ γὰρ ἂν γένοιτο ἀναξία θεοῦ ἀκοῆς καὶ ἡ ὑπὲρ ἐκάστου τούτων εὐχαριστία καθ' αὐτήν.
- 212 XXXIX. Ἀπόχρη τοσαῦτα περὶ τῆς ὀλοκαύτου θυσίας λελέχθαι. τὴν δὲ τοῦ σωτηρίου λεγομένην ἐξῆς ἐπισκεπτέον. ἐπὶ ταύτης ἀδιαφορεῖ, ἔαν τε ἄρρεν ἢ τὸ ἱερεῖον ἔαν τε καὶ θῆλυ. σφαγέντος δὲ τρία ταῦτα ὑπεξαιρεῖται τῷ βωμῷ, τὸ στέαρ καὶ λοβὸς ἥπατος καὶ νεφροὶ δύο· τὰ δ' ἄλλα τῷ κατα-
- 213 θύσαντι εὐωχία. διὰ τί δὲ τὰ μέρη ταῦτα τῶν ἐντοσθιδίων καθιεροῦνται, μετὰ ἀκριβείας ἐπισκεπτέον ἐκεῖνο μὴ παρελθόντας· διαλογιζόμενος ἐν ἑμαυτῷ πολλάκις ταῦτα καὶ διερευνώμενος ἐπηπό-

^a E.V. "peace-offering." See Lev. iii. 1 ff.

^b E.V. "the caul upon the liver."

THE SPECIAL LAWS, I. 210-213

perfection. Such parts are heaven and sun and moon and the planets and fixed stars ; then again earth and the living creatures or plants thereon, then the sea and rivers, whether spring-fed or winter courses, and all they contain : then the air and its phases, for winter and summer, spring and autumn, those seasons which recur annually and are so highly beneficial to our life, are different conditions in the air which changes for the preservation of sublunar things. And if thou givest 211 thanks for man, do not do so only for the whole genus but for its species and most essential parts, for men and women, for Greeks and barbarians, for dwellers on the mainland and those whose lot is cast in the islands. And if it is for a single person, divide the thanksgiving as reason directs, not into every tiny part of him down to the very last, but into those of primary importance, first of all into body and soul of which he is composed, then into speech and mind and sense. For thanks for each of these will by itself be not unworthy to obtain audience with God.

XXXIX. Enough has now been said on the whole 212 burnt-offering. We must now consider in its turn the preservation-offering.^a In this case it is a matter of indifference whether the victim is male or female. When it has been slain these three, the fat, the lobe^b of the liver and the two kidneys, are set apart for the altar, while the rest serves as a feast to be enjoyed by the person^c who has offered the sacrifice. But why 213 these parts of the inwards are consecrated must be carefully considered, not neglecting the following point. In the course of my reflections I have often pondered deeply on this question also ; what could

- ρησα, τί δήποτε λοβὸν μὲν ἥπατος καὶ νεφροὺς καὶ
 στέαρ ἀπαρχὰς τῶν καταθυομένων ζώων ὑπεξείλετο
 ὁ νόμος, οὔτε δὲ καρδίαν οὔτε ἐγκέφαλον, τοῦ
 214 ἡγεμονικοῦ τῷ ἐτέρῳ τούτων ἐνδιαιτωμένον. τὸ δ'
 αὐτὸ νομίζω καὶ ἄλλους οὐκ ὀλίγους τῶν διανοία
 μᾶλλον ἢ ὀφθαλμοῖς ταῖς ἱεραῖς γραφαῖς ἐντυγ-
 χανόντων ἐπιζητήσιν· ἐὰν μὲν οὖν ἐπισκεψάμενοι
 πιθανωτέραν αἰτίαν εὕρωσιν, ἐαυτοὺς τε καὶ ἡμᾶς
 ὠφελήσουσιν· εἰ δὲ μή, τὴν ἐπινοηθεῖσαν ὑφ' ἡμῶν
 ἐπικρινάτωσαν, εἰ δόκιμος. ἔστι δὲ ἥδε· τὸ ἡγε-
 μονικὸν μόνον τῶν ἐν ἡμῖν ἀφροσύνην καὶ ἀδικίαν
 καὶ δειλίαν καὶ τὰς ἄλλας κακίας δέχεται¹ τε καὶ
 [244] χωρεῖ· τούτου δὲ οἶκος τὸ ἕτερον τῶν λεχθέντων
 215 ἐστίν, | ἐγκέφαλος ἢ καρδία. ἐδικαίωσεν οὖν ὁ
 ἱερὸς λόγος τῷ τοῦ θεοῦ βωμῷ, δι' οὗ πάντων
 ἁμαρτημάτων καὶ παρανομημάτων ἀπολύσεις γί-
 νονται καὶ παντελεῖς ἀφέσεις, μὴ προσφέρειν
 ἀγγεῖον, ἐν ᾧ ποτε φωλεύσας ὁ νοῦς ἐπὶ τὴν ἀδικίας
 καὶ ἀσεβείας ἀνοδίαν ἐχώρησεν ἐκτραπόμενος τὴν
 ἐπ' ἀρετὴν καὶ καλοκάγαθίαν ἄγουσαν ὁδόν· εὐηθες
 γὰρ τὰς θυσίας ὑπόμνησιν ἁμαρτημάτων ἀλλὰ μὴ
 λήθην αὐτῶν κατασκευάζειν. τοῦτ' αἴτιον εἶναί μοι
 δοκεῖ τοῦ μηδέτερον τῶν ἡγεμονίαν ἐχόντων,
 ἐγκέφαλον ἢ καρδίαν, προσφέρεισθαι.
 216 Ἄ δὲ διείρηται, λόγον ἔχει προσήκοντα· τὸ μὲν
 στέαρ, ὅτι καὶ πιότατον καὶ τῶν σπλάγχχνων φυ-
 λακτήριον—ἐπαμπίσχει γὰρ αὐτὰ καὶ πιαίνει καὶ
 τῇ μαλακότητι τῆς ἐπαφῆς ὠφελεῖ—, οἱ δὲ νεφροὶ

¹ MSS. δύναται.

^a See the very similar passage in *De Sac.* 136, and the note there on the question whether τὸ ἡγεμονικόν resided in the brain or in the heart.

THE SPECIAL LAWS, I. 213-216

be the reason why the law, when setting apart the lobe of the liver and the kidneys and the fat as a tribute reserved from the animals sacrificed, did not include either the heart or the brains, since the dominant principle resides in one or other of them.^a And I 214 expect the same question will present itself to not a few of those who read the holy scriptures with their understanding rather than with their eyes. If such persons after examination find a more convincing reason, they will benefit both themselves and me ; if not I beg them to consider whether that which has commended itself to my mind will stand the test. It is as follows. The dominant principle is the only part of us which admits and retains folly and injustice and cowardice and the other vices, and the home of this principle is one or other of the two just mentioned, namely, the brain and the heart. The holy word, 215 therefore, thought good that the altar of God, by which is given absolution and complete remission of all sins and transgressions, should not be approached by the container in which mind had its lair when it came forth to tread the pathless wilds of injustice and impiety, turning away from the road which leads to virtue and noble conduct. For it would be foolish to have the sacrifices working remembrance instead of oblivion of sin. This seems to me the reason why neither of the parts which hold the pre-eminence, the brain or the heart, is brought to the altar.

As for the parts which are actually prescribed, 216 appropriate reasons can be given for the choice. The fat is the richest part and acts as a protection to the inwards, serving as a covering and a source of richness to them and benefiting them by the softness of its contact. The kidneys are chosen because of their

διὰ τοὺς παραστάτας καὶ τὰ γεννητικά, οἷς παρ-
 οικούντες ἀγαθῶν τρόπον γειτόνων βοηθοῦσι καὶ
 συμπράττουσιν, ὅπως ὁ τῆς φύσεως σπόρος εὐδοῇ,
 μηδενὸς τῶν πλησίον ἐμποδίζοντος—αὐτοὶ μὲν γὰρ
 αἰμοειδεῖς εἰσι δεξαμεναί, οἷς ἡ τῶν περιττωμάτων
 ὑγρὰ κάθαρσις ἀποκρίνεται, οἱ δὲ παραστάται
 πλησίον, δι' ὧν ἄρδεται ὁ σπόρος—, λοβὸς δ' ἡπατος
 τοῦ κυριωτάτου τῶν σπλάγχχνων ἐστὶν ἀπαρχή, δι'
 οὗ τὴν τροφήν ἐξαιματοῦσθαι συμβέβηκε καὶ ἐπο-
 χετευομένην τῇ καρδίᾳ φέρεσθαι διὰ φλεβῶν εἰς τὴν
 217 τοῦ ὅλου σώματος διαμονήν. στόμαχος μὲν γὰρ
 παρακείμενος τῇ καταπόσει τὴν ὑπὸ τῶν ὀδόντων
 τμηθεῖσαν πρότερον καὶ λεανθεῖσαν αὖθις τροφήν
 ὑποδέχεται καὶ προκατεργάζεται κοιλία· κοιλία δὲ
 παρὰ στομάχου λαμβάνουσα τὴν δευτέραν ὑπηρε-
 σίαν ἐπιτελεῖ, πρὸς ἣν ὑπὸ φύσεως ἐτάχθη, χύλωσιν
 ἀπεργαζομένη τῆς τροφῆς· αὐλοὶ δὲ δύο τῆς κοιλίας
 σωληνοειδεῖς ἐκπεφύκασιν εἰς ἡπαρ ἐπαντλοῦντες
 218 ταῖς διαπεφυκυῖαις ἐν αὐτῷ δεξαμεναῖς. ἔχει δὲ
 διττὴν δύναμιν ἡπαρ, διακριτικὴν τε καὶ τὴν πρὸς
 ἐξαιμάτωσιν· ἡ μὲν οὖν διακριτικὴ πᾶν ὅσον ἀ-
 τέραμνον καὶ δυσκατέργαστον εἰς τὸ παρακείμενον
 χολῆς ἀγγεῖον ἀποκρίνει, ἡ δ' ἐτέρα τὸ καθαρὸν καὶ
 διηθημένον τῷ περὶ αὐτὴν φλογμῷ τρέπει μὲν εἰς
 αἷμα ζωτικώτατον, ἀναθλίνει δ' εἰς καρδίαν, ἀφ' ἧς
 ὡς ἐλέχθη ταῖς φλεψὶν ἐποχετευόμενον διὰ παντὸς
 εἰλεῖται τοῦ σώματος γινόμενον αὐτῷ τροφή.

THE SPECIAL LAWS, I. 216-218

relation to the testicles and generative organs ; situated beside them they give them neighbourly assistance, and co-operate in promoting the easy passage of nature's seed unimpeded by any of the adjacent parts. For the kidneys themselves are blood-coloured receptacles in which the moist off-scouring of the excrement is secreted, and contiguous to them are the testicles which create the stream of the semen. The lobe is a sample tribute from the most important of the inwards, the liver, by which the food is converted into blood and then being sluiced into the heart, is conveyed through the veins for the conservation of the whole body. For the 217 orifice of the stomach being adjacent to the gullet receives the food which has been first bitten off by the teeth and afterwards masticated, and by its action prepares it for the stomach itself. This receives it from the orifice and performs the second office to which it has been appointed by nature, by turning it into juice. And from the stomach there are two pipe-shaped channels extending to the liver and draining the food into the receptacles which lie at intervals therein. Now the liver has two properties : 218 it acts both as a sifter and a creator of blood. As a sifter it secretes all the hard and callous stuff into the adjacent bile-vessel, while in its other capacity by means of the heat which it contains it turns the pure liquid which has been strained off into blood full of life-giving powers, then presses this blood into the heart, whence, as we have said, it is sluiced into the veins, and coursing through the whole body becomes

219

πρόσεστι δὲ καὶ κεῖνο τοῖς εἰρημένοις·
 τὴν τοῦ ἥπατος φύσιν μετέωρον καὶ λειοτάτην
 οὖσαν [καὶ] διὰ λειότητα φανοτάτου κατόπτρου
 λόγον ἔχειν συμβέβηκεν, ἵν' ἐπειδὰν τῶν ἡμερινῶν
 φροντίδων ἀναχωρήσας ὁ νοῦς, ὕπνῳ μὲν παρ-
 εμμένου τοῦ σώματος, μηδεμιᾶς δὲ τῶν αἰσθήσεων
 [245] ἴσταμένης ἐμποδῶν, ἀνακυκλεῖν αὐτὸν ἄρξῃται καὶ
 τὰ νοήματα καθαρῶς ἐφ' αὐτοῦ σκοπεῖν, ὅλα εἰς
 κάτοπτρον ἀποβλέπων τὸ ἥπαρ ἕκαστα εἰλικρινῶς
 καταθεᾶται τῶν νοητῶν καὶ περιβλεπόμενος ἐν
 κύκλῳ τὰ εἰδῶλα, μή τι πρόσεστιν αἰσχος, [ἵνα] τὸ
 μὲν φύγῃ, τὸ δ' ἐναντίον ἔλθῃ, καὶ πάσαις ταῖς
 φαντασίαις εὐαρεστήσας προφητεύῃ διὰ τῶν ὀνεί-
 ρων τὰ μέλλοντα.

220

XL. Δυσὶ δὲ μόναῖς ἡμέραις ἐπιτρέπει τὴν χρῆσιν
 τῆς τοῦ σωτηρίου θυσίας ποιέσθαι μηδὲν εἰς τὴν
 τρίτην ἀπολείποντας, πολλῶν χάριν· ἐνὸς μὲν ὅτι τὰ
 τῆς ἱερᾶς τραπέζης πάντα καιρίως δεῖ προσφέρε-
 σθαι σπουδὴν ποιουμένους, ὥς μὴ μεταβάλλῃ μήκει
 χρόνου· κρεῶν δὲ ἐώλων εὐσηπτὸς ἢ φύσις, καὶ
 221 ἡδύσμασι παραρτυθῇ. ἑτέρου δ' ὅτι τὰς θυσίας

^a This section is based on Plato, *Timaeus* 71 (see Archer-Hind's translation), and certainly reproduces the main idea of that curious passage, that the liver acts as a mirror "which receives outlines of the thoughts from the brain and exhibits reflections from them," sometimes of a bitter nature, while sometimes "the part of the soul settled about the liver is enabled to secure a sober amusement at night, enjoying divination during sleep in recompense for its deprivation of intelligence and wisdom." Whether Philo has otherwise understood Plato correctly I do not presume to say.

^b I do not understand what Philo means by μετέωρος ("high up"). Plato's description of the liver is that God set it in the dwelling-place of the lusting (ἐπιθυμητικόν) part of the soul and made it "dense and smooth and bright, with a share of

THE SPECIAL LAWS, I. 219-221

its sustenance. ^aThere is another point to 219
be added to these statements. The liver has been
made so as to lie high ^b and be exceedingly smooth,
and in virtue of its smoothness it plays the part of a
mirror of the utmost brightness. In consequence
when the mind withdrawing from its daytime cares,
with the body paralyzed in sleep and the obstruction
of every sense removed, begins to turn itself about and
concentrate upon the pure observation of its concepts,
it looks into the liver as into a mirror where it gains
a lucid view of all that mind can perceive and, while
its gaze travels round the images to see whether they
contain any ugly defect, it eschews all such and selects
their opposites, and so, well satisfied ^c with all the
visions presented to it, prophesies future events
through the medium of dreams.

XL. ^dTwo days only are allowed for the use of the 220
preservation-offering as food, and nothing is to be left
over till the third day. This for several reasons.
One is, that all the meats of the sacred table must be
eaten without undue delay, care being taken that
they should not deteriorate through lapse of time.
It is the nature of stale flesh to decay rapidly, even
though seasoned with spices as preservatives. Another 221

bitterness." Some stress is laid on its position, but there is
nothing corresponding to *μετέωρος*. Can the word mean
here "with changing moods," "temperamental," and refer
to the mixture of sweetness and bitterness ascribed to it by
Plato?

^e So Mangey and Heinemann for *εὐαρεστήσας*. This use
of the verb, however, seems later. Its common meaning is
"well-pleasing to," and so apparently always elsewhere in
Philo (*εὐαρεστητέον* in *De Praem.* 34 may be the verbal of
εὐαρεστοῦμαι). This regular meaning is perhaps not altogether
impossible here, "it has become a satisfactory medium for all
the (good) visions."

^d See Lev. xix. 5, 6.

ἀταμιεύτους εἶναι προσήκει καὶ πᾶσιν εἰς μέσον προκείσθαι τοῖς δεομένοις· εἰσὶ γὰρ οὐκέτι τοῦ τεθυκότος, ἀλλ' ὧ τέθυται τὸ ἱερεῖον, ὃς εὐεργέτης καὶ φιλόδωρος ὢν κοινωνὸν ἀπέφηνε τοῦ βωμοῦ καὶ ὁμοτράπεζον τὸ συμπόσιον τῶν τὴν θυσίαν ἐπιτελούντων, οἷς παραγγέλλει μὴ νομίζειν ἐστιᾶν· ἐπίτροποι γὰρ εὐωχίας εἰσὶν, οὐχ ἐστιάτορες, ὁ δ' ἐστιάτωρ ἐστὶν οὗ συμβέβηκεν εἶναι καὶ τὴν παρασκευήν, ἣν οὐ θέμις ἀποκρύπτειν φειδωλίαν, ἀνελεύθερον κακίαν, φιλανθρωπίας, ἀρετῆς εὐγενοῦς, 222 προκρίνοντας. τελευταίου δ' ὅτι τὴν τοῦ σωτηρίου θυσίαν ὑπὲρ δυεῖν προσάγεσθαι συμβέβηκε, ψυχῆς τε καὶ σώματος, ὧν ἑκατέρῳ μίαν ἡμέραν ἀπένειμεν εἰς εὐωχίαν τῶν κρεῶν· ἡρμοττε γὰρ ἰσάριθμον χρόνον ὀρισθῆναι τοῖς πεφυκόσι σῶζεσθαι τῶν ἐν ἡμῖν, ὡς τῇ μὲν προτεραίᾳ λαμβάνειν ἅμα τῇ βρώσει τῆς ψυχικῆς σωτηρίας ὑπόμνησιν, τῇ δ' 223 ὑστεραίᾳ τῆς κατὰ τὸ σῶμα ὑγείας. ἐπεὶ δὲ τρίτον οὐδὲν ἦν ὃ κυρίως πέφυκε σωτηρίαν ἐνδέχεσθαι, τὴν εἰς τὴν τρίτην ἡμέραν χρήσιν ἀνὰ κράτος ἀπηγόρευσε προστάξας, εἰ καὶ τύχοι τι κατ' ἄγνοιαν ἢ λήθην ἀπολειφθέν, εὐθὺς ἀναλίσκεσθαι πυρί. τὸν δὲ γευσάμενον αὐτὸ μόνον ἔνοχον ἀποφαίνει καὶ φησιν αὐτῷ· τεθυκέναι νομίζων, ὧ καταγέλαστε, οὐ τέθυκας· οὐ προσηκάμην¹ ἀθύτων, ἀνιέρων, βε-

¹ προσηκάμην followed by a genitive is irregular, and Cohn proposes some insertion, e.g. *θοῖνην*.

^a See Lev. xix. 7, 8. Philo's close following of the text should be noticed, LXX *ἐὰν δὲ βρώσει βρωθῇ . . . ἄθυτόν* (E.V. "abomination") *ἐστίν, οὐ δεχθήσεται*. His *γευσάμενον αὐτὸ μόνον* interprets *βρώσει βρωθῇ* ("be eaten at all"), though else-
228

THE SPECIAL LAWS, I. 221-223

reason is, that the sacrificial meals should not be hoarded, but be free and open to all who have need, for they are now the property not of him by whom but of Him to Whom the victim has been sacrificed, He the benefactor, the bountiful, Who has made the convivial company of those who carry out the sacrifices partners of the altar whose board they share. And He bids them not think of themselves as the entertainers, for they are the stewards of the good cheer, not the hosts. The Host is He to Whom the material provided for the feast has come to belong, and this must not be stowed away out of sight, and niggardliness, the vice of the slave, preferred to kindliness, the virtue of gentle birth. The final reason is, that the 222 preservation-offering is in fact made in behalf of two, namely soul and body, to each of which he assigned one day for feasting on the flesh. For it was meet that an equal space of time should be appointed for those elements of our nature which are capable of being preserved, so that on the first day as we eat we obtain a reminder of the soul's preservation, on the morrow of the body's good health. And since there 223 is no third thing which, properly speaking, could be the subject of preservation, he strictly forbade the use of the oblation as food on the third day, and commanded that if anything was left over through ignorance or inadvertence, it should immediately be consumed by fire. ^a Even him who had tasted it and nothing more he declares to be guilty. "Poor fool," he says to him, "thou thinkest to have sacrificed, though thou hast not done so. Sacrilegious, unholy, profane, impure, is the meat which thou hast dressed.

where he does not seem to understand the Hebrew idiom thus rendered in Greek.

βήλων, ἀκαθάρτων, ὧν ἤψηκας κρεῶν, ὧ γαστρί-
μαργε, θυσιῶν οὐδ' ὄναρ ἐπησθημένος.

- 224 XLI. Τῆς δὲ τοῦ σωτηρίου θυσίας ἐν εἶδει περι-
λαμβάνεται ἡ λεγομένη τῆς αἰνέσεως, ἣτις λόγον
ἔχει τοιόνδε· ὁ μηδενὶ τὸ παράπαν ἀβουλῇτῳ
περιπεσών, μήτε κατὰ σῶμα μήτε κατὰ τὰ ἐκτός,
ἀλλ' ἀπολέμῳ καὶ εἰρηνικῶ βίῳ χρώμενος ἐν
εὐπαθείαις τε καὶ εὐτυχίαις ἐξεταζόμενος, ἀπήμων
καὶ ἄπταιστος ὢν καὶ τὸ μακρὸν τοῦ βίου πέλαγος
εὐθύνων ἐν εὐδία καὶ γαλήνῃ πραγμάτων, ἐπι-
[246] πνεούσης αἰεὶ κατ' οἰάκων εὐπραγίας, | ἀναγκαίως
ὀφείλει τὸν κυβερνήτην θεὸν καὶ ἄνοσον μὲν σωτη-
ρίαν ἀζημίους δ' ὠφελείας καὶ συνόλως ἀμιγῇ
κακῶν τὰ ἀγαθὰ δωρούμενον ὕμνοις τε καὶ εὐδαι-
μονισμοῖς καὶ εὐχαῖς θυσίαις τε καὶ ταῖς ἄλλαις
εὐχαριστίαις εὐαγῶς ἀμείβεσθαι· ἃ δὴ πάντα ἀθρόα
225 συλλήβδην ἐν ὄνομα τὸ αἰνέσεως ἔλαχε. ταύτην
τὴν θυσίαν οὐχ ὥσπερ τὴν προτέραν τοῦ σωτηρίου
δυσὶν ἡμέρας ἀναλίσκεσθαι προστάττει, μιᾷ δ' αὐτὸ
μόνον, ἢν' οἱ ἐπιτυχόντες ἐτοιμῶν καὶ προχείρων
εὐεργεσιῶν ἐτοιμῇ καὶ ἀνυπέρθετον ποιῶνται τὴν
μετάδοσιν.
- 226 XLII. Ταῦτα μὲν ἐπὶ τοσοῦτον. τὴν δὲ τρίτην
ἐξῆς ἐπισκεπτέον, ἣ καλεῖται περὶ ἁμαρτίας. αὕτη
τέτμηται πολλαχῇ, καὶ τοῖς προσώποις καὶ τοῖς
τῶν ἱερείων εἵδεσι, προσώποις μὲν ἀρχιερέως καὶ

* See Lev. vii. 2 f. (E.V. 12 f.). It is embraced in the preservation-offering because it is called *θυσία αἰνέσεως σωτηρίου* (E.V. "the sacrifice of his peace-offerings for thanksgiving").

THE SPECIAL LAWS, I. 223-226

I accept it not, base glutton, who even in thy dreams hast caught no glimpse of what sacrifice means."

XLI. Under the head of the preservation-offering ²²⁴ is embraced what is called the praise-offering.^a The principle of this is as follows. He who has never at all met with any untoward happening, either of soul or body or things external, who lives a life of peace undisturbed by war, placed in an environment of every comfort and good fortune, free from disaster and cause of stumbling, sailing in straight course over the long sea of life amid the sunshine and calm of happy circumstances, with the breeze of prosperity ever behind the helm, has as his bounden duty to requite God his pilot, Who gives him safety untouched by disease, benefits carrying no penalty and in general good unmixed with evil—requite Him, I say, with hymns and benedictions and prayers and sacrifices and the other expressions of gratitude as religion demands. All these collected and summed up have obtained the single name of praise. ^b For the con- ²²⁵sumption of this sacrifice one day only is allowed, not two as in the former case of the preservation-offering, that those into whose hands benefits have fallen so readily should make repayment with readiness and without delay.

XLII. So much for these. We must next examine ²²⁶ the third kind of sacrifice which bears the name of sin-offering. ^c Here we have several divisions, both according to the persons concerned and the kinds of victims. As to persons, the high priest is distin-

^b See Lev. vii. 5 (E.V. 15).

^c See Lev. iv. for the high priest (E.V. "anointed priest"), v. 3; for the nation, v. 13; for the ruler, v. 22; for the commoner, v. 27.

τοῦ σύμπαντος ἔθνους καὶ ἄρχοντος ἐν μέρει καὶ
 ιδιώτου, ἱερείοις δὲ μόσχου καὶ χιμάρου καὶ χι-
 227 μαίρας ἢ ἀμνάδος. διακέκριται δὲ καὶ μάλιστ' ἦν
 ἀναγκαῖον διακεκρίσθαι τά θ' ἐκούσια καὶ ἀκούσια,
 τροπὰς λαμβανόντων τὰς πρὸς τὸ βέλτιον τῶν
 δοξάντων ἀμαρτεῖν καὶ κακιζόντων μὲν αὐτοὺς ἐφ'
 οἷς ἐπλημμέλησαν, μεθορμιζομένων δὲ πρὸς ζωὴν
 228 ἀνυπαίτιον. τὰ μὲν οὖν τοῦ ἀρχιερέως ἀμαρτήματα
 καὶ τοῦ ἔθνους ἰσοτίμῳ καθαίρεται ζῶν—μόσχον
 γὰρ ἀνάγεσθαι περὶ ἐκατέρου προστέτακται—, τὰ δὲ
 τοῦ ἄρχοντος ἐλάττονι μὲν, ἄρρενι δὲ καὶ τούτῳ—
 χίμαρος γάρ ἐστι τὸ ἱερεῖον—, τὰ δὲ τοῦ ιδιώτου
 καταδεεστέρω τὸ εἶδος—θῆλυ γὰρ ἀλλ' οὐκ ἄρρεν
 229 θῦμα, χίμαιρα,¹ καταθύεται—. ἔδει γὰρ ιδιώτου μὲν
 πλεόν ἄρχοντα φέρεσθαι καὶ ταῖς ἱερουργίαις, ἄρ-
 χοντος δὲ τὸ ἔθνος, ἐπεὶ τὸ ὅλον τοῦ μέρους ἀεὶ
 κρεῖττον εἶναι δεῖ, τὸν δ' ἀρχιερέα τῷ ἔθνει τῆς
 αὐτῆς ἡξιώσθαι προνομίας ἐν τῷ καθαίρεσθαι καὶ
 παρὰ τῆς ἰλεω τοῦ θεοῦ δυνάμεως ἀμνηστίαν
 ἀδικημάτων αἰτεῖσθαι· τὸ δ' ἰσότιμον οὐ δι' αὐτόν,
 ὡς ἔοικε, καρποῦται μᾶλλον ἢ διότι τοῦ ἔθνους
 ὑπηρέτης ἐστὶ τὰς κοινὰς ὑπὲρ ἀπάντων ποιούμενος
 εὐχαριστίας ἐν ταῖς ἱερωτάταις εὐχαῖς καὶ ἐν ταῖς
 230 εὐαγεστάταις θυσίαις. σεμνὴ δὲ καὶ θαυμάσιος καὶ
 ἡ περὶ ταῦτα διάταξις· “ἐὰν” φησὶν “ὁ ἀρχιερεὺς
 ἄκων ἀμάρτη,” καὶ προστίθουσιν “ὥστε τὸν λαὸν

¹ Some mss. *θῦμα* only, the others *χίμαιρα* only.

^a Philo finds the term *ἄρχων* in the LXX, and does not attempt to explain it. For ἐν μέρει see on *κατὰ μέρος*, § 208. Possibly it may mean here, “ruler over some particular part,” i.e. of the whole nation.

THE SPECIAL LAWS, I. 226-230

guished from the whole nation and the rulers^a as a class from the men of the common people. As to victims, they may be a male calf, a he-goat, a she-goat or ewe-lamb. Another distinction made is one 227 which is most essential between voluntary and involuntary sins. For those who have acknowledged their sin are changing their way for the better, and while they reproach themselves for their errors are seeking a blameless life as their new goal. The sins, 228 then, of the high priest and those of the whole nation are purged with an animal of the same value ; in both cases it is directed that a male calf should be brought. For the sins of the ruler one of less value is ordered, though this too is a male, namely a he-goat ; for the sins of the commoner, one still more inferior in kind, a female offering instead of a male, that is, a she-goat. For it was proper that in matters of sacrifice the ruler 229 should fare better than the commoner and the nation than the ruler, since the whole should always be superior to the part ; also that the high priest should be adjudged the same precedence as the nation in their purification and supplication for forgiveness of wrongdoings from the merciful power of God. But the equality of honour which the high priest enjoys is evidently not so much on his own account as because he is the servant of the nation also, giving thanks in common for all through the holiest of prayers and the purest of sacrifices. Deeply and wonderfully 230 impressive is the form of command in this matter. ^b "If the high priest," it says, "sins involuntarily," and then adds, "so that the people sin," words which

^b See Lev. iv. 3. A.V. "according to the sin of the people." R.V. "so as to bring guilt on the people." The LXX has not got ἀκων in this verse, but Philo infers it from ἀκουσίως (R.V. "unwittingly") in v. 2.

- ἀμαρτεῖν," μόνον οὐκ ἄντικρυς ἀναδιδάσκων, ὅτι ὁ πρὸς ἀλήθειαν ἀρχιερεὺς καὶ μὴ ψευδώνυμος ἀμέτοχος ἀμαρτημάτων ἐστίν, εἰ δ' ὀλισθήσοι ποτέ, πείσεται τοῦτο οὐ δι' αὐτόν, ἀλλὰ διὰ κοινὸν τοῦ ἔθνους σφάλμα· τὸ δὲ σφάλμα οὐκ ἀνίατον, ἀλλὰ
- 231 ῥαδίως τὴν θεραπείαν ἐνδεχόμενον. ὅταν οὖν σφαγιασθῇ ὁ μόσχος, κελεύει τοῦ αἵματος ἐπιρραίνειν ἐπτάκις τῷ δακτύλῳ ἀντικρὺ τοῦ πρὸς τοῖς ἀδύτοις καταπετάσματος, ἐσωτέρῳ τοῦ προτέρου, καθ' ὃν τόπον ἱδρυταὶ τὰ ἱερώτατα σκευή, κᾶπειτα
- [247] <τὰ> τοῦ | θυμιατηρίου τέτταρα κέρατα—τετράγωνον γὰρ ἐστὶ—χρίειν καὶ ἐπαλείφειν, τὸ δ' ἄλλο αἷμα προσχεῖν παρὰ τῇ βάσει τοῦ ἐν ὑπαίθρῳ
- 232 βωμοῦ· ἐφ' ὃν ἀναφέρειν τρία διείρηται, στέαρ καὶ λοβὸν ἥπατος καὶ διττοὺς νεφροὺς, κατὰ τὴν ἐπὶ τοῦ σωτηρίου διάταξιν, δορὰν δὲ καὶ κρέα καὶ σύμπαν ἀπὸ κεφαλῆς ἄχρι ποδῶν τὸ ἄλλο σῶμα τοῦ μόσχου μετὰ τῶν ἐντοσθιδίων προσφέρειν¹ ἔξω καὶ κατακαίειν ἐν χωρίῳ καθαρῷ, ἔνθα τὴν ἱερὰν ἀπὸ τοῦ βωμοῦ τέφραν ἐκκομίζεσθαι συμβέβηκε. τὰ δ' αὐτὰ νομοθετεῖ καὶ περὶ παντὸς τοῦ ἔθνους ἀμαρ-
- 233 τόντος. εἰ δέ τις ἄρχων πλημμελήσειε, χιμάρῳ ποιεῖται τὴν κάθαρσιν, ὡς εἶπον, ἐὰν δὲ ἰδιώτης, χιμαῖρα ἢ ἀμνάδι· τῷ μὲν γὰρ ἄρρεν, τῷ δ' ἰδιώτῃ θῆλυ ζῶον ἀπένειμε, τὰ δ' ἄλλα διαταξάμενος ἐπ' ἀμφοῖν ὅμοια, χρίσαι τὰ κέρατα τοῦ ἐν ὑπαίθρῳ βωμοῦ τῷ αἵματι, στέαρ καὶ λοβὸν ἥπατος καὶ διττοὺς νεφροὺς ἀνενεγκεῖν, τὰ δ' ἄλλα τοῖς ἱερεῦσι

¹ MSS. προσφέρειν.

^a See Lev. iv. 6-12.

THE SPECIAL LAWS, I. 230-233

almost amount to a plain statement from which we may learn that the true high priest who is not falsely so-called is immune from sin, and if ever he slips, it will be something imposed on him not because of what he does himself, but because of some lapse common to the nation. And that lapse is not incurable but admits easily of healing treatment. "So 231 when the calf has been slaughtered he bids the priest to sprinkle some of the blood with his finger seven times over against the veil at the inner shrine, beyond the first veil, at the place where the most sacred chattels have been set, and then anoint and smear the four horns of the altar of incense, corresponding to its four sides, and pour the rest of the blood at the foot of the altar in the open air. To this altar he 232 is commanded to bring three things, the fat and the lobe of the liver and the two kidneys, as in the ordinance of the preservation-offering. But the skin and the flesh and all the rest of the body of the calf from head to foot, with the inwards, are to be carried outside and burnt in a clear and open space^b whither the holy ashes from the altar also are conveyed. The same rules are laid down by law in the case where the sin lies with the whole nation. But if a trespass is 233 committed by a ruler, he purges himself with a he-goat, as I have said; if by one of the common people, with a she-goat or a ewe-lamb. For he assigned the male animal to the ruler, the female to the commoner, while the other regulations which he made are similar for both persons, namely, that the horns of the open-air altar should be anointed with the blood, the fat and the lobe of the liver and the two kidneys offered at the altar and the rest given to the priests to eat.

^b Or as E.V. "a clean place." See on § 268.

- 234 παρασχεῖν ἔδωδῆν. XLIII. ἐπεὶ δὲ τῶν ἁμαρτημάτων τὰ μὲν εἰς ἀνθρώπους, τὰ δ' εἰς ἱερὰ καὶ ἅγια δρᾶται, περὶ μὲν τῶν εἰς ἀνθρώπους γινομένων ἀκουσίως διείλεκται, τὴν δ' ἐπὶ τοῖς ἱεροῖς κάθαρσιν¹ ἱλάσκεσθαι κριῶ νομοθετεῖ, πρότερον ἀποτίσαντας ἐκείνο περὶ ὃ γέγονεν ἡ πλημμέλεια, τὸ πέμπτον προσεπιτιθέντας τῆς ἀξίας τιμῆς.
- 235 Ταῦτα καὶ τὰ τούτοις ὅμοια νομοθετήσας ἐπὶ τοῖς ἀκουσίοις καὶ περὶ τῶν ἐκουσίων ἐξῆς διατάττεται. ἐάν τις, φησί, ψεύσῃται περὶ κοινωνίας ἢ περὶ παρακαταθήκης ἢ ἀρπαγῆς ἢ εὐρέσεως ὧν ἀπώλεσεν ἕτερος καὶ ὑπονοηθεῖς, ὅρκου προταθέντος, ὁμόση καὶ δόξας ἐκπεφευγῆναι τὸν ἀπὸ τῶν κατηγορῶν ἔλεγχον αὐτὸς ἑαυτοῦ γένηται κατήγορος, ἔνδον ὑπὸ τοῦ συνειδότος ἐλεγχθεῖς, καὶ κακίση μὲν ἑαυτὸν ὧν ἡρνήσατο καὶ ἐπιώρκησεν, ὁμολογῶν δ' ἀντικρυς τὸ πραχθὲν ἀδίκημα συγγνώμην αἰτῆται,
- 236 κελεύει τῷ τοιούτῳ παρέχειν ἀμνηστίαν, ἐπαληθεύσαντι τὴν μετάνοιαν οὐχ ὑποσχέσει ἀλλ' ἔργοις, ἀποδόσει τῆς παρακαταθήκης καὶ ὧν ἥρπασεν ἢ εὔρεν ἢ συνόλως ἐσφετερίσατο τοῦ πλησίον, προσ-
 237 αποτίσας² καὶ τὸ ἐπίπεμπτον εἰς παρηγορίαν τοῦ πλημμεληθέντος. ὅταν δὲ ἱλάσῃται τὸν ἡδικημένον πρότερον, ἴτω, φησί, μετὰ ταῦτα καὶ εἰς τὸ ἱερὸν αἰτησόμενος ὧν ἐξήμαρτεν ἄφεσιν, ἐπαγόμενος

¹ A very strange expression, unless *κάθαρσιν* can be regarded as a sort of cognate accusative. Cohn suggests *ἁμαρτίαν*. Possibly *ἀκαθαρσίαν*.

² This ungrammatical nominative is either a slip or should be corrected to *-σαντι*.

^a See Lev. v. 15, 16.

XLIII. ^aBut since sins are sometimes committed ²³⁴ against men, sometimes against things sacred and holy, besides the regulations already stated for dealing with involuntary offences against men, he lays down that in the case of the holy things the purificatory propitiation should be made with a ram, the offenders having first made full compensation for the subject of the trespass with the addition of a fifth part of its proper value.

These and similar regulations for involuntary ²³⁵ offences are followed by his ordinances for such as are voluntary.^b "If," he says, "a man lies about a partnership or a deposit or a robbery or as to finding the lost property of someone else, and, being suspected and put upon his oath, swears to the falsehood—if then after having apparently escaped conviction by his accusers he becomes, convicted inwardly by his conscience, his own accuser, reproaches himself for his disavowals and perjuries, makes a plain confession of the wrong he has committed and asks for pardon—then the lawgiver orders that forgiveness be ²³⁶ extended to such a person on condition that he verifies his repentance not by a mere promise but by his actions, by restoring the deposit or the property which he has seized or found or in any way usurped from his neighbour, and further has paid an additional fifth as a solatium for the offence. And when he has thus ²³⁷ propitiated the injured person he must follow it up, says the lawgiver, by proceeding to the temple to ask for remission of his sins, taking with him as his

^b See Lev. vi. 2-7. Where, however, it is not suggested that the offender has made a voluntary confession, Philo as also Josephus, *Ant.* iii. 232, and indeed modern commentators, infers it from the probability that the convicted criminal would not get off so lightly.

- παράκλητον οὐ μεμπτόν τὸν κατὰ ψυχὴν ἔλεγχον,
ὃς ἀνιάτου συμφορᾶς αὐτὸν ἐρρύσατο τὴν θανα-
τοῦσαν¹ νόσον ἀνείς καὶ πρὸς ὑγείαν παντελεῖ μετα-
238 βαλὼν. κριὸν δ' εἶναι² καὶ τούτῳ διείρηται σφάγιον,
[248] καθὰ | καὶ τῷ πρὸς τὰ ἅγια πλημμελήσαντι· τὸ γὰρ
ἐν τοῖς ἁγίοις ἀκούσιον ἁμάρτημα ἰσότημον ἀπέφηνε
τῷ περὶ τὰ ἀνθρώπινα ἐκουσίῳ, εἰ μὴ ἄρα καὶ τοῦτ'
ἐστὶ τι ἅγιον, ἐπειδὴ προσγέγονεν ὄρκος, ὃν οὐκ ἐφ'
ὑγιεῖ γενόμενον ἐπηνωρθώσατο τροπῇ τῇ πρὸς τὸ
βέλτιον.
- 239 Παρατηρητέον δ' ὅτι τὰ μὲν ἐπιφερόμενα τῷ
βωμῷ ἐκ τοῦ περὶ ἁμαρτίας ἱερείου ταυτὰ ἐστὶν ἃ
καὶ ἐπὶ τῆς τοῦ σωτηρίου θυσίας, λοβὸς ἥπατος καὶ
στέαρ καὶ νεφροί· τρόπον γάρ τινα καὶ ὁ μετανοῶν
σώζεται, τὴν χαλεπωτέραν τῶν ἐν τῷ σώματι
240 παθῶν νόσον ψυχῆς ἐκτρεπόμενος. τὰ δ' ἄλλα
μέρη τοῦ ζώου πρὸς ἔδωδὴν ἀπονέμεται δια-
φερόντως. ἐν τρισὶ δ' ἡ διαφορὰ· τόπῳ, χρόνῳ, τοῖς
λαμβάνουσι· τόπος μὲν οὖν τὸ ἱερόν, χρόνος δὲ ἀντὶ
δυεῖν ἡμερῶν μία, οἱ δὲ μεταλαμβάνοντες ἱερεῖς,
241 ἀλλ' οὐχ ὧν ἐστὶν ἡ θυσία, καὶ ἱερέων ἄρσενες. ἔξω
μὲν οὖν οὐκ ἐὰ τοῦ ἱεροῦ προφέρειν βουλόμενος, εἴ
τι τῷ μετανοοῦντι πρότερον ἡμάρτηται, μὴ περί-
φημον εἶναι βασκάνων καὶ φιλαπεχθημόνων γνώμας
ἀγνώμοσι καὶ στόμασιν ἀχαλίνοις, ἐπ' ὀνειδίει καὶ

¹ So Cohn for ms. θανατῶσαν or θανατώσασαν. See note on *Spec. Leg.* iii. 102 (App.).

² mss.: so Cohn: κριὸν δεῖν R ("ut videtur" adds Cohn), κριὸν ἀναγαγεῖν F: κριὸν δ' ἄγειν κελεύει, καὶ τοῦτο A.H.

^a See Lev. vi. 25, 26, 29. But there is no order there that it should be eaten in one day. (So also Jos. *Ant.* iii. 232 αὐθημερόν.)

irreproachable advocate the soul-felt conviction which has saved him from a fatal disaster, allayed a deadly disease, and brought him round to complete health. For him, too, the sacrifice prescribed is a ram, as also 238 for the offender in sacred matters. For the lawgiver rated the involuntary sin in the sacred sphere as equal to voluntary sin in the human, though indeed this last also is perhaps a desecration, since it is supplemented by an oath sworn under dishonest conditions, though rectified by the man's conversion to the better course.

It must be noticed, however, that while the parts 239 of the sin-offering laid upon the altar are the same as in the case of the preservation-offering, namely the lobe of the liver, the fat and the kidneys—a natural arrangement because the penitent also is preserved or saved by escape from the soul-sickness which is more grievous than any which affects the body—the 240 conditions under which the other parts of the animal are appointed to serve for food are different. The difference is threefold, in the place, in the time and in the recipients.^a The place is the temple, the time one day instead of two, and the participants are priests, not those who offer the sacrifices : also they are male priests.^b The prohibition against carrying the flesh 241 outside the temple is due to his wish that any sin which the penitent has previously committed should not be made notorious through the ill-judged judgments and unbridled tongues of malicious and acrimonious persons, and blazed abroad as a subject for

^b This seems to me to indicate that Philo rightly or wrongly takes "every male among the priests," to mean that apart from this prohibition the women of the priestly clan would be entitled to eat it. In § 110 he has called them "priestesses."

διαβολαῖς ἐκδεδομένον, ἀλλ' ἐντὸς ὄρων ἱερῶν, ἐν
 242 οἷς καὶ ἡ κάθαρσις γέγονεν, εἶναι. XLIV. τοῖς δ'
 ἱερεῦσιν εὐωχεῖσθαι τὴν θυσίαν κελεύει διὰ πολλά·
 πρῶτον¹ μὲν ἵνα τιμήσῃ τοὺς τεθυκότας, ἡ γὰρ τῶν
 ἐστιωμένων ἀξιώσις ἐπικοσμεῖ τοὺς ἐστιάτορας·
 δεύτερον δὲ ἵνα βεβαιότατα πιστεύσωσιν, ὅτι οἷς
 ἁμαρτημάτων εἰσέρχεται μεταμέλεια ἴλεω τὸν θεὸν
 ἔχουσιν· οὐ γὰρ ἂν τοὺς προσπόλους αὐτοῦ καὶ
 θεράποντας ἐπὶ μετουσίαν τῆς τοιαύτης τραπέζης
 ἐκάλεσεν, εἰ μὴ παντελῆς ἐγεγένητο ἁμνηστία·
 τρίτον δ' ὅτι λειτουργεῖν οὐδενὶ τῶν ἱερέων ἔξεστιν,
 ὃς ἂν μὴ ὀλόκληρος ᾖ· καὶ γὰρ τῷ βραχυτάτῳ
 243 μώμῳ σκορακίζεται. παρηγορεῖ δὴ τοὺς μηκέτι
 τὴν τῶν ἀδικημάτων ὁδὸν ἰόντας ὡς ἱερατικοῦ
 γένους ἔνεκα προαιρέσεως καθαρᾶς μεταλαχόντας
 καὶ πρὸς ἱερέων ἰσοτιμίαν ἐπαχθέντας. ὅθεν καὶ
 μιᾷ ἡμέρᾳ τὸ περὶ ἁμαρτίας ἱερεῖον ἀναλίσκεται, ὡς
 δέον ὑπερτίθεσθαι μὲν τὸ ἁμαρτάνειν μέλλοντας ἀεὶ
 πρὸς αὐτὸ καὶ βραδύνοντας, πρὸς δὲ τὸ κατορθοῦν
 244 ἐπεσπευσμένῳ τάχει χρῆσθαι. τὰ δ'
 ὑπὲρ τοῦ ἀρχιερέως ἢ τοῦ ἔθνους ἔνεκα πλημ-
 μελείας σφαγιαζόμενα πρὸς μὲν ἔδωδὴν οὐ σκευά-
 ζεται, κατακαίεται δ' ἐπὶ τῆς ἱερᾶς τέφρας, ὡς
 ἐλέχθη· κρείττων γὰρ οὐδεὶς ἀρχιερέως ἢ τοῦ
 ἔθνους ἐστίν, ὃς ἁμαρτησάντων γενήσεται παρ-
 245 αιτητῆς. εἰκότως οὖν ἀναλίσκεται τὰ κρέα πυρί,

¹ MSS. πρότερον.

^a The point presumably is that the exclusion of the priests who suffer from defects and therefore cannot have taken part

contumelious and censorious talk, but be confined within the sacred precincts which have also been the scene of the purification. XLIV. The command that 242 the sacrifice should serve as a feast for the priests is due to several reasons. First, to do honour to the givers of the sacrifice, for the dignity of the guests reflects glory on their entertainers ; secondly, to secure them firmly in the belief that the graciousness of God extends to those who feel remorse for their sin. For He would never have called His servitors and ministers to share the hospitality of such a table if full pardon had not been given. Thirdly, because none of the priests is permitted to perform the rites if he is not wholly sound, for the slightest blemish causes him to be thrust from office.^a In fact he encourages those 243 who no longer tread the path of wrongdoing with the thought that their resolution to purify themselves has given them a place in the sacerdotal caste and advanced them to equal honour with the priest. For a similar reason the flesh of the sin-offering is consumed in a single day, showing that in sin we should procrastinate and be slow and dilatory in approaching it, but when the achievement of righteousness is our goal, act with speed and promptitude.

The victims immolated in behalf of the high priest 244 or the nation as atonement for trespassing are not dressed to serve as food but are consumed by fire on the sacred ashes, as I have said. ^bFor there is no one superior to the high priest or the nation to act as intercessor for the sinners. It is natural therefore 245 that the flesh should be consumed by fire in imitation

in the sacrifice enhances the honour of the providers of the feast. But see App. p. 621.

^b *i.e.* in § 232.

- κατὰ μίμησιν τῶν ὀλοκαυτουμένων, ἐπὶ τιμῇ τῶν προσώπων, οὐχ ὅτι πρὸς ἀξίωσιν αἱ ἱεραὶ γίνονται κρίσεις, ἀλλ' ὅτι τῶν τὰς ἀρετὰς μεγάλων καὶ ὡς ἀληθῶς ἀγίων ἀμαρτήματα τοιαῦτά ἐστιν, ὡς
- 246 ἐτέρων κατορθώματα νομίζεσθαι. καθάπερ γὰρ ἡ
 [249] βαθεῖα καὶ | ἀρετῶσα πεδιάς, κἂν ἀφορήσῃ ποτέ, τῆς λυπρόγεω φύσει καρπὸν φέρει πλείονα, τὸν αὐτὸν τρόπον καὶ τῶν σπουδαίων καὶ φιλοθέων συμβαίνει τὰς πρὸς καλοκάγαθίαν ἀφορίας ἀμείνους εἶναι ὧν ἐκ τύχης οἱ φαῦλοι κατορθοῦσι· γνώμη γὰρ οὐδὲν ὑγιὲς δρᾶν ὑπομένουσι.
- 247 XLV. Ταῦτα διαταξάμενος περὶ ἐκάστης ἰδέας τῶν θυσιῶν ἐν μέρει, τῆς τε ὀλοκαύτου καὶ σωτηρίου καὶ περὶ ἀμαρτίας, ἄλλην προσνομοθετεῖ κοινὴν τῶν τριῶν, ἵνα ταύτας ἐπιδείξῃ φίλας καὶ συγγενεῖς οὐσας· ἡ δὲ συναγωγὸς αὐτῶν εὐχὴ μεγάλη κα-
- 248 λείται. διὰ τί δὲ ταύτης ἔτυχε τῆς προσρήσεως, λεκτέον· ὅταν ἀπάρξωνταί τινες ἀπὸ παντὸς μέρους κτήσεως, πυρούς, κριθάς, ἔλαιον, οἶνον, τὰ κάλλιστα τῶν ἀκροδρύων, ἔπειτα τῶν ζώων τὰ πρωτότοκα ἀρρενικά, τὰ μὲν ἐκ τῶν καθαρῶν καθιερώσαντες, τὰ δ' ἐκ τῶν μὴ καθαρῶν κατ' ἀξίαν τιμησάμενοι, μηκέτ' ἔχοντες ὕλας, ἐν αἷς διαθήσονται τὴν εὐσέβειαν, αὐτοὺς ἀνατιθέασι καὶ καθιεροῦσιν, ἄλεκτον ἐπιδεικνύμενοι ὁσιότητα καὶ ὑπερβολὴν τινα γνώμης φιλοθέου. διὸ καὶ μεγάλη

^a Such actions would hardly be κατορθώματα in the strict Stoic sense. See note on *Quod Deus* 100.

^b See Num. vi. 1-12. The "Great Vow" is the name regularly applied to the vow of the Nazirite from v. 2, ὅς ἂν 242

THE SPECIAL LAWS, I. 245-248

of the whole-burnt-offerings to do honour to the persons concerned, not because God's holy judgments are given by considerations of position but because the sins of the greatly virtuous and the truly sacred are such as to be regarded as acts of righteousness if done by others. For as the fields where the 246 soil is deep and rich, even if they are sometimes unproductive, bear more fruit than those where it is naturally thin and poor, so too we find in virtuous and God-loving persons that their unproductiveness of positive goodness is better than the fortuitous righteous actions^a of the bad whose nature does not allow them ever to act intentionally in an honest way.

XLV. After laying down these ordinances about 247 each particular kind of sacrifice, whole-burnt-offering, preservation-offering and sin-offering, he institutes rules for another which partakes of the three, to shew the friendship and kinship which exists between them. This connecting link between them is called the Great Vow.^b I must explain why it has acquired this name. 248 When people have paid first-fruits of every part of their property, in wheat, barley, oil, wine and their finest orchard-fruits and also in the first-born males of their livestock, consecrated in the case of the clean species and valued at an adequate compensation in the case of the unclean, as they have no more material resources with which to give a pledge of their piety, they dedicate and consecrate themselves, thus shewing an amazing sanctification and a surpassing devotion to God. And therefore it is fitly called the Great Vow,

μεγάλως εὔζεται εὐχὴν ἀφαγνίσασθαι ἀγνείαν (E.V. "made a special vow, the vow of a Nazirite, to separate himself"). The allegorical meaning, as Philo understood it, has been given on special details in several places, and more fully in *Quod Deus* 87 ff.

- προσηκόντως εὐχὴ καλεῖται· κτημάτων γὰρ τὸ μέγιστον αὐτός τις ἐστὶν αὐτῷ· οὐ παραχωρεῖ καὶ
 249 ἐξίσταται. ποιησαμένῳ δὲ τὴν εὐχὴν τάδε διαγορεύει· πρῶτον μὲν ἄκρατον μὴ προσφέρεσθαι μηδ' "ὅσα ἐκ σταφυλῆς κατεργάζεται" μηδ' ἄλλο τι μέθυσμα πίνειν ἐπὶ καθαιρέσει λογισμοῦ, νομίζοντα τὸν χρόνον ἐκείνον ἱεράσθαι· καὶ γὰρ τοῖς λειτουργοῖς τῶν ἱερέων δύσαν ἀκουμένοις ὕδατι τὰ
 250 περὶ μέθην ἀπειρήται· δεύτερον δὲ τὰς τρίχας τῆς κεφαλῆς μὴ ἀποκείρεσθαι, σύμβολον ἐναργὲς τοῖς ὀρώσι παρέχοντα¹ τοῦ μὴ παρακόπτειν τὸ νόμισμα τῆς εὐχῆς· τρίτον δὲ τὸ σῶμα φυλάττειν καθαρὸν καὶ ἀμίαντον, ὥς μὴ γονεῦσιν ἐπεισιέναι τετελευτηκόσι μηδ' ἀδελφοῖς, τὴν φυσικὴν εὐνοίαν καὶ συμπάθειαν πρὸς τὰ οἰκεία καὶ φίλτατα νικώσης εὐσεβείας, ἣν αἰεὶ νικᾷν καλὸν ὁμοῦ καὶ συμφέρον.
- 251 XLVI. ἡκούσης δὲ τῆς προθεσμίας, τρία ζῶα κελεύει προσάγειν ἐπὶ λύσει τῆς εὐχῆς, ἄρνα καὶ ἀμνάδα καὶ κριόν, τὸν μὲν εἰς ὀλοκαύτωςιν, τὴν δὲ περὶ ἁμαρτίας, τὸν δὲ κριὸν εἰς θυσίαν
 252 τοῦ σωτηρίου. πᾶσι γὰρ τούτοις ἐμφέρεται² πῶς ὁ εὐξάμενος, τῇ μὲν ὀλοκαύτῳ θυσία διὰ τὸ μὴ τῶν ἄλλων μόνον ἀπαρχῶν ἀλλὰ καὶ ἑαυτοῦ παραχωρεῖν, τῇ δὲ περὶ ἁμαρτίας διὰ τὸ ἄνθρωπος εἶναι —καὶ γὰρ ὁ τέλειος ἢ γενητὸς οὐκ ἐκφεύγει τὸ διαμαρτάνειν—, τῇ δὲ τοῦ σωτηρίου, διότι τὸν σωτήηρα ὄντως θεὸν ἐπιγέγραπται τῆς σωτηρίας

¹ MSS. παρέχοντας.

² If this reading is right, we may suppose that the verb takes the meaning of the common adjective ἐμφερής = "like," but I do not know of any parallel. The other reading συμφέρεται, i.e. "corresponds with," has less ms. authority, but seems otherwise more suitable.

for his own self is the greatest possession which anyone has, and this self he forgoes and puts himself outside it. When he has made the vow, the lawgiver 249 gives him the following instructions. First, he must not take any strong drink nor anything "which he makes from the grape" nor drink any other intoxicant to the overthrow of his reason, but hold himself to be serving as priest during that time. For indeed such priests as are performing the rites have to quench their thirst with water and are forbidden intoxicants. Secondly, he must not shave the hairs of his head, thus 250 giving a clear symbol to the eye that he does not debase the sterling coinage of his vow. Thirdly, he must keep his body pure and undefiled to the extent of abstaining from contact with parents or brothers after death, thus letting his kindly affection and fellow-feeling with the closest and dearest yield to piety that victory which it is both honourable and profitable that it should always win.

^a XLVI. When the final day as appointed has come, 251 the law bids him bring, to release him from his vow, three animals, a he-lamb, a ewe-lamb and a ram, the first for a whole-burnt-offering, the ewe-lamb as a sin-offering, and the ram as a preservation-offering. For all these find their likeness in the maker of the vow: 252 the whole-burnt-offering, because he surrenders not only the other first-fruits and gifts but also his own self; the sin-offering, because he is a man, since even the perfect man, in so far as he is a created being, never escapes from sinning; the preservation-offering, because he has acknowledged and adopted the real preserver, God, as the author of his preservation

^a See Num. vi. 13 f.

αἷτιον, ἀλλ' οὐκ ἰατροὺς καὶ τὰς παρ' αὐτοῖς
 [250] δυνάμεις· οἱ | μὲν γὰρ ἐπὶ κηροὶ καὶ θνητοὶ μηδ'
 αὐτοῖς ὑγείαν ἱκανοὶ παρασχεῖν, αἱ δ' οὔτε πάντα
 οὐτ' αἰεὶ τοὺς αὐτοὺς ὠφελοῦσιν, ἀλλ' ἔστιν ὅτε καὶ
 μέγα βλάπτουσιν, ἐπειδὴ τὸ κῦρος ἕτερος ἀνῆπται
 καὶ τῶν δυνάμεων καὶ τῶν χρωμένων αὐταῖς.

253 ἐκπλήττει δέ με τὸ τῶν τριῶν ζώων
 προσαγομένων εἰς διαφερούσας θυσίας μηδὲν εἶναι
 ἑτερογενές, ἀλλὰ ταύτου γένους τὰ πάντα, κριὸν καὶ
 ἄρνα καὶ ἀμνάδα· βούλεται γάρ, ὅπερ ἔφην μικρῶ
 πρότερον, διὰ τούτου παραστήσαι, ὅτι ἀδελφαὶ καὶ
 συγγενεῖς εἰσιν αἱ τρεῖς ἰδέαι τῶν θυσιῶν, τῷ καὶ
 τὸν μετανοοῦντα σώζεσθαι καὶ τὸν σωζόμενον ἐκ
 τῶν ψυχικῶν ἀρρωστημάτων μετανοεῖν καὶ ἐκά-
 τερον σπεύδειν πρὸς ὁλόκληρον καὶ παντελεῖ διὰ-
 θεσιν, ἧς ἡ ὁλόκαυτος θυσία σύμβολον.

254 ἐπεὶ δ' αὐτὸν ηὔξατο προσαγαγεῖν, τὸν δ' ἱερὸν
 βωμὸν οὐ θέμις αἵματι ἀνθρωπίνῳ μιαίνεισθαι, ἔδει
 δέ τι πάντως μέρος ἱεουργηθῆναι, μέρος ἐσπούδασε
 λαβεῖν, ὅπερ ἀφαιρεθὲν οὐτ' ἀλγηδόνας οὔτε λῶβην
 ἀπεργάζεται· τοῦ γὰρ κατὰ τὸ σῶμα φυτικού
 καθάπερ δένδρου περιττοὺς κλάδους τὰς τῆς
 κεφαλῆς τρίχας ἀπέκειρε καὶ παρέδωκε πυρί, ᾧ
 τὰ κρέα τῆς τοῦ σωτηρίου θυσίας ἔψεται· προσ-
 ηκόντως, ἵνα τι τῶν τοῦ εὐξαμένου μέρος, ὃ μὴ

^a Lit. "the part of the body which has 'growth' like a tree,"
 φύσις in this special sense being opposed on the one hand to ἔξις
 ("cohesion") as in stones, and on the other to ψυχή ("life").

instead of the physicians and their faculties of healing. For the physicians are mortals ready to perish, unable to secure health even for themselves, and their faculties are not beneficial to all persons nor always to the same persons, but sometimes do great harm : there is Another who is invested with lordship over such faculties and those who exercise them.

I note, and it is a very striking point, that in the three ²⁵³ animals brought for the different sacrifices there is no difference of species. They are all of the same species, a ram, a he-lamb and a ewe-lamb. For the law wishes to show in this way what I mentioned a little before, that the three kinds of sacrifice are sisters of one family, because the penitent is preserved and the person preserved from the maladies of his soul repents, and both of them are pressing forward to that perfect and wholly sound frame of mind of which the whole-burnt-offering is a symbol.

Another point—the votary has vowed to bring him- ²⁵⁴ self, and while it would be sacrilege that the altar should be defiled by human blood, it was quite necessary that some part of him should be sacrificially offered. The part, therefore, which his zeal prompted him to take was one which can be removed without causing either pain or mutilation. He cut off the hairs of his head, which are to the body like the superfluous branches in the vegetation of a tree,^a and gave them to the fire in which the flesh of the preservation-offering is cooked, a fitting proceeding to secure that at least some part of the votary's self which cannot be

Cf. Leg. All. ii. 22, with note giving references to *S.V.F.* ii. 457-460. There we had *δύναμις ἐκτική, φυτική, ψυχική*, and Philo goes on to say that our bones have *ἕξις*, and our nails and hair *φύσις*. *Cf.* also the fuller explanation of the terms in *Quod Deus* 35 ff.

ἐπιφέρειν ἕξεσι τῷ βωμῷ, θυσίας γοῦν εἶδει
 συνανακραθῇ, γενόμενον ὕλη φλογὸς ἱερᾶς.

- 255 XLVII. Ταῦτα μὲν κοινὰ τῶν ἄλλων. ἔδει δὲ
 καὶ τοὺς ἱερεῖς ἀπάρξασθαι τι τῷ βωμῷ, μὴ
 νομίσαντας ἀσυλίαν εὐρῆσθαι τὰς ὑπηρεσίας καὶ
 λειτουργίας ἐφ' ὧν ἐτάχθησαν. ἡ δ' ἀπαρχὴ πρέ-
 πουσα ἱερεῦσιν ἀπ' οὐδενὸς τῶν ἐναίμων, ἀλλ' ἀπὸ
 256 τοῦ καθαρωτάτου τῆς ἀνθρωπίνης τροφῆς· σεμί-
 δαλις γάρ ἐστιν ἡ ἐνδελεχῆς αὐτῶν θυσία, μέτρου
 ἱεροῦ τὸ δέκατον καθ' ἐκάστην ἡμέραν, οὗ τὸ μὲν
 ἡμισυ πρωΐας, τὸ δὲ ἡμισυ δείλης προσάγεται,
 ταγηνισθὲν ἐν ἐλαίῳ, μηδενὸς εἰς βρώσιν ὑπο-
 λειφθέντος· χρησμός γάρ ἐστι, πᾶσαν θυσίαν ἱερέως
 ὀλόκαυτον εἶναι καὶ μηδὲν αὐτῆς εἰς ἐδωδὴν ἀπο-
 νέμεσθαι.

Εἰρηκότες οὖν, ὡς οἷόν τε ἦν, τὰ περὶ θυσιῶν
 ἐξῆς καὶ περὶ τῶν θυόντων λέξομεν.

- [251] XLVIII. | ¹ Βούλεται τὸν ἀνάγοντα θυσίας ὁ
 257 νόμος καθαρὸν εἶναι σῶμα καὶ ψυχὴν, ψυχὴν μὲν
 ἀπὸ τε τῶν παθῶν καὶ νοσημάτων καὶ ἀρρωστη-
 μάτων καὶ κακιῶν τῶν ἐν τε λόγοις καὶ πράξεσι,
 258 τὸ δὲ σῶμα ἀφ' ὧν ἔθος αὐτῷ μαιίνεσθαι. κάθαρσιν
 δ' ἐπενόησεν ἐκατέρῳ τὴν προσήκουσαν, ψυχῇ μὲν
 διὰ τῶν πρὸς τὰς θυσίας εὐτρεπιζομένων ζώων, σώ-
 ματι δὲ διὰ λουτρῶν καὶ περιρραντηρίων, περὶ ὧν
 μικρὸν ὕστερον ἐροῦμεν· ἄξιον γὰρ τῷ κρείττονι καὶ
 ἡγεμονικωτέρῳ τῶν ἐν ἡμῖν, ψυχῇ, καὶ τὰ τῶν

¹ Here the mss. insert the heading *Περὶ τῶν θυόντων*.

^a The Greek phrase is vague. Heinemann "mit einem Stück des Opfers vermischte"; Mangey only "sacrificia admiscuntur." I understand it to mean that it comes to belong to the same *eidos* or species as an ordinary sacrifice.

THE SPECIAL LAWS, I. 254-258

lawfully brought to the altar should be merged in and share the nature of sacrifice ^a by serving as fuel to a holy flame.

XLVII. These rules apply to the laity in common, 255 but the priests also had to make offerings of first-fruits to the altar, and not suppose that the services and ministrations to which they were appointed entitled them to immunity. ^b The first-fruits suitable for the priest are not taken from any animal with blood in its veins, but from the purest form of human food. Fine flour constitutes their perpetual 256 sacrifice, a tenth part of the sacred measure for every day, half offered in the morning and half in the evening. It is fried in oil and none of it is left over to be eaten. For it is a divine command that every sacrifice offered by a priest should be wholly consumed by fire and none of it set apart for food.

We have described to the best of our ability the regulations for sacrifices and will next proceed to speak of those who offer them.

XLVIII. ^c The law would have such a person pure 257 in body and soul, the soul purged of its passions and distempers and infirmities and every viciousness of word and deed, the body of the defilements which commonly beset it. For each it devised the purification 258 which befitted it. For the soul it used the animals which the worshipper is providing ^d for sacrifice, for the body sprinklings and ablutions of which we will speak a little later. For precedence in speech as well as elsewhere must be given to the higher and

^b See Lev. vi. 20-22. For "perpetual" see on § 170.

^c Heading in mss. "Of those who sacrifice," and fresh numeration of chapters in Cohn.

^d The stress is on *εὐτρεπιζομένων*. The fact of his providing the victims shews the purity of his motives.

- 259 λόγων ἀπονεῖμαι πρεσβεῖα. τίς οὖν ἡ ταύτης
 καθαρσις; ἴδε, φησὶν, ὦ οὗτος, ὁ προσάγεις
 ἱερεῖον, ὡς ἔστιν ὁλόκληρον καὶ παντελῶς μύμων
 ἀμέτοχον, ἐπικριθέν ἐκ πολλῶν ἀριστίνδην διανοίαις
 μὲν ἀδεκάστοις ἱερέων ὀξυωπεστάταις δ' αὐτῶν
 ὄψεσι καὶ τῷ συνεχεῖ τῆς ἀσκήσεως συγκεκροτη-
 μέναις εἰς ἀνυπαίτιον ἐπίσκεψιν· ἐὰν γὰρ μὴ τοῖς
 ὀφθαλμοῖς μᾶλλον ἢ τῷ λογισμῷ τοῦτο κατίδης,
 ἐκνήψῃ τὰ ἀμαρτήματα καὶ ὅσας ἐν ἅπαντι τῷ βίῳ
 κηλίδας ἀπεμάξω,¹ τὰ μὲν ἀβουλήτοις συντυχίαις,
 260 τὰ δὲ καθ' ἐκούσιον γνώμην. εὐρήσεις γὰρ τὴν
 τοσαύτην περὶ τὸ ζῶον ἀκριβολογίαν αἰνιττομένην
 διὰ συμβόλου τὴν τῶν σῶν βελτίωσιν ἡθῶν· οὐ γὰρ
 ὑπὲρ ἀλόγων ὁ νόμος, ἀλλ' ὑπὲρ τῶν νοῦν καὶ λόγον
 ἐχόντων, ὥστε οὐ τῶν θυομένων φροντίς ἐστίν, ἵνα
 μηδεμίαν ἔχη λώβην, ἀλλὰ τῶν θυόντων, ἵνα περὶ
 261 μῆδέν πάθος κηραίνωσι. τό γε μὴν σῶμα,
 ὡς εἶπον, λουτροῖς καὶ περιρραντηρίοις καθαίρει
 καὶ οὐκ ἐὰ περιρρανάμενον εἰς ἅπαξ ἡ ἀπολουσά-
 μενον εὐθύς εἴσω περιβόλων ἱερῶν παρέρχεσθαι,
 ἀλλὰ ἐπτὰ ἡμέρας ἔξω διατρίβειν κελεύει καὶ δις
 περιρραίνεσθαι τῇ τρίτῃ καὶ ἑβδόμῃ καὶ μετὰ
 ταῦτα λουσαμένῳ παρέχει τὰς τε εἰσόδους καὶ τὰς
 262 ἱεουργίας ἀδεεῖς. XLIX. | ὅσον δὲ καὶ τούτῳ
 [252] τὸ προμηθὲς καὶ φιλόσοφον, ἐπισκεπτέον. οἱ
 μὲν ἄλλοι σχεδὸν ἅπαντες ἀμιγεῖ ὕδατι περιρραί-
 νονται, θαλάττῃ μὲν οἱ πολλοί, τινὲς δὲ ποταμοῖς,
 οἱ δὲ καὶ κάλπεσιν ἐκ πηγῶν ἀρνύμενοι· Μωυσῆς δὲ
 τέφραν προετοιμασάμενος ὑπολειφθεῖσαν ἐξ ἱεροῦ

¹ MSS. ἀνεμάξω.

^a See Num. xix. 11 f.

^b See Num. xix. 17, 18.

more dominant element in ourselves, the soul. How 259
 then is the soul purified? "Note, friend," says the
 lawgiver, "how perfect and utterly free from blemish
 is the victim which you bring selected as the best of
 many by the priests with all impartiality of mind
 and clearness of vision, the result of the continued
 practice which has trained them to faultless dis-
 crimination. For if you observe this with your
 reason rather than with your eyes you will proceed
 to wash away the sins and defilements with which
 you have besmeared your whole life, some involuntary
 and accidental, some due to your own free will. For 260
 you will find that all this careful scrutiny of the
 animal is a symbol representing in a figure the re-
 formation of your own conduct, for the law does not
 prescribe for unreasoning creatures, but for those
 who have mind and reason. It is anxious not that
 the victims should be without flaw but that those
 who offer them should not suffer from any corroding
 passion.

^a As for the body, it purifies it 261
 with ablutions and sprinklings and does not allow the
 person to be sprinkled and washed once for all and
 then pass straightway within the sacred precincts,
 but bids him stay outside for seven days and be
 twice sprinkled on the third and seventh day, and
 after that, when he has bathed himself, it gives him
 full security to come within and offer his sacrifice.
 XLIX. The following regulation also shews a far- 262
 sighted wisdom which should be noted. In almost
 all other cases men used unmixed water for the
 sprinkling. By most people it is taken from the sea,
 by others from the rivers, and by others it is drawn
 in ewers from the wells.^b But Moses first provided
 ashes, the remnants of the sacred fire, obtained in a

- πυρὸς—ὃν δὲ τρόπον, αὐτίκα δηλωθήσεται—ἀπὸ
 ταύτης φησὶ δεῖν ἀναιρεῖσθαι καὶ ἐμβάλλοντας εἰς
 ἀγγεῖον αὐθις ὕδωρ ἐπιφέρειν, εἴτα ἐκ τοῦ κράματος
 βάπτοντας ὑσώπου κλάδους τοῖς καθαιρομένοις
 263 ἐπιρραίνειν. αἰτία δ' οὐκ ἀπὸ σκοποῦ λέγοιτ' ἂν
 ἦδε· βούλεται τοὺς ἐπὶ τὴν τοῦ ὄντος θεραπείαν
 ἰόντας γινῶναι πρότερον ἑαυτοὺς καὶ τὴν ἰδίαν
 οὐσίαν· ὁ γὰρ ἀνεπιστήμων ἑαυτοῦ πῶς ἂν δυνηθεῖη
 καταλαβεῖν τὴν ἀνωτάτω καὶ πάνθ' ὑπερβάλλουσιν
 264 θεοῦ δύναμιν; ἔστιν οὖν ἡμῶν ἡ κατὰ τὸ σῶμα
 οὐσία, γῇ καὶ ὕδωρ, ἥς ὑπομιμνήσκει διὰ τῆς
 καθάρσεως, αὐτὸ τοῦθ' ὑπολαμβάνων εἶναι τὴν
 ὠφελιμωτάτην κάθαρσιν, τὸ γινῶναί τινα ἑαυτὸν καὶ
 ἐξ οἷων ὡς οὐδεμιᾶς σπουδῆς ἀξίων, τέφρας καὶ
 265 ὕδατος, συνεκράθη. τοῦτο γὰρ ἐπιγνοὺς τὴν ἐπί-
 βουλον οἴησιν εὐθὺς ἀποστραφήσεται καὶ καθελὼν
 τὸ ὑπέραυχον εὐαρεστήσει θεῷ καὶ μεταποιήσεται
 τῆς ἰλεω δυνάμεως αὐτοῦ <τοῦ> μισοῦντος ἀλαζο-
 νείαν. εἴρηται γάρ που καλῶς, ὅτι ὁ ἐγχειρῶν
 ὑπεραύχοις ἢ λόγοις ἢ ἔργοις οὐκ ἀνθρώπους μόνον
 ἀλλὰ καὶ “θεὸν παροξύνει” τὸν ἰσότητος καὶ
 266 παντὸς τοῦ ἀρίστου δημιουργόν. ἐν οὖν τῷ περι-
 ραίνεσθαι πληττομένοις καὶ διεγειρομένοις μόνον
 οὐκ ἄντικρυς αὐτὰ τὰ στοιχεῖα, γῇ καὶ ὕδωρ, φωνὴν
 ἀφιέντα φησὶν· ἡμεῖς ἐσμεν ἡ τοῦ σώματος ὑμῶν
 οὐσία, ἡμᾶς ἡ φύσις κερασασμένη θείᾳ τέχνῃ
 διέπλασεν εἰς ἀνθρωπόμορφον ἰδέαν, ἐξ ἡμῶν
 παγέντες, ὅτε ἐγένεσθε, πάλιν εἰς ἡμᾶς ἀνα-
 λυθήσεσθε, ὅταν δέῃ θνήσκειν· οὐδὲν γὰρ εἰς τὸ

^a See Num. xv. 30 καὶ ψυχὴ ἥτις ποιήσῃ ἐν χειρὶ ὑπερηφανίας
 . . . τὸν θεὸν οὗτος παροξύνει (LXX).

THE SPECIAL LAWS, I. 262-266

manner which will be explained shortly. Some of these, he says, are to be taken and thrown into a vessel and afterwards have water poured upon them. Then the priests are to dip branches of hyssop in the mixture and sprinkle with it those who are being purged. The reason for this may be aptly stated as follows. Moses would have those who come to serve Him that is first know themselves and of what substance these selves are made. For how should he who has no knowledge of himself be able to apprehend the power of God which is above all and transcends all? Now the substance of which our body consists is earth and water, and of this he reminds us in the rite of purging. For he holds that the most profitable form of purification is just this, that a man should know himself and the nature of the elements of which he is composed, ashes and water, so little worthy of esteem. For if he recognizes this, he will straightway turn away from the insidious enemy, self-conceit, and abasing his pride become well-pleasing to God and claim the aid of His gracious power Who hates arrogance. For that is a good text ^a which tells us that he who sets his hand to words and deeds of pride "provokes" not only men, but also "God," the author of equality and all that is most excellent. So then, whilst they are being thus sprinkled, deeply moved and roused as they are, they can almost hear the voice of the elements themselves, earth and water, say plainly to them, "We are the substance of which your body consists: we it is whom nature blended and with divine craftsmanship made into the shape of human form. Out of us you were framed when you came into being and into us you will be resolved again when you have to die. For nothing is so made

μὴ ὄν φθείρεσθαι πέφυκεν, ἀλλ' ἐξ ὧν ἡ ἀρχή,
πρὸς ταῦτα καὶ τὸ τέλος.

- 267 L. "Ἦδη δ' ἀναγκαῖον καὶ τὴν ὑπόσχεσιν ἀποδοῦναι τῆς περὶ τὴν τέφραν ταύτην ιδιότητος· ἔστι γὰρ οὐ ξύλων αὐτὸ μόνον δαπανηθέντων ὑπὸ πυρός, ἀλλὰ καὶ ζώου πρὸς τὴν τοιαύτην κάθαρσιν ἐπι-
268 τηδείου. κελεύει γὰρ δάμαλιν πυρρὰν ἄζυγον ἄμωμον ἀχθεῖσαν σφαγιασθῆναι μὲν ἔξω πόλεως, τὸν δ' ἀρχιερέα λαμβάνοντα ἀπὸ τοῦ αἵματος ἐπτάκις ἐπιρραίνειν ἀντικρὺ τοῦ νεῶ πάντα, εἴθ' ὅλην κατακαίειν σὺν δορᾷ καὶ κρέασι καὶ αἵματι καὶ πλήρει τῇ κοιλίᾳ περιττωμάτων· ἤδη δ' ὑπο-
[253] μαραινομένης τῆς φλογὸς εἰς τὸ μεσαίτατον | τρία ταῦτα ἐμβάλλειν, ξύλον κέδρινον καὶ ὕσσωπον καὶ κόκκινον, κελεύει, εἴτ' ἐὰν ἀποσβεσθῇ, τὴν τέφραν συλλέγειν καθαρὸν ἄνθρωπον καὶ ἀποτιθέναι πάλιν
269 ἔξω πόλεως ἐν χωρίῳ καθαρῷ. τίνα δὲ διὰ τούτων ὡς διὰ συμβόλων αἰνίττεται, δι' ἐτέρων ἡκριβώσαμεν ἀλληγοροῦντες. ἀναγκαῖον οὖν τοὺς μέλλοντας φοιτᾶν εἰς τὸ ἱερὸν ἐπὶ μετουσίᾳ θυσίας τό τε σῶμα φαιδρύνεσθαι καὶ τὴν ψυχὴν πρὸ τοῦ σώματος· δεσπότις γὰρ καὶ βασιλὶς καὶ ἐν ἅπασιν κρείττων ἅτε θειοτέρας φύσεως μεταλαχοῦσα. τὰ δὲ φαιδρύνοντα διάνοιάν ἐστι σοφία καὶ τὰ σοφίας δόγματα πρὸς τὴν θεωρίαν τοῦ κόσμου καὶ τῶν ἐν αὐτῷ ποδηγετοῦντα καὶ ὁ τῶν ἄλλων ἀρετῶν ἱερὸς χορὸς καὶ αἱ κατ' ἀρετὰς καλαὶ καὶ σφόδρα ἐπαινέ-

^a See Num. xix. 2-9.

^b Here the juxtaposition of the clean man shews that Philo must have taken *καθαρῷ χωρίῳ* as "clean," and not as "open," though it does not follow that he did so in the passages cited in the note on *Mos.* ii. 72, or even in § 232 above.

^c No such account survives. Heinemann suggests that it

THE SPECIAL LAWS, I. 266-269

as to disappear into non-existence. Whence it came in the beginning, thither will it return in the end."

L. I must now also fulfil my promise to describe 267 the special qualities of these ashes. They are not merely the ashes of wood consumed by fire but also of a living creature well-suited to a rite of purification such as this. ^a He orders a red heifer which has never 268 been yoked and without blemish to be taken outside the city and there slaughtered. Then the high priest is to take of the blood and sprinkle it seven times over everything in front of the sanctuary, then burn it wholly to ashes with the skin and flesh and blood and the belly filled with its ordure. When the flame is dying down, he is to cast right into the middle these three things, cedar wood and hyssop and scarlet wool. Then if it is quite extinguished, a clean man is to collect the ashes and deposit them outside the city in a clean place.^b What these things sym- 269 bolically indicate has been described in full elsewhere where we have expounded the allegory.^c So we see that they who mean to resort to the temple to take part in sacrifice must needs have their bodies made clean and bright,^d and before their bodies their souls. For the soul is queen and mistress, superior to the body in every way because a diviner nature has been allotted to it. The mind is cleansed by wisdom and the truths of wisdom's teaching which guide its steps to the contemplation of the universe and all that is therein, and by the sacred company of the other virtues and by the practice of them shewn in noble belongs to the *Quaestiones* of which we have nothing beyond Exodus.

^a φαιδρύνω is more than simply "clean," in colloquial English to make "smart" or "spick and span," = διακεκοσμημένος in § 270.

- 270 ταὶ πράξεις. ὁ μὲν οὖν τούτοις διακεκοσμημένος ἴτω
 θαρρῶν εἰς οἰκειότατον αὐτῷ τὸν νεών, ἐνδιαίτημα
 πάντων ἄριστον, ἱερεῖον ἐπιδειξόμενος αὐτόν· ὅτω
 δ' ἐγκάθηνται καὶ ἐλλοχῶσιν αἱ πλεονεξίαι καὶ
 ἐπιθυμίαι τῶν ἀδικιῶν, ἐγκαλυψάμενος ἡρεμείτω
 τὴν ἀναίσχυντον ἀπόνοιαν καὶ τὸ λίαν θράσος ἐν οἷς
 εὐλάβεια λυσιτελὲς ἐπισχών· τὸ γὰρ τοῦ ὄντως
 271 ὄντος ἱερὸν ἀνιέροις ἄβατον.¹ θυσίαις, εἴποιμ' ἄν,
 ᾧ γενναίῃ, ὁ θεὸς οὐ χαίρει, κἂν ἐκατόμβας ἀνάγῃ
 τις· κτήματα γὰρ αὐτοῦ τὰ πάντα, κεκτημένος
 ὅμως² οὐδενὸς δεῖται· χαίρει δὲ φιλοθέοις γνώμαις
 καὶ ἀνδράσιν ἀσκηταῖς ὁσιότητος, παρ' ὧν ψαιστὰ
 καὶ κριθὰς καὶ τὰ εὐτελέστατα ὡς τιμιώτατα πρὸ
 272 τῶν πολυτελεστάτων ἄσμενος δέχεται· κἂν μέντοι
 μηδὲν ἕτερον κομίζωσιν, αὐτοὺς φέροντες πλήρωμα
 καλοκἀγαθίας τελειότατον τὴν ἀρίστην ἀνάγουσι
 θυσίαν, ὕμνοις καὶ εὐχαριστίαις τὸν εὐεργέτην καὶ
 σωτῆρα θεὸν γεραίροντες, τῇ μὲν διὰ τῶν φωνητη-
 ρίων ὀργάνων, τῇ δὲ ἄνευ γλώττης καὶ στόματος,
 μόνη ψυχῇ τὰς νοητὰς ποιούμενοι διεξόδους καὶ
 ἐκβοήσεις, ὧν ἐν μόνον οὗς ἀντιλαμβάνεται τὸ
 θεῖον· αἱ γὰρ τῶν ἀνθρώπων οὐ φθάνουσιν ἀκοαὶ
 συναισθῆσθαι.
- 273 LI. 'Ὡς δ' ἀψευδής ἐστιν οὗτος ὁ λόγος καὶ οὐκ
 ἐμὸς ἀλλὰ τῆς φύσεως, μαρτυρεῖ μὲν πως καὶ ἡ

¹ Cohn punctuates with full stop after *θυσίαις*. I follow Heinemann's punctuation. *εἴποιμ' ἄν* in cases like this generally, if not always, is inserted parenthetically, *e.g.* ii. 96.

² Cohn (*Hermes*, 1908, p. 190) thinks that *ὅμως* makes no sense and suggests *κεκτημένος δ' οὐδ' ὅλως*; but see note a.

^a I understand the connexion of thought to be "though He possesses all, He needs it not, and therefore how much more are the gifts of men unneeded."

THE SPECIAL LAWS, I. 270-273

and highly praiseworthy actions. He, then, who is 270 adorned with these may come with boldness to the sanctuary as his true home, the best of all mansions, there to present himself as victim. But anyone whose heart is the seat of lurking covetousness and wrongful cravings should remain still and hide his face in confusion and curb the shameless madness which would rashly venture where caution is profitable. For the holy place of the truly Existent is closed ground to the unholy. To such a one I would 271 say, "Good sir, God does not rejoice in sacrifices even if one offer hecatombs, for all things are His possessions, yet though He possesses ^a He needs none of them, but He rejoices in the will to love Him and in men that practise holiness, and from these He accepts plain meal or barley,^b and things of least price, holding them most precious rather than those of highest cost." And indeed though the worshippers bring 272 nothing else, in bringing themselves they offer the best of sacrifices, the full and truly perfect oblation of noble living,^c as they honour with hymns and thanksgivings their Benefactor and Saviour, God, sometimes with the organs of speech, sometimes without tongue or lips, when within the soul alone their minds recite the tale or utter the cry of praise. These one ear only can apprehend, the ear of God, for human hearing cannot reach to the perception of such.

LI. That what I have said above is true and is the 273 word not of myself but of nature is attested not only

^b Or "barley ground or unground."

^c Or, taking *πλήρωμα* in apposition with *αὐτούς*, "when bringing themselves, that is, the full oblation," etc. In either case "bringing themselves" is explained in the next few words as the heartfelt thanksgiving of the lips and soul.

ἐνάργεια τρανήν παρέχουσα πίστιν τοῖς μὴ διὰ τὸ φιλόνεικον ἐπιτηδεύουσιν ἀπιστίαν, μαρτυρεῖ δὲ καὶ ὁ νόμος προστάξας δύο κατασκευασθῆναι βωμοὺς καὶ ταῖς ὕλαις καὶ τοῖς τόποις καὶ ταῖς χρεαίαις
 274 διαφέροντας· ὁ μὲν γὰρ ἐκ λίθων λογάδων ἀτμήτων συνωκοδόμηται καὶ ἐν ὑπαίθρῳ παρὰ ταῖς τοῦ νεῶ προσβάσεσιν ἰδρυται καὶ γέγονε πρὸς χρείαν τὴν τῶν ἐναίμων· ὁ δὲ χρυσοῦ μὲν τοῦ καθαρωτάτου κατεσκευάσται, ἰδρυται δ' ἐν ἀδύτοις εἴσω τοῦ προτέρου καταπετάσματος, ὃς οὐδενὶ τῶν ἄλλων
 [245] ἐστὶν | ὁρατὸς ὅτι μὴ τοῖς ἀγνεύουσι τῶν ἱερέων καὶ
 275 γέγονε πρὸς χρείαν τὴν τῶν θυμιαμάτων. ἐξ οὗ δῆλόν ἐστιν, ὅτι καὶ βραχύτατον λιβανωτὸν παρ' ἀνδρὸς ὁσίου τιμιώτερον ὁ θεὸς νομίζει μυρίων θρεμμάτων, ὅσα ἂν τις ἱεουργῇ μὴ σφόδρα ἀστείος ὢν· ὅσῳ γάρ, οἶμαι, λίθων μὲν εἰκαίων ἀμείνων χρυσός, τὰ δ' ἐν ἀδύτοις τῶν ἐκτὸς ἀγιώτερα, τοσούτῳ κρείττων ἢ διὰ τῶν ἐπιθυμιωμένων εὐ-
 276 χαριστία τῆς διὰ τῶν ἐναίμων. ὅθεν οὐ μόνον ὕλης πολυτελεία καὶ κατασκευῇ καὶ τόπῳ τετίμηται ὁ τῶν θυμιαμάτων βωμός, ἀλλὰ καὶ τῷ πρότερον καθ' ἐκάστην ἡμέραν ὑπηρετεῖν ταῖς πρὸς θεὸν ἀνθρώπων εὐχαριστίαις· οὐ γὰρ ἐφέϊται τὴν ὀλόκαυτον θυσίαν ἔξω προσαγαγεῖν, πρὶν ἔνδον περὶ βαθὺν

^a The two altars are described respectively in Ex. xxvii. and xxx. There, however, they are both made of acacia wood, LXX ἀσηπτον, "incorruptible," though the second is overlaid with gold. The "unhewn stones" seems to be

THE SPECIAL LAWS, I. 273-276

by its self-evident certitude which provides clear grounds of belief to those who do not out of contentiousness cultivate disbelief, but also by the law which commanded two altars to be constructed differing in materials and situations and in the use to which they were applied.^a For one of these was 274 built of stones picked up and left unhewn, and it was set in the open air beside the avenues to the sanctuary and was to be used for blood-offerings. The other was formed of the purest gold ; it was set in the inner shrine within the first veil, not to be seen by any except such priests as were in a state of purity,^b and it was to be used for frankincense-offerings. This 275 clearly shews that even the least morsel of incense offered by a man of religion is more precious in the sight of God than thousands of cattle sacrificed by men of little worth. For as gold is better than casual stones and all in the inner shrine more sacred than what stands outside, so and in the same measure is the thank-offering of incense superior to that of the blood of beasts. And therefore the altar of incense 276 receives special honour, not only in the costliness of its material, its construction and its situation, but by taking every day the earlier place in subserving the thanksgiving which men render to God. For it is not permitted to bring the victim of the whole-burnt-offering outside until the incense has been offered

drawn from Ex. xx. 25, "And if thou make me an altar of stone thou shalt not build it of hewn stones." Philo's description may be derived from personal observation, for Josephus, *Contra Apion.* i. 198 quotes a passage ascribed to Hecataeus (4th-3rd century B.C.), in which he states, when speaking of the temple at Jerusalem, that the altar is built of heaped up stones unhewn and unwrought. But see App. pp. 621-622.

^b And therefore permitted to officiate.

- 277 ὀρθρον ἐπιθυμιᾶσαι. τὸ δ' ἐστὶ σύμ-
 βολον οὐχ ἑτέρου τινὸς ἢ τοῦ παρὰ θεῷ μὴ τὸ
 πλήθος τῶν καταθυομένων εἶναι τίμιον, ἀλλὰ τὸ
 καθαρώτατον τοῦ θύοντος πνεῦμα λογικόν· εἰ μὴ
 ἄρα δικαστῆς μὲν, ὧ μέλει τῆς ὁσίας κρίσεως, παρὰ
 τινος τῶν κρινομένων οὐκ ἂν λάβοι δῶρα ἢ λαβὼν
 ἔνοχος ἔσται δωροδοκία, οὐδ' ἀνὴρ ἀστείος παρὰ
 μοχθηροῦ τινος, ἄνθρωπος παρ' ἀνθρώπου πλου-
 τοῦντος αὐτὸς ἴσως δεόμενος, σὺ δ' ὠήθης τὸν θεὸν
 δεκάζεσθαι, τὸν αὐταρκέστατον ἑαυτῷ καὶ μηδενὸς
 τῶν ἐν γενέσει χρεῖον, ὅστις ὢν τὸ πρῶτον ἀγαθόν,
 τὸ τελειότατον, ἢ ἀέναος πηγὴ φρονήσεως καὶ
 δικαιοσύνης καὶ πάσης ἀρετῆς, ἀποστρέφεται τὰς
 278 παρὰ τῶν ἀδίκων δωρεάς. ὁ δὲ κομίζων οὐ πάντων
 ἀναισχυντότατος ἐξ ὧν ἔκλειψεν ἢ ἤρπασεν ἢ
 ἡρνήσατο ἢ ἀπεστέρησε μέρος ὥς κοινωνῶ τῆς
 ἑαυτοῦ κακίας καὶ πλεονεξίας διδούς; πάντων
 κακοδαιμονέστατε, εἴποιμ' ἂν τῷ τοιούτῳ, δυοῖν
 θάτερον ἢ λήσεσθαι προσδοκᾶς ἢ καταφανήσεσθαι.
 279 λήσεσθαι μὲν οὖν ὑπολαμβάνων ἀνεπιστήμων εἰ
 θεοῦ δυνάμεως, καθ' ἣν ἅμα πάντα ὁρᾷ καὶ πάντων
 ἀκούει· νομίζων δ' ἐμφανήσεσθαι θρασύτατος εἰ-
 δέον ἐφ' οἷς ἡμαρτες ἐγκαλύπτεσθαι, προφέρεις εἰς
 μέσον τὰ δείγματα ὧν ἡδίκησας καὶ ἐπισεμννό-
 μενος διανέμη πρὸς θεόν, ἀπαρχὰς αὐτῷ κομίζων

^a The same statement has been made in § 171. See Ex. xxx. 7, where the LXX says that the incense-offering is to be made *πρωτὶ πρωτῷ*, which Philo presumably takes as = *βαθὺς ὀρθρος*, and earlier than the *πρωτῷ* of Ex. xxix. 39 and Num. xxviii. 4 (which he renders here and in § 169 by *ἅμα τῇ ἑφ*). The statement in § 171 that the evening incense-offering was

inside at the first glimpse of day.^a The 277
 symbolical meaning is just this and nothing else :
 that what is precious in the sight of God is not the
 number of victims immolated but the true purity of
 a rational spirit in him who makes the sacrifice. Can
 you think that if the judge whose heart is set on giving
 righteous judgement will not take gifts from any of
 the litigants, or if he does take them will be open to
 the charge of bribery ; if again the good man will
 not receive them from the bad, though both are men,
 and the one perhaps in need and the other rich—can
 you think, I say, that God can be corrupted, God
 Who is absolutely sufficient to Himself and needs
 nothing of anything created, and being as He is the
 primal good, the consummation of perfection, the
 perennial fountain of wisdom and justice and every
 virtue, turns His face from the gifts of the unjust ?
 And is not he who proffers them the most shameless 278
 of men when he gives to God a share of the profits
 of his thefts or robbery or denial of a just debt or
 refusal to pay it, and treats Him as a partner in his
 wickedness and greed ? To such a one I would say
 “ Most miserable of wretches, there are only two
 alternatives : You expect that your conduct will
 either be unobserved by God or patent to Him. If 279
 the former, you little know the power by which He
 sees all and hears all : if the latter, your audacity is
 beyond measure. When you should hide your face
 in shame for the sins you have committed, you make
 an open show of the outward signs of your iniquity
 and, priding yourself on them, assign a share to God.
 You bring Him the first-fruits of unholiness and have

after the evening sacrifice would seem to be opposed to the
 argument in this passage.

- ἀνοσίους, καὶ οὐκ ἐλογίσω τοῦθ' ὅτι οὔτε νόμος
 ἀνομίαν παραδέχεται οὔτε φῶς ἡλιακὸν σκότος. ὁ
 δὲ θεὸς καὶ νόμων ἐστὶ παράδειγμα ἀρχέτυπον καὶ
 ἡλίου ἡλιος, νοητὸς αἰσθητοῦ, παρέχων ἐκ τῶν
 ἀοράτων πηγῶν ὁρατὰ φέγγη τῷ βλεπομένῳ.
 [264] ¹ Πάνυ καλῶς ἐν ταῖς ἱεραῖς τοῦ νόμου στήλαις
 280 κακὲν ἀναγέγραπται, μίσθωμα πόρνῃς εἰς τὸ ἱερὸν
 μὴ κομίζειν πεπρακυίας τὴν ἰδίαν ὥραν, ἐλομένης
 281 ἕνεκα λημμάτων αἰσχυρῶν ἐπονείδιστον βίον. εἰ δὲ
 τὰ παρὰ γυναικὸς ἡταιρηκυίας δῶρα ἀνίερα, πῶς
 οὐχὶ μᾶλλον τὰ παρὰ ψυχῆς πεπορνευμένης, ἥτις
 [265] παρέρριψεν | ἑαυτὴν ἐπ' αἰσχύνῃ καὶ ὕβρεσι ταῖς
 ἐσχάταις, οἰνοφλυγίαις, ὀψοφαγίαις, φιλαργυρίαις,
 φιλοδοξίαις, φιληδονίαις, ἄλλαις μυρίαῖς παθῶν τε
 αὐτὴ καὶ νοσημάτων καὶ κακιῶν ιδέαις; ὧν τὰ
 μιάσματα ἐκείνα τίς ἂν ἐκνύψαι χρόνος; ἔγωγε οὐκ
 282 οἶδα. τῶν μὲν γὰρ ἑταιρῶν τὴν ἐργασίαν κατέλυσε
 πολλάκις γῆρας, ἐπειδὴ περ ἐξώροις γενομέναις
 οὐδεὶς ἔτι πρόσσεισιν, ἀπομαρανθείσης ὥσπερ τινῶν
 ἀνθῶν τῆς ἀκμῆς· ψυχῆς δὲ πορνείαν ἀκολασίᾳ
 συντρόφῳ καὶ συνήθει πεπαιδοτριβημένης τίς ἂν
 αἰὼν μεταβάλῃ πρὸς εὐκοσμίαν; αἰὼν μὲν οὐ,
 θεὸς δὲ μόνος, ᾧ δυνατὰ τὰ παρ' ἡμῖν ἀδύνατα.
 283 δεῖ δὴ τὸν μέλλοντα θύειν σκέπτεσθαι, μὴ εἰ τὸ

¹ At this R has the heading *Περὶ τοῦ μίσθωμα πόρνῃς εἰς τὸ ἱερὸν μὴ κομίζειν*, though A and H transfer it with the five sections that follow to the end of this treatise, and make them the introduction to a separate treatise, composed of the material already printed in Vol. II. pp. 106-119, *De Sac.* 20-33. See Introduction to that treatise, p. 93.

^a The heading here introduced in mss., "Of bringing the hire of a harlot into the temple," is of course in copies which do not transfer these sections as described in note 1; quite
 262

not reflected that the law does not admit of lawlessness nor sunlight of darkness. But God is the archetype on which laws are modelled : He is the sun of the sun, in the realm of mind what that is in the realm of sense, and from invisible fountains He supplies the visible beams to the sun which our eyes behold."

"There is a very excellent ordinance inscribed in 280 the sacred tables of the law, that the hire of a harlot should not be brought into the temple ;^b the hire, that is, of one who has sold her personal charms and chosen a scandalous life for the sake of the wages of shame. But if the gifts of one who has played the 281 harlot are unholy, surely more unholy still are the gifts of the soul which has committed whoredom, which has thrown itself away into ignominy and the lowest depths of outrageous conduct, into wine-bibbing and gluttony, into the love of money, of reputation, of pleasure, and numberless other forms of passion and soul-sickness and vice. What length of time can purge away the stains of these ? None, to my knowledge. The harlots' traffic indeed is 282 often brought to a close by old age, since when the freshness of their charm is passed, all cease to seek them now that their bloom is faded like the bloom of flowers. But as for the soul, when by constant familiarity with incontinence it has been schooled into harlotry, what agelong stretch of years can convert it to decent living ? Not even the longest, but only God, with Whom that is possible which is impossible with us. So he who intends to sacrifice 283 must consider not whether the victim is unblemished

absurd. The point of the harlot's hire is merely introduced as an illustration of the moral enforced.

^b See Deut. xxiii. 18.

ιερείον ἄμωμον, ἀλλ' εἰ ἡ διάνοια ὁλόκληρος αὐτῷ καὶ παντελὴς καθέστηκε. διερευνάτω μέντοι καὶ τὰς αἰτίας, ὧν ἔνεκα ἀνάγειν ἀξιοῖ θυσίας· ἤτοι γὰρ εὐχαριστῶν ἐπὶ προϋπηργμέναις εὐεργεσίαις ἢ βεβαιότητα παρόντων ἢ μελλόντων κτήσιν ἀγαθῶν αἰτούμενος ἢ κακῶν παρόντων ἢ προσδοκωμένων ἀποτροπὴν, ἐφ' οἷς ἅπασιν ὑγίαν καὶ σωτηρίαν
 284 ἐκπορίζειν ὀφείλει τῷ λογισμῷ. εἴτε γὰρ ἐπὶ προϋπηργμένοις εὐχαριστεῖ, μὴ ἀχαριστησάτω φαῦλος γενόμενος—σπουδαίῳ γὰρ ἐδόθησαν αἱ χάριτες—, εἴτε βεβαιούμενος τὰ παρόντα ἀγαθὰ καὶ χρηστὰ περὶ τῶν μελλόντων προσδοκῶν, ἄξιον αὐτὸν παρεχέτω τῶν εὐπραγιῶν ἀστεῖος ὧν, εἴτε κακῶν τινων φυγὴν αἰτούμενος, μὴ δράτῃ κολάσεων ἐπάξια καὶ τιμωριῶν.

[254] LII. ¹ Πῦρ, φησὶν, ἐπὶ τοῦ θυσιαστηρίου καυθή-
 285 σεται διὰ παντὸς ἄσβεστον· εἰκότως, οἶμαι, καὶ προσηκόντως· ἐπειδὴ γὰρ αἱ τοῦ θεοῦ χάριτες ἀέναοι καὶ ἀνελλιπείς καὶ ἀδιάστατοι, ὧν μεθ' ἡμέραν καὶ νύκτωρ οἱ ἄνθρωποι τυγχάνουσιν, καὶ τὸ σύμβολον τῆς εὐχαριστίας, ἡ ἱερὰ φλόξ, ζωπυρείσ-
 [255] θω καὶ αἰεὶ ἄσβεστος | ἔστω. τάχα μέντοι καὶ διὰ
 286 τοῦδε² βούλεται τὰς παλαιὰς ταῖς νέαις θυσίαις ἀρμόσασθαι καὶ ἐνώσαι τῇ μονῇ καὶ παρουσίᾳ τοῦ αὐτοῦ πυρός, ᾧ πᾶσαι καθιεροῦνται, πρὸς ἔνδειξιν

¹ Here the mss. interpolate the heading Τὰ ἄλλα περὶ τὸ θυσιαστήριον (or τὸν βωμόν).

² mss. τότε. Perhaps καὶ διὰ τότε· βούλεται, as Heinemann suggests, citing § 309.

^a The heading here introduced, "Of the other matters concerning the altar," which, as no later heading is given, presumably extends to the rest of the treatise, is almost as
 264

THE SPECIAL LAWS, I. 283-286

but whether his own mind stands free from defect and imperfection. Further, let him examine the motives which determine him to make the offering. For either he is giving thanks for benefits already received or is asking for security in his tenure of present blessings or for acquisition of others to come, or for deliverance from evils, either present or expected, and all these demand that he should put himself into a condition of mental health and safety. For if he is offering thanks for what has already been 284 granted, let him not shew ingratitude by falling from the state of virtue in which he received these boons. Or if he is securing present blessings or has bright expectations for the future, let him shew himself by good conduct worthy of such happy events. Or if he is seeking to escape from some ills, let none of his actions be deserving of chastisement and punishment.

LII. ^a The fire on the altar, he tells us, will burn 285 continuously and not be extinguished.^b That, I think, is natural and fitting, for since the gracious gifts of God granted daily and nightly to men are perennial, unfailing and unceasing, the symbol of thankfulness also, the sacred flame, should be kept alight and remain unextinguished for ever. Perhaps 286 also he wishes in this way to employ the abiding presence of the same fire by which all the sacrifices are consecrated to unite them, old and new alike,^c and thus shew that they carry out perfectly the duty

absurd as the last. At the best it only serves for a description of §§ 285-295. In §§ 296-298 we pass on to the lamps, and after that to general reflections on the morality enjoined in the cult. Cohn ignores both this and the preceding heading in his numeration of chapters.

^b See Lev. vi. 9, 12, 13.

^c *i.e.* those of the past, and those of the present and future.

τοῦ τελείας ἐν εὐχαριστίαις εἶναι, καὶ ἀπὸ μυρίων ὅσων ἀφορμῶν γίνονται κατὰ περιουσίας ἀφθόνους ἢ τοῦναντίον ἐνδείας τῶν προσαγομένων.¹

- 287 τὰ μὲν ῥητὰ ταῦτα [σύμβολα νοητῶν], τὰ δὲ πρὸς διάνοιαν τοῖς τῆς ἀλληγορίας κανόνσιν ἐπισκεπτέον· πρὸς ἀλήθειαν τοῦ θεοῦ θυσιαστήριον ἐστὶν ἡ εὐχάριστος τοῦ σοφοῦ ψυχὴ παγείσα ἐκ τελείων ἀρετῶν ἀτμήτων καὶ ἀδιαιρέτων· οὐδὲν γὰρ μέρος
288 ἀρετῆς ἀχρεῖον. ἐπὶ ταύτης αἰ τὸ ἱερὸν φῶς ἀνακαίεται φυλαττόμενον ἄσβεστον· διανοίας δὲ φῶς ἐστὶ σοφία, ἐπεὶ καὶ τοῦναντίον σκότος ψυχῆς ἀφροσύνη· ὅπερ γὰρ αἰσθητὸν φῶς ὀφθαλμοῖς² πρὸς κατάληψιν σωμάτων, τοῦτ' ἐπιστήμη λογισμῶ πρὸς θεωρίαν τῶν ἀσωμάτων καὶ νοητῶν, ἥς αἰ τὸ φέγγος ἐπιλάμπει μηδέποτε ἀμαυρούμενον (ἢ) σβεννύμενον.³

- 289 LIII. Μετὰ ταῦτά φησιν· “ἐπὶ παντὸς δώρου προσοίσετε ἅλα,” δι’ οὗ, καθάπερ καὶ πρότερον εἶπον, τὴν εἰς ἅπαν διαμονὴν αἰνίττεται· φυλακτήριον γὰρ οἱ ἅλες σωμάτων, τετιμημένοι ψυχῆς δευτερείοις· ὥς γὰρ αἰτία τοῦ μὴ διαφθείρεσθαι τὰ σώματα ψυχῇ, καὶ οἱ ἅλες ἐπὶ πλείστον αὐτὰ
290 συνέχοντες καὶ τρόπον τινὰ ἀθανατίζοντες. διὸ καὶ κέκληκε θυσιαστήριον, ἴδιον καὶ ἐξαίρετον ὄνομα θέμενος αὐτῷ παρὰ τὸ διατηρεῖν, ὥς ἔοικε, τὰς θυσίας, καίτοι τῶν κρεῶν ἀναλίσκομένων ὑπὸ πυρός. ὥς εἶναι σαφεστάτην πίστιν, ὅτι οὐ τὰ ἱερεῖα θυσίαν ἀλλὰ τὴν διάνοιαν καὶ προθυμίαν ὑπο-

¹ Cohn (*Hermes*, 1908, pp. 190, 191) corrects to *προσαγόντων*. It is certainly more natural, but does not seem to me necessary.

² MSS. *εἰς ὀφθαλμούς*.

³ R *ἀμαυρούμενον* only. The others *σβεννύμενον* only.

of giving thanks, however numberless are the differences in the resources on which they are based, according as the oblations are lavishly abundant or on the other hand scanty. This is the 287 literal account : the inner meaning must be observed by the laws of allegory. The true altar of God is the thankful soul of the Sage, compacted of perfect virtues unsevered^a and undivided, for no part of virtue is useless. On this soul-altar the sacred light is ever 288 burning and carefully kept unextinguished, and the light of the mind is wisdom, just as the darkness of the soul is folly. For knowledge is to the reason what the light of our senses is to the eye : as that gives the apprehension of material things, so does knowledge lead to the contemplation of things immaterial and conceptual, and its beam shines for ever, never dimmed nor quenched.

LIII. After this he says, " On every gift ye shall 289 offer salt,"^b by which he signifies, as I have said before, complete permanence. Salt acts as a preservative to bodies, ranking in this as second in honour to the life-principle. For just as the life-principle causes bodies to escape corruption, so does salt, which more than anything else keeps them together and makes them in a sense immortal. From the same point of 290 view he called the altar a sacrifice-keeper,^c evidently giving it that special and distinctive name from its preserving the sacrifices, though the flesh is consumed by fire. And thus we have the clearest proof that he holds the sacrifice to consist not in the victims but in the offerer's intention and his zeal which derives

^a An allusion to the unhewn stones of which the altar was built; see § 274.

^b See Lev. ii. 13.

^c *τηρεῖν* = "keep," *θυσίας* = "sacrifices." Cf. *Mos.* ii. 106.

λαμβάνει τοῦ καταθύοντος εἶναι, ἐν ᾗ τὸ μόνιμον
 291 καὶ βέβαιον ἐξ ἀρετῆς. προσέτι καὶ κεῖνο προσνομο-
 θετεῖ, κελεύων πᾶσαν θυσίαν δίχα ζύμης καὶ
 μέλιτος προσάγεσθαι, μηδέτερον ἀξιῶν ἀναφέρειν
 ἐπὶ τὸ θυσιαστήριον· μέλι μὲν ἴσως, ἐπειδήπερ ἡ
 συναγωγὸς αὐτοῦ μέλιττα ζῶόν ἐστιν οὐ καθαρὸν,
 ἐκ σήψεως καὶ φθορᾶς νεκρῶν, ὡς ὁ λόγος, βοῶν
 γεννώμενον, καθὰ καὶ οἱ σφῆκες ἐξ ἱππείων σω-
 292 μάτων· ἡ κατὰ σύμβολον τοῦ πᾶσαν ἀνιέρων εἶναι
 τὴν περιττὴν ἡδονήν, τὰ μὲν περὶ τὴν κατάποσιν
 γλυκαίνουσιν, πικρὰς δὲ καὶ δυσιάτους αὖθις ἐπι-
 φέρουσιν ἀλγηδόνας, ὑφ' ὧν ἀνάγκη τὴν ψυχὴν
 σείεσθαι καὶ κλονεῖσθαι παγίως ἰδρυθῆναι μὴ
 293 δυναμένην· ζύμην δὲ διὰ τὴν γινομένην ἔπαρσιν ἐξ
 [256] αὐτῆς, πάλιν συμβολικῶς, | ἵνα μηδεὶς προσιῶν τῷ
 θυσιαστηρίῳ τὸ παράπαν ἐπαίρηται φυσηθεὶς ὑπ'
 ἀλαζονείας, ἀλλ' εἰς τὸ τοῦ θεοῦ μέγεθος ἀποβλέπων
 αἰσθησιν λαμβάνῃ τῆς περὶ τὸ γενητὸν ἀσθενείας,
 καὶ εὐτυχίαις ἐτέρων διαφέρῃ, καὶ τὸν εἰκότα
 ποιησάμενος λογισμὸν στέλλῃ τὸ τοῦ φρονήματος
 294 ὑπέραυχον ὕψος, τὴν ἐπίβουλον οἴησιν καθαιρῶν. εἰ
 γὰρ ὁ τῶν ὅλων κτίστης καὶ ποιητὴς καὶ πάντων
 ἀνεπιδεὴς ὧν ἐγέννησεν, οὐ πρὸς τὰς ὑπερβολὰς τοῦ
 κράτους αὐτοῦ καὶ τῆς ἐξουσίας ἀπιδὼν ἀλλὰ πρὸς
 τὴν σὴν ἀσθένειαν, μεταδίδωσί σοι τῆς ἰλεω δυνά-
 μεως αὐτοῦ τὰς ἐνδείας ἀναπληρῶν αἰς κέχρησαι,
 σὲ τί ποιεῖν ἀρμόττει πρὸς ἀνθρώπους τοὺς φύσει
 συγγενεῖς καὶ ἀπὸ τῶν αὐτῶν στοιχείων σπαρέντας,
 τὸν μηδὲν εἰς τὸν κόσμον ἀλλὰ μηδὲ σαυτὸν εἰς-
 295 ἐνηνοχότα; γυμνὸς μὲν γάρ, θαυμάσιε, ἦλθες,

THE SPECIAL LAWS, I. 290-295

its constancy and permanence from virtue. He adds, too, a further enactment by which he orders every sacrifice to be offered without honey or leaven.^a Both these substances he considers unfit to be brought to the altar : honey perhaps because the bee which collects it is an unclean animal, bred from the putrescence and corruption of dead oxen, we are told, just as wasps are from the carcasses of horses^b ; or else he forbids it as a symbol of the utter unholiness of excessive pleasure which tastes sweet as it passes through the throat but afterwards produces bitter and persistent pains which of necessity shake and agitate the soul and make it unable to stand firmly in its place. Leaven is forbidden because of the rising which it produces. Here again we have a symbol of the truth, that none as he approaches the altar should be uplifted or puffed up by arrogance ; Rather gazing on the greatness of God, let him gain a perception of the weakness which belongs to the creature, even though he may be superior to others in prosperity ; and having been thus led to the reasonable conclusion, let him reduce the overweening exaltation of his pride by laying low that pestilent enemy, conceit. For if the Creator and Maker of the universe, though needing nothing of all that He has begotten, has regard to your weakness and not to the vastness of His might and sovereignty, makes you a partaker in His gracious power and fills up the deficiencies that belong to your life, how ought you to treat other men, your natural kinsfolk, seedlings from the same elements as yourself, you who brought nothing into the world, not even yourself ? For you came into the world, worthy sir, and naked

^a See Lev. ii. 11.

^b See App. p. 622.

γυμνὸς δὲ πάλιν ἄπεις, τὸν μεταξὺ χρόνον γενέσεως καὶ θανάτου παρὰ τοῦ θεοῦ χρήσιν λαβὼν, ἐν ᾧ τί ποιεῖν προσῆκον ἦν ἢ κοινωνίας καὶ ὁμονοίας ἰσότητός τε καὶ φιλανθρωπίας καὶ τῆς <ἄλλης> ἀρετῆς ἐπιμελεῖσθαι, ἀποβαλλόμενον τὴν ἄνισον καὶ ἄδικον καὶ ἀσύμβατον κακίαν, ἢ τὸ ἡμερώτατον φύσει ζῶον, ἄνθρωπον, ὡμὸν καὶ ἀτίθασον ἐργάζεται;

- 296 LIV. Πάλιν ἀφ' ἐσπέρας ἕως πρωίας προστάττει καίεσθαι λύχνους ἐπὶ τῆς ἱερᾶς λυχνίας εἴσω τοῦ καταπετάσματος, πολλῶν χάριν· ἐνὸς μὲν ἵνα ἐκ διαδοχῆς τοῦ μεθήμερινοῦ φωτὸς καταλάμπηται τὰ ἅγια γινόμενα αἰεὶ σκότους ἀμέτοχα καθ' ὁμοιότητα τῶν ἀστέρων· καὶ γὰρ οὗτοι δύντος ἡλίου τὸ ἴδιον ἀναφαίνουσι φέγγος ἢν ἐτάχθησαν ἐν τῷ κόσμῳ
- 297 τάξιν οὐ λείποντες· ἐτέρου δὲ τοῦ καὶ νύκτωρ ἀδελφόν τι καὶ συγγενὲς ταῖς μεθήμεριναῖς θυσίαις ἐπιτελεῖσθαι πρὸς ἀρέσκειαν θεοῦ καὶ μηδ' ἓνα χρόνον ἢ καιρὸν εὐχαριστίας παραλείπειν· ἐπιτηδευιτάτη δὲ καὶ προσφυεστάτη νυκτὶ τῆς εὐχαριστίας θυσία—θυσίαν γὰρ αὐτὴν ἄξιον καλεῖν—ἢ τοῦ
- 298 ἱερωτάτου φέγγους ἐν τοῖς ἀδύτοις αὐγῇ· τρίτου δὲ καὶ σφόδρα ἀναγκαίου· ἐπειδὴ γὰρ οὐ μόνον ἐργηγορότες εὖ πάσχομεν ἀλλὰ καὶ καθεύδοντες, τοῦ φιλοδώρου θεοῦ μεγάλην ἐπικουρίαν, ὕπνον, τῷ θνητῷ γένει παρασχόντος ἐπ' ὠφελείᾳ σώματός τε καὶ ψυχῆς, τοῦ μὲν σώματος τῶν μεθήμερινῶν πόνων ἀφιεμένου, τῆς δὲ ψυχῆς ἐπικουφιζομένης τὰς φροντίδας καὶ ἀναχωρούσης εἰς ἑαυτὴν ἀπὸ τοῦ τῶν αἰσθήσεων ὄχλου καὶ θορύβου καὶ δυναμένης τότε γοῦν ἰδιάζειν καὶ ἐνομιλεῖν ἑαυτῇ, προσ-

^a See Ex. xxvii. 21, Lev. xxiv. 3, 4.

you again depart, and the span of time between your birth and death is a loan to you from God. During this span what can be meet for you to do but to study fellow-feeling and goodwill and equity and humanity and what else belongs to virtue, and to cast away the inequitable, unrighteous and unforgiving viciousness which turns man, naturally the most civilized of creatures, into a wild and ferocious animal !

LIV. Again he commands that the lamps on the sacred candlestick within the veil should be kept burning from evening till early morning.^a He has several objects in this. One is, that the holy places should be illuminated when the daylight leaves them and thus remain ever exempt from darkness, in this resembling the stars. For they when the sun has set display their own light instead and do not forsake their place in the cosmic order.

A second object was, that at night-time also some rites of the same kith and kin as those of the day-time should be performed for the service of God, and that no time or season should omit its thanksgiving. And to shew our thankfulness the sacrificial offering, for sacrificial it may quite properly be called, most suitable and appropriate to the night is the radiance of that most sacred light in the inner shrine. There is a third reason, a very cogent one : Not only in our waking hours do we experience blessings, but also in our slumbers. For God the bountiful has provided our mortal race with a great support in the form of sleep, whereby both body and soul are benefited. The body is released from the labours of the day, the soul relaxes its anxious cares and retreats into itself, away from the press and clamour of the senses, and can then, if at no other time, enjoy privacy and commune

ηκόντως ἐδικαίωσεν ὁ νόμος τὰς εὐχαριστίας δια-
κληρώσαι, ὑπὲρ μὲν ἐγγηγόρσεως διὰ τῶν προσ-
αγομένων ἱερέων, ὑπὲρ δὲ ὕπνου καὶ τῶν ἀπὸ τοῦδε
ὠφελειῶν διὰ τῆς τῶν ἱερῶν λύχνων ἐξάψεως.

299 LV. | Ἄ μὲν οὖν πρὸς εὐσέβειαν νομοθετεῖται
[257] κατὰ προστάξεις καὶ ἀπαγορεύσεις, ταῦτα καὶ τὰ
τούτοις παραπλήσιά ἐστιν· ἃ δὲ κατὰ τὰς φιλο-
σόφους ὑποθήκας καὶ παραινέσεις, ὧδε λεκτέον.
αἰτεῖται γάρ, φησὶν, ὦ διάνοια, παρὰ σοῦ ὁ θεὸς
οὐδὲν βαρὺ καὶ ποικίλον ἢ δύσεργον ἀλλὰ ἀπλοῦν
300 πάννυ καὶ ῥάδιον. ταῦτα δ' ἐστὶν ἀγαπᾶν αὐτὸν ὡς
εὐεργέτην, εἰ δὲ μή, φοβεῖσθαι γοῦν ὡς ἄρχοντα καὶ
κύριον, καὶ διὰ πασῶν ἵνα τῶν εἰς ἀρέσκειαν ὁδῶν
καὶ λατρεύειν αὐτῷ μὴ παρέργως ἀλλὰ ὅλη τῇ ψυχῇ
πεπληρωμένη γνῶμης φιλοθέου καὶ τῶν ἐντολῶν
αὐτοῦ περιέχεσθαι καὶ τὰ δίκαια τιμᾶν.

[ἐξ ὧν ἀπάντων αὐτὸς μὲν ἐν ὁμοίᾳ μένει φύσει μὴ τρεπόμενος.
τί δὲ¹ τῶν ἄλλων ὅσα κατὰ τὸν κόσμον ἐστὶ βελτίωσις ἰσχυεῖ, ἥλιος
ἢ σελήνη ἢ τὸ πλῆθος τῶν ἄλλων ἀστέρων ἢ ὁ σύμπας οὐρανός ;

¹ Cohn ἔτι δὲ with R (ut videtur), AH εἴ τι δὲ. The Armenian is not stated.

^a Here Philo begins his homily on the moral and religious lessons in Deuteronomy. See Deut. x. 12 f.

^b That the rest of this section from "Among all these" cannot possibly be in its right place, as it is quite irrelevant to the context, is, as Cohn and Heinemann agree, quite indisputable. But it seems to me that it does not make sense in itself, and that Heinemann's admission that it is not "ganz klar" understates the facts. As Cohn prints it, as indicated in the textual notes, it appears to state that all the other parts of the universe (except God?) "have betterment," and to illustrate this we are told that the mountains rise to a very great height, the plains get wider, etc. (In this part it is hard to see why ἢ is used instead of καί.) At the end it appears that

with itself. Rightly therefore did the law determine so to apportion the thank-offerings that thankfulness is expressed for our waking time by the victims brought to the altar, for sleep and the benefits which it gives by the lighting of the sacred lamps.

LV. These and similar injunctions to piety are 299 given in the law in the form of direct commands and prohibitions. Others which have now to be described are of the nature of homilies giving admonitions and exhortations. Addressing himself to the mind of man he says,^a "God asks nothing from thee that is heavy or complicated or difficult, but only something quite simple and easy. And this is just to love Him 300 as a benefactor, or failing this to fear Him at least as a ruler and lord, and to tread in every way that will lead thee to please Him, to serve Him not half-heartedly but with thy whole soul filled with the determination to love Him and to cling to His commandments and to honour justice."

^b [Among all these things God Himself remains with a nature which changes not. But of all else that is in the universe, what is there that changes for the better? Sun or moon or the multitude of the other stars or the whole heaven?

contrary to what has been said (*μὲν οὖν*) they remain exactly as they were from the first.

The corrections I have made are, apart from the punctuation, very slight, *τί δὲ* for *ἔτι δὲ* and *πλείον* for *πλείστον*. For R's *περιμνηκέστερον* is, in Cohn's view, as well as, if not better supported, than *-τατον*. But they seem to me to convey a thought which, however irrelevant to the context, is well worthy of Philo. The preceding words have probably spoken of the perpetual movement and change in the universe, from which God alone is exempt. But does this flux imply *βελτίωσις*? The *ἀπετή* of mountains is their height, of the plains their width. Do they grow higher or wider? And so with everything else. The one thing in the universe which is capable of betterment is the soul of man.

ἀλλὰ καὶ τῆς γῆς τὰ μὲν ὄρη πρὸς ὕψος αἵρεται περιμηκέστερον,¹ ἡ δὲ πεδιάς ὥσπερ αἱ χυταὶ οὐσαὶ ἐπὶ πλείον² εὐρύνεται, καὶ ἡ θάλαττα μεταβάλλει πρὸς πότιμον ἢ οἱ ποταμοὶ πελαγῶν ἐξισοῦνται μεγέθεσιν; ἐπὶ μὲν οὖν τῶν αὐτῶν ὄρων ἕκαστον ἰδρυται ἐφ' οἷς εὐθὺς ἐξ ἀρχῆς ὅτε ἐποίησεν ἐτάχθη· σὺ δὲ βελτίων ἔση ζῶν ἀνυπαίτιως.]

- 301 τί δὴ τούτων ἀργαλέον ἐστὶν ἢ ἐπίπονον; οὐκ ἅπλωτα πελάγη δεῖ περαιουῖσθαι καὶ μέσου χειμῶνος κλύδωνι καὶ βίαις ἐναντίων πνευμάτων κλονουμένους³ ἄνω καὶ κάτω θαλαττεύειν ἢ τραχείας καὶ ἀτριβεῖς πεζεύειν ἀνοδίας, οὐχ ὁδοὺς, ληστῶν ἢ θηρίων ἐφόδους ἀεὶ κατεπτηχότας ἢ τειχοφυλακεῖν ἐν ὑπαίθρῳ νυκτερεύοντας, ἐφεδρευόντων πολεμίων καὶ τοὺς ἀνωτάτω κινδύνους ἀπειλούντων—ἅπαγε, μηδὲν ἐπὶ καλοῖς λεγέσθω τῶν ἀηδῶν· εὐφημητέον
- 302 ἐπὶ τοῖς οὕτω συμφέρουσιν. ἐπινεύσαι μόνον δεῖ τὴν ψυχὴν, καὶ πάρεστιν ἐν ἐτοίμῳ τὰ πάντα. ἢ τοῦτο ἀγνοεῖς, ὅτι τοῦ θεοῦ καὶ ὁ αἰσθητός ἐστὶν οὐρανὸς καὶ ὁ νοητός, ὁ κυρίως, εἴποι τις ἄν, “οὐρανὸς οὐρανοῦ,” καὶ πάλιν ἡ γῆ καὶ τὰ ἐν αὐτῇ καὶ σύμπας ὁ κόσμος, ὃ τε ὁρατὸς καὶ ὁ ἀόρατος καὶ ἀσώματος, τὸ παράδειγμα τοῦ ὁρατοῦ οὐρανοῦ;
- 303 LVI. ἀλλ' ὁμῶς καὶ ἐξ ἅπαντος ἀνθρώπων γένους τοὺς πρὸς ἀλήθειαν ἀνθρώπους ἀριστίνδην ἐπιλέξας εἴλετο καὶ προνομίας⁴ ἡξίωσε τῆς πάσης, ἐπὶ τὴν θεραπείαν καλέσας ἑαυτοῦ, τὴν ἀέναον τῶν καλῶν

¹ So R: Cohn περιμηκέστατον with AH.

² MSS. πλείστον. (Cohn places full stops after οὐρανός and μεγέθεσιν instead of the marks of interrogation printed above.)

³ MSS. κυκλουμένων.

⁴ MSS. προνομίας.

^a Here the homily brings in Deut. xxx. 11-14, but returns in § 302 to Deut. x. 14 f.

THE SPECIAL LAWS, I. 300-303

And on earth do the mountains grow to a loftier height or the lowlands widen forth as liquids spread when poured out? Is the sea converted into fresh water or do the rivers become equal in magnitude to the seas? No, each remains firmly stayed in the same limits in which they were set at the very first when He made them. But thou, by living a blameless life, wilt change for the better.]

^a Which of these is painful or laborious? You have 301
not to cross great waters where no ship has sailed and in the heart of winter to brave the deep, tossed up and down by the surging of the waves and the violence of opposing winds, or to foot it over rough and untrodden wilds where no road is, in perpetual dread of assault from robbers or wild beasts, or to pass the night unsheltered as a sentry on the walls, threatened with the gravest perils from the enemy ever watchful for their chance. No, away with such thoughts. In good matters let there be no talk of discomfort, nothing but happy words to describe things so profitable. Only must the soul give its assent and every- 302
thing is there ready to your hand. Do you not know that to God belongs both the heaven perceived by sense and that known to thought alone, which may quite properly be called the "heaven of heaven,"^b again the earth and its contents and all the universe, both the visible and the invisible and immaterial, the pattern of the visible? LVI. Yet out of the whole 303
human race He chose as of special merit and judged worthy of pre-eminence over all, those who are in a true sense men,^c and called them to the service of Himself, the perennial fountain of things excellent,

^b So Deut. x. 14, "the heaven and the heaven of heavens."

^c The selection of Israel in v. 15 is here interpreted as the selection of the worthiest. The meaning thus given to *οἱ πρὸς ἀλήθειαν ἄνθρωποι* is unusual. Generally "the true man" is the reasonable mind or conscience in the individual man.

- πηγήν, ἀφ' ἧς καὶ τὰς ἄλλας ὤμβρησεν ἀρετὰς καὶ
 ἀνέχεεν¹ εἰς ἀπόλαυσιν ὠφελιμωτάτην, νέκταρος
 304 μᾶλλον ἢ οὐχ ἦττον ἀθανατίζον ποτόν. οἰκτροὶ δὲ
 καὶ κακοδαίμονες ὅσοι μὴ τὸν ἀρετῆς πότον εὖ-
 ωχήθησαν καὶ κακοδαιμονέστατοι διετέλεσαν οἱ
 εἰς ἅπαν ἄγευστοι καλοκαγαθίας, παρὸν καὶ ἐν-
 [258] ευφρανθῆναι καὶ | ἐντρυφῆσαι δικαιοσύνη καὶ ὁσιό-
 τητι· ἄλλ' εἰσὶν ἀπερίτμητοι τὴν καρδίαν,
 ἣ φησιν ὁ νόμος, καὶ διὰ σκληρότητα τρόπων ἀφ-
 ηνιασταί, σκιρτῶντες αὐθαδῶς καὶ ἀπαυχενίζοντες·
 305 οὓς νουθετεῖ φάσκων· “περιτέμνεσθε τὴν σκληρο-
 καρδίαν,” τὸ δέ ἐστι, τὰς περιττενούσας φύσεις τοῦ
 ἡγεμονικοῦ, ἃς αἱ ἄμετροι τῶν παθῶν ἔσπειράν τε
 καὶ συνηύξησαν ὄρμαὶ καὶ ὁ κακὸς ψυχῆς γεωργὸς
 ἐφύτευσεν, ἀφροσύνη, μετὰ σπουδῆς ἀποκείρασθε.
 306 καὶ ὁ τράχηλος, φησὶν, ὑμῶν μὴ σκληρὸς ἔστω,
 τουτέστι, μὴ ἀκαμπῆς ὁ νοῦς καὶ αὐθαδέστατος,
 μῆδ' ὑπὸ τῆς ἄγαν σκαιότητος ἐπιτηδευέτω τὴν
 βλαβερωτάτην ἀμαθίαν, ἀλλὰ τὸ φύσει δύσκολον
 καὶ δύστροπον ἀποθέμενος ὡς ἐχθρὸν μεταβαλλέτω
 307 πρὸς τὸ εὐκολον,² πειθαρχήσων νόμοις φύσεως. ἢ
 οὐχ ὀρᾷς, ὅτι περὶ τὸ ὄν αἱ πρῶται καὶ μέγισται
 τῶν δυνάμεων εἰσιν, ἣ τε εὐεργέτις καὶ κολαστή-
 ριος; καὶ προσηγόρευται ἢ μὲν εὐεργέτις θεός,
 ἐπειδὴ κατὰ ταύτην ἔθηκε καὶ διεκόσμησε τὸ πᾶν,
 ἣ δὲ ἑτέρα κύριος, καθ' ἣν ἀνήπται τῶν ὄλων τὸ

¹ MSS. ἀνενεχθεῖς.² MSS. εἰκός.

^a The figure of the divine watering of the soul is perhaps suggested by the promise of the water from heaven to irrigate the land in Deut. viii. 7 and xi. 11.

^b Or “they,” i.e. those just mentioned.

^c The phrase comes from Lev. xxvi. 41, though of course

THE SPECIAL LAWS, I. 303-307

from which He sends the shower of the other virtues gushing forth to give drink, delicious and most beneficial, and conferring immortality as much as or more than nectar.^a Pitiable and miserable are all those 304 who have not feasted to the full on virtue's draught, and greatest is the lasting misery of those who have never tasted the cup of noble living when they might revel in the delights of righteousness and holiness.

But some ^b are uncircumcised in heart, says the law,^c and through their hardness of temper disobedient to the rein, plunging in unruly fashion and fighting against the yoke. These he admonishes 305 with the words, "Circumcise the hardness of your hearts!" make speed, that is, to prune away from the ruling mind the superfluous overgrowths ^d sown and raised by the immoderate appetites of the passions and planted by folly, the evil husbandman of the soul. And let not your neck be hard, he continues : that is, 306 let not your mind be unbending and exceedingly unruly, nor in its much frowardness pursue that wilful ignorance which is so fraught with mischief, but casting aside as an enemy all that is naturally indocile and intractable, change over to docility, ready to obey the laws of nature. ^e Cannot you see that the primal 307 and chief powers belonging to the Existent are the beneficent and the punitive? And the beneficent is called God because by this He set out^f and ordered the world ; the other is called Lord, being that by which He is invested with the sovereignty of all that

implied in Deut. x. 16, which is the text for the next two sections.

^a περιτέμνεσθε . . . περιττενούσας. The same play as in § 9.

^c See Deut. x. 17.

^f Another allusion to the accepted derivation of θεός from τίθημι. See notes on *De Abr.* 121 and *De Conf.* 137 (App.).

- κράτος. θεὸς δὲ οὐκ ἀνθρώπων μόνον ἀλλὰ καὶ θεῶν ἐστὶ θεός, καὶ ἄρχων οὐκ ἰδιωτῶν μόνον ἀλλὰ καὶ ἀρχόντων, μέγας τέ ἐστὶν ὢν ὄντως καὶ
 308 ἰσχυρὸς καὶ κραταίος. LVII. ἀλλ' ὅμως ὁ τοσοῦτος ἐν ἀρεταῖς καὶ δυνάμεσιν ἔλεον καὶ οἶκτον λαμβάνει τῶν ἐν ἐνδείαις ἀπορωτάτων, οὐκ ἀπαξιῶν γενέσθαι κριτῆς προσηλύτοις ἢ ὀρφανοῖς ἢ χήραις, ἀλλὰ βασιλέων καὶ τυράννων καὶ τῶν ἐν μεγάλας δυναστεῖαις ὑπεριδῶν τὸ ταπεινὸν τῶν
 309 λεχθέντων ἀξιοὶ προνοίας.¹ τῶν μὲν ἐπηλύτων διὰ τόδε· καταλιπόντες οὗτοι τὰ πατρία οἷς ἐνετράφησαν ψευδῶν πλασμάτων γέμοντα καὶ τύφου, γενόμενοι ἀτυφίας καὶ ἀληθείας ἐρασταὶ γνήσιοι, μετεχώρησαν πρὸς εὐσέβειαν, ἰκέται τε καὶ θεραπευταὶ τοῦ ὄντως ὄντος ἀξίως ὄντες τῆς προνοίας τῆς ἀρμοττούσης εἰκότως μεταλαγχάνουσι, καρπὸν εὐράμενοι τῆς ἐπὶ τὸν θεὸν καταφυγῆς
 310 τὴν ἀπ' αὐτοῦ βοήθειαν. ὀρφανῶν δὲ καὶ χηρῶν, ἐπειδὴ κηδεμόνας ἀφήρηνται, οἱ μὲν γονεῖς, αἱ δὲ ἄνδρας, καταφυγὴ δ' οὐδεμία τοῖς οὕτως ἐρήμοις ἐξ ἀνθρώπων ἀπολείπεται· διὸ τῆς μεγίστης ἐλπίδος οὐκ ἀμοιροῦσι, τοῦ θεοῦ, διὰ τὴν ἰλεω φύσιν αὐτοῦ τὴν πρόνοιαν καὶ ἐπιμέλειαν μὴ ἀπο-
 311 στραφέντος τῶν οὕτως ἐρήμων. ἔστω δὴ, φησί, μόνος θεὸς αὐχηνά σου καὶ μέγιστον κλέος, καὶ μήτ' ἐπὶ πλούτῳ μήτε δόξῃ μήτε ἡγεμονίᾳ μήτε σώματος εὐμορφίᾳ μήτε ῥώμῃ μήτε τοῖς παραπλησίοις, ἐφ' οἷς εἰώθασιν οἱ κενοὶ φρενῶν ἐπαίρεσθαι, σεμνυνθῆς, λογισάμενος ὅτι πρῶτον μὲν ἀμέτοχα

¹ MSS. προνομίας.

^a See Deut. x. 18 f.

THE SPECIAL LAWS, I. 307-311

is. But He is the God not only of men but also of gods, and the ruler not only of commoners but of rulers, and being truly existent, He is great and strong and mighty. LVII. ^a Yet vast as are his excellences and powers, he takes pity and compassion on those most helplessly in need, and does not disdain to give judgement to strangers or orphans or widows. He holds their low estate worthy of His providential care, while of kings and despots and great potentates He takes no account. 308

He provides for 309 the incomers because forsaking the ancestral customs in which they were bred, customs packed with false inventions and vanity, they have crossed over to piety in whole-hearted love of simplicity and truth, and rendering to Him that truly exists the supplication and service which are His right, partake in due course of His protecting care in the measure that fits their case, and gain in the help that He gives the fruit of making God their refuge. 310

He provides 310 for the orphans and widows because they have lost their protectors, in the first case parents, in the second husbands, and in this desolation no refuge remains that men can give ; and therefore they are not denied the hope that is greatest of all, the hope in God, Who in the graciousness of His nature does not refuse the task of caring for and watching over them in this desolate condition. ^b Let God alone be thy boast 311 and thy chief glory, he continues, and pride thyself neither on riches nor on reputation nor dominion nor comeliness nor strength of body, nor any such thing, whereby the hearts of the empty-minded are wont to be lifted up. Consider in the first place that these things have nothing in them of the nature of the true

^b See Deut. x. 21.

ταῦτ' ἐστὶ τῆς <τοῦ> ἀγαθοῦ φύσεως, ἔπειτα δ' ὅτι
 καιρὸν ὁζὺν ἔχει τῆς μεταβολῆς, μαραινόμενα
 312 τρόπον τινά, πρὶν ἀνθῆσαι βεβαίως. ὁ δὲ πάγιον
 καὶ ἄτρεπτον καὶ ἀμετάβλητον ἀγαθὸν μετα-
 [259] διώκωμεν καὶ τῆς | ἰκεσίας καὶ θεραπείας αὐτοῦ
 περιεχόμεθα. καὶ μήτε κρατήσαντες
 ἐχθρῶν ζηλώσωμεν τὰς ἐκείνων ἐν αἷς εὐσεβεῖν
 δοκοῦσιν ἀσεβείας υἱοὺς καὶ θυγατέρας τοῖς αὐτῶν
 313 κατακαίοντες θεοῖς—οὐχ ὅτι τὰ τέκνα πᾶσι τοῖς
 βαρβάροις ἐμπιμπράναι δι' ἔθους ἐστίν· οὐ γὰρ
 οὕτως ἐξηγρίωνται τὰς φύσεις, ὥς, ἃ μὴδὲ πο-
 λεμίους καὶ ἐχθροὺς ἀσυμβάτους ἐν πολέμῳ, ταῦτα
 τοὺς φιλτάτους καὶ οἰκειοτάτους ἐν εἰρήνῃ δρᾶν
 ὑπομένειν· ἀλλ' ὅτι τὰς ψυχὰς τῷ ὄντι καταφλέ-
 γουσι καὶ διαφθείρουσιν ὧν ἐγέννησαν ἐξ ἔτι σπαρ-
 γάνων ἀπαλαῖς ἔτι μὴ ἐγχαράττοντες τὰς¹ ἀληθείας
 δόξας περὶ τοῦ ἐνὸς καὶ πρὸς ἀλήθειαν ὄντος θεοῦ—
 μήτ' οὖν ἡττηθέντες ἀναπέσωμεν καὶ
 ὑπαχθῶμεν ταῖς ἐκείνων εὐτυχίαις ὥς δι' εὐσέβειαν
 314 νενικηκότων· πολλοῖς γὰρ ἐπ' ἐνέδρᾳ συμβαίνουσιν
 αἱ παραυτίκα εὐπραγίαι δέλεαρ σφοδρῶν καὶ
 ἀνιάτων οὔσαι κακῶν· εἰκὸς δὲ καὶ ἀναξίους ὄντας
 κατορθοῦν, μὴ δι' ἑαυτοὺς, ἀλλὰ ὑπὲρ τοῦ λυπεῖσθαι
 καὶ ἀνιάσθαι σφοδρότερον ἡμᾶς οὐχ ὅσια δρῶντας,
 οἳ γεννηθέντες ἐν πολιτείᾳ φιλοθέω καὶ ἐντραφέντες
 νόμοις ἐπὶ πᾶσαν ἀρετὴν ἀλείφουσι καὶ ἐκ πρώτης
 ἡλικίας παιδευόμενοι τὰ κάλλιστα παρὰ θεσπεσίους
 ἀνδράσι τῶν μὲν ὀλιγωροῦμεν, τῶν δ' ὥς ἀληθῶς

¹ MSS. τῆς.

^a See Deut. xii. 29-31.

^b The warning against misunderstanding the lesson of defeat does not appear to have any clear parallel in Deutero-
 280

good ; secondly, how quickly comes the hour of their passing, how they wither away, as it were, before their flower has come to its strength. Let us follow 312 after the good that is stable, unswerving, unchangeable, and hold fast to our service as His suppliants and worshippers.^a

So if we are victorious over our enemies, let us not affect their impious ways in which they think to show their piety by burning their sons and daughters to their gods. This does 313 not mean that all the outside nations have a custom of giving their children to the fire. They have not become so savage in nature as to bring themselves to do in peace to their nearest and dearest what they would not do in wartime to their enemies in the field or to the objects of their implacable hatred. Rather the words refer to that consuming fire in which they veritably destroy the souls of their offspring right from the cradle by failing to imprint on their still tender souls truth-giving conceptions of the one, the truly existent God.

^b Nor yet if defeated let us lose heart or be overcome by their successes as though the victory were due to their piety. To 314 many their temporary pieces of good fortune have proved to be a pitfall, a trap baited with evils vast and fatal. And it may well be that the triumph of the unworthy comes to pass not for their own sake but that we should be more abundantly distressed and afflicted for our unholy deeds ; we who, born as citizens of a godly community, reared under laws which incite to every virtue, trained from our earliest years under divinely gifted men, show contempt for their teaching and cling to what truly deserves our nomy, though there are various passages which threaten foreign conquest or enslavement as the punishment for forsaking God, *e.g.* xxviii. 49-57.

- ὀλιγωρίας ἀξίων περιεχόμεθα, παιδιὰν μὲν τὰ σπουδαία, σπουδὴν δὲ τὰ παιδιᾶς ἀξία ἡγούμενοι.
- 315 LVIII. Κἂν μέντοι τις ὄνομα καὶ σχῆμα προφητείας ὑποδύς, ἐνθουσιᾶν καὶ κατέχεσθαι δοκῶν, ἄγῃ πρὸς τὴν τῶν νενομισμένων κατὰ πόλεις θρησκείαν θεῶν, οὐκ ἀξίον προσέχειν ἀπατωμένους ὀνόματι προφήτου· γόης γὰρ ἄλλ' οὐ προφήτης ἐστὶν ὁ τοιοῦτος, ἐπειδὴ ψευδόμενος λόγια καὶ
- 316 χρησμοὺς ἐπλάσατο. κἂν ἀδελφὸς ἢ υἱὸς ἢ θυγάτηρ ἢ γυνὴ ἢ οἰκουρὸς ἢ γνήσιος φίλος ἢ τις ἕτερος εὖνους εἶναι δοκῶν εἰς τὰ ὅμοια ἐνάγῃ προτρέπων συνασμενίζειν¹ τοῖς πολλοῖς καὶ ἐπὶ τὰ αὐτὰ ἱερὰ καὶ τὰς αὐτὰς σπονδὰς τε καὶ θυσίας ἀφικνεῖσθαι, κολαστέον ὡς δῆμιον καὶ κοινὸν ἐχθρὸν ὄντα ὀλίγα φροντίσαντας οἰκειότητος καὶ τὰς παραινέσεις αὐτοῦ διαγγελτέον πᾶσι τοῖς εὐσεβείας ἐρασταῖς, οἱ ἀνυπερθέτω τάχει ταῖς κατ' ἀνδρὸς ἀνοσίῳ τιμωρίαις ἐπιδραμοῦνται κρίνοντες εὐαγὲς τὸ κατ' αὐτοῦ
- 317 φονᾶν. ἔστω γὰρ ἡμῖν μία οἰκειότης καὶ φιλίας ἐν σύμβολον ἢ πρὸς θεὸν ἀρέσκεια καὶ τὸ πάντα λέγειν τε καὶ πράττειν ὑπὲρ εὐσεβείας· αἱ δ' ἐκ προγόνων ἀφ' αἵματος αὐταὶ λεγόμεναι συγγένειαι καὶ αἱ κατ' ἐπιγαμίας ἢ τινας ἄλλας ὁμοιοτρόπους αἰτίας οἰκειότητες ἀπορριπτέσθωσαν, εἰ μὴ πρὸς τὸ αὐτὸ τέλος ἐπείγονται, τὴν τοῦ θεοῦ τιμὴν, ἣ πάσης ἐνωτικῆς εὐνοίας ἄλυστος δεσμός ἐστιν· ἀντιλήψονται
- [260] γὰρ οἱ τοιοῦτοι σεμνοτέρας καὶ | ἱεροπρεπεστέρας

¹ MSS. ἐνασμενίζειν.

THE SPECIAL LAWS, I. 314-318

contempt, count the serious side of life as child's-play and what befits the playground as matters of serious import.

LVIII. ^a Further if anyone cloaking himself under 315
the name and guise of a prophet and claiming to be
possessed by inspiration lead us on to the worship
of the gods recognized in the different cities, we
ought not to listen to him and be deceived by the
name of prophet. For such a one is no prophet, but
an impostor, since his oracles and pronouncements are
falsehoods invented by himself. And if a brother or 316
son or daughter or wife or a housemate or a friend
however true, or anyone else who seems to be kindly
disposed, urge us to a like course, bidding us fratern-
ize with the multitude, resort to their temples, and
join in their libations and sacrifices, we must punish
him as a public and general enemy, taking little
thought for the ties which bind us to him ; and we
must send round a report of his proposals to all the
lovers of piety, who will rush with a speed which
brooks no delay to take vengeance on the unholy
man, and deem it a religious duty to seek his death.
For we should have one tie of affinity, one accepted 317
sign of goodwill, namely the willingness to serve God
and that our every word and deed promotes the cause
of piety. But as for these kinships, as we call them,
which have come down from our ancestors and are
based on blood-relationship, or those derived from
intermarriage or other similar causes, let them all be
cast aside if they do not seek earnestly the same goal,
namely, the honour of God, which is the indissoluble
bond of all the affection which makes us one. For
those who are so minded will receive in exchange
kinships of greater dignity and sanctity. This 318

318 συγγενείας. βεβαιούται δέ μου τὴν ὑπόσχεσιν ὁ νόμος λέγων, ὅτι οἱ “ τὸ ἀρεστὸν ” τῇ φύσει δρῶντες καὶ “ τὸ καλὸν ” υἱοὶ εἰσι τοῦ θεοῦ, φησὶ γάρ· “ υἱοὶ ἔστε κυρίῳ τῷ θεῷ ὑμῶν,” δηλονότι προνοίας καὶ κηδεμονίας ἀξιωθησόμενοι τῆς ὡς ἐκ πατρός· ἡ δὲ ἐπιμέλεια τοσοῦτον διοίσει τῆς¹ ἀπ’ ἀνθρώπων, ὅσον περ, οἶμαι, καὶ ὁ ἐπιμελούμενος διαφέρει.

319 LIX. Πρὸς τούτοις ἔτι τὰ περὶ τελετὰς καὶ μυστήρια καὶ πᾶσαν τὴν τοιαύτην τερθρείαν καὶ βωμολοχίαν ἐκ τῆς ἱερᾶς ἀναιρεῖ νομοθεσίας, οὐκ ἀξιῶν τοὺς ἐν τοιαύτῃ πολιτείᾳ τραφέντας ὀργιάζεσθαι καὶ μυστικῶν πλάσμάτων ἐκκρεμαμένους ὀλιγωρεῖν ἀληθείας καὶ τὰ νύκτα καὶ σκότος προσκεκληρωμένα μεταδιώκειν παρέντας τὰ ἡμέρας καὶ φωτὸς ἄξια. μηδεὶς οὖν μήτε τελείτω μήτε τελείσθω τῶν Μωυσέως φοιτητῶν καὶ γνωρίμων· ἐκότερον γὰρ καὶ τὸ διδάσκειν καὶ τὸ μανθάνειν
320 τελετὰς οὐ μικρὸν ἀνοσιούργημα. τί γάρ, εἰ καλὰ ταῦτ’ ἐστίν, ὧ μύσται, καὶ συμφέροντα, συγκλεισάμενοι ἑαυτοὺς ἐν σκότῳ βαθεῖ τρεῖς ἢ τέτταρας μόνους ὠφελεῖτε, παρὸν ἅπαντας ἀνθρώπους ἐν

¹ mss. ἰδίῳις τοῖς. The correction is stated to be probably supported by the Armenian.

^a See Deut. xiii. 18 and xiv. 1 ἐὰν ἀκούσῃς τῆς φωνῆς Κυρίου τοῦ Θεοῦ σου . . . ποιεῖν τὸ καλὸν καὶ τὸ ἀρεστὸν ἐναντίον Κυρίου τοῦ Θεοῦ σου. υἱοὶ ἔστε Κυρίου τοῦ Θεοῦ ὑμῶν. Philo treats 284

THE SPECIAL LAWS, I. 318-320

promise of mine is confirmed by the law, where it says that they who do "what is pleasing" to nature and what is "good" are sons of God.^a For it says, "Ye are sons to your Lord God," clearly meaning that He will think fit to protect and provide for you as would a father. And how much this watchful care will exceed that of men is measured, believe me, by the surpassing excellence of Him who bestows it.

LIX. Furthermore, he banishes from the sacred ³¹⁹ legislation^b the lore of occult rites and mysteries and all such imposture and buffoonery. He would not have those who were bred in such a commonwealth as ours take part in mummeries and clinging on to mystic fables despise the truth and pursue things which have taken night and darkness for their province, discarding what is fit to bear the light of day. Let none, therefore, of the followers and disciples of Moses either confer or receive initiation to such rites. For both in teacher and taught such action is gross sacrilege. For tell me, ye mystics, if these things ³²⁰ are good and profitable, why do you shut yourselves up in profound darkness and reserve their benefits for three or four alone, when by producing them in the midst of the market-place you might extend

the last six words, which are really the beginning of the new paragraph, as part of the previous sentence. See also App. p. 622.

^c Philo's authority in Deuteronomy for this section is xxiii. 17, 18, where, after the words "there shall be no harlot of the daughters of Israel, neither shall there be a sodomite (LXX fornicator) of the sons of Israel," the LXX adds, "there shall be no *τελεσφόρος* among the daughters, nor *τελισκόμενος* among the sons." L. & S. (1936) give for *τελεσφόρος* "sorceress," and for *τελισκόμενος* "initiate" or *ιερόδουλος*. Whatever the LXX means, Philo clearly understood both words as referring to initiation into the mysteries.

- ἀγορᾷ μέση τὰ τῆς ὠφελείας προθέοντας, ἵνα πᾶσιν ἀδεῶς ἐξῇ βελτίονος καὶ εὐτυχεστέρου κοινωνῆσαι
 321 βίου; φθόνος γὰρ ἀρετῆς διώκισται. οἱ μὲν γὰρ τὰ βλαβερά πράττοντες αἰσχυνέσθωσαν καὶ καταδύσεις ἐπιζητοῦντες καὶ γῆς μυχοὺς καὶ βαθὺ σκότος ἐπικρυπτέσθωσαν τὴν πολλὴν ἀνομίαν αὐτῶν ἐπισκιάζοντες, ὥς μηδεὶς ἴδοι· τοῖς δὲ τὰ κοινωφελῇ δρῶσιν ἔστω παρρησία καὶ μεθ' ἡμέραν διὰ μέσης ἵτωσαν ἀγορᾶς ἐντευξόμενοι πολυανθρώποις ὁμίλοις, ἡλίῳ καθαρῷ τὸν ἴδιον βίον ἀνταυγάσσοντες καὶ διὰ τῶν κυριωτάτων αἰσθήσεων τοὺς συλλόγους ὀνήσοντες, ὁρῶντας μὲν ἡδίστας ὁμοῦ καὶ καταπληκτικωτάτας ὄψεις, ἀκούοντας δὲ καὶ ἐστιωμένους λόγων ποτίμων, οἱ τὰς διανοίας
 322 τῶν μὴ σφόδρα ἀμούσων εἰώθασιν εὐφραίνειν. ἡ οὐχ ὀρᾶς, ὅτι καὶ ἡ φύσις τῶν ἑαυτῆς αἰοιδίμων καὶ παγκάλων ἔργων οὐδὲν ἀπέκρυψεν, ἀλλὰ ἀστέρας μὲν καὶ τὸν σύμπαντα οὐρανὸν εἰς τε τὴν δι' ὄψεως τέρψιν καὶ πρὸς φιλοσοφίας ἡμερον ἀπέφηνεν, πελάγη δὲ καὶ πηγὰς καὶ ποταμοὺς καὶ τὰς ἀέρος εὐκρασίας δι' ἀνέμων τε καὶ αὐρῶν¹ εἰς τὰς ἐτησίους ὥρας, φυτῶν τε καὶ ζώων ἔτι δὲ καρπῶν ἀμυθητούς ιδέας εἰς χρῆσιν καὶ ἀπόλαυσιν ἀνθρώ-
 323 πων; εἴτ' οὐκ ἐχρῆν καὶ ἡμᾶς ἐπομένους τοῖς ἐκείνης βουλήμασι πάνθ' ὅσα ἀναγκαῖα καὶ χρήσιμα
 [261] | προτιθέναι πᾶσι τοῖς ἀξίοις ἐπ' ὠφελεία; νῦν δὲ

¹ Cohn δι' ἀνέμων τε καὶ πνευμάτων: Mangey with A and H ἀνέμων τε. R has διανέμοντες αὐτῶν and, as s' in R is a common symbol for καί, the first word clearly stands for δι' ἀνέμων τε καί. Why, however, Cohn adopted πνευμάτων (for which I have substituted the obvious αὐρῶν to represent R's αὐτῶν), I do not understand. Cf. ii. 172 ἀέρος εὐκρασίαι ζωτικωτάταις αὔραις ἐπιπνέοντος, and much the same in *De Virt.* 93. See also App. p. 622.

THE SPECIAL LAWS, I. 320-323

them to every man and thus enable all to share in security a better and happier life? For virtue has 321 no room in her home for a grudging spirit.^a Let those who work mischief feel shame and seek holes and corners of the earth and profound darkness, there lie hid and keep the multitude of their iniquities veiled out of the sight of all. But let those whose actions serve the common weal use freedom of speech and walk in daylight through the midst of the market-place, ready to converse with crowded gatherings, to let the clear sunlight shine upon their own life and through the two most royal senses, sight and hearing, to render good service to the assembled groups, who through the one behold spectacles as marvellous as they are delightful,^b and through the other feast on the fresh sweet draught of words^c which are wont to gladden the minds of such as are not wholly averse to learning. Cannot you see that nature also does 322 not conceal any of her glorious and admirable works, but displays the stars and the whole heaven to delight us by the sight and to foster the love of philosophy; so too the seas and fountains and rivers and the air so happily tempered by winds and breezes to make the yearly seasons, and the countless varieties of plants and animals and again of fruits—all for the use and enjoyment of men? Were it not well, then, that we 323 should follow her intentions and display in public all that is profitable and necessary for the benefit of those who are worthy to use it? As it is, we often

^a Cf. *Phaedrus* 247 A and ii. 249 below.

^b The meaning presumably is that a good man's life is a finer spectacle than those which united with the mystic liturgy to charm, and at the same time awe, the initiated.

^c Cf. *Phaedrus* 243 A and see App. p. 622.

συμβαίνει πολλάκις τῶν μὲν ἀγαθῶν ἀνδρῶν μηδένα
 μυεῖσθαι, ληστὰς δ' ἔστιν ὅτε καὶ καταποντιστὰς
 καὶ γυναικῶν θιάσους βδελυκτῶν καὶ ἀκολάστων,
 ἐπειδὰν ἀργύριον παράσχωσι τοῖς τελούσι καὶ
 ἱεροφαντοῦσιν. ὑπερόριοι δὴ πάντες οὗτοι φυγα-
 δευέσθωσαν πόλεως καὶ καταστάσεως, ἐν ᾗ τὸ
 καλὸν καὶ ἡ ἀλήθεια δι' αὐτὰ τιμᾶται. ταῦτα μὲν
 ἐπὶ τοσοῦτον.

- 324 LX. Κοινωνίας δὲ καὶ φιланθρωπίας εἰσηγητῆς
 ὢν ἐν τοῖς μάλιστα ὁ νόμος ἑκατέρας ἀρετῆς τὴν τε
 ἀξίωσιν καὶ τὴν σεμνότητα διετήρησεν, οὐδενὶ τῶν
 ἀνιάτως ἐχόντων ἐπιτρέψας καταφυγεῖν ἐπ' αὐτάς,
 325 ἀλλὰ πορρωτάτω σκορακίσας. ἐπιστάμενος γοῦν ἐν
 ταῖς ἐκκλησίαις οὐκ ὀλίγους τῶν μοχθηρῶν παρεισ-
 ρέοντας καὶ διὰ τὸ συνειλεγμένον πλῆθος λανθά-
 νοντας, ἵνα μὴ τοῦτο γένηται, προανείργει πάντας
 τοὺς ἀναξίους ἱεροῦ συλλόγου τὴν ἀρχὴν ποιούμενος
 ἀπὸ τῶν νοσοῦντων τὴν θήλειαν νόσον ἀνδρογύνων,
 οἱ τὸ φύσεως νόμισμα παρακόπτοντες εἰς ἀκολά-
 στων γυναικῶν πάθη καὶ μορφὰς εἰσβιάζονται.
 θλαδίας γὰρ καὶ ἀποκεκομμένους τὰ γεννητὰ
 ἐλαύνει τό τε τῆς ὥρας ταμιεύοντας ἄνθος, ἵνα μὴ
 ῥαδίως μαραίνοιτο, καὶ τὸν ἄρρενα τύπον μετα-
 χαράττοντας εἰς θηλύμορφον ἰδέαν.

- 326 ἐλαύνει δὲ οὐ μόνον πόρνas ἀλλὰ καὶ τοὺς ἐκ
 πόρνης, ἐπιφερομένους μητρῶον αἰσχος, [καὶ] διότι
 ἡ πρώτη σπορὰ καὶ γενεαὶς αὐτοῖς κεκιβδήλυνται
 καὶ συγκέχυνται διὰ τὸ πλῆθος τῶν ὠμιληκῶτων

find that no person of good character is admitted to the mysteries, while robbers and pirates and associations of abominable and licentious women, when they offer money to those who conduct the initiatory rites, are sometimes accepted. Let all such persons, then, be banished from the confines of any State or constitution in which morality and truth are honoured for their own sakes. So much for this subject.

LX. But while the law stands pre-eminent in en- 324
joining fellowship and humanity, it preserves the high position and dignity of both virtues by not allowing anyone whose state is incurable to take refuge with them, but bidding him avaunt and keep his distance. Thus, knowing that in assemblies there 325
are not a few worthless persons who steal their way in and remain unobserved in the large numbers which surround them, it guards against this danger by precluding all the unworthy from entering the holy congregation. It begins with the men who belie their sex and are affected with effemination, who debase the currency of nature and violate it by assuming the passions and the outward form of licentious women. For it expels those whose generative organs are fractured or mutilated,^a who husband the flower of their youthful bloom, lest it should quickly wither, and restamp the masculine cast into a feminine form.

And it banishes not only harlots, but 326
also the children of harlots^b who carry with them their mother's shame, because their begetting and their birth has been adulterated at the fountain-head and reduced to confusion through the number of their

^a See Deut. xxiii. 1.

^b See Deut. xxiii. 2 (E.V. "bastard").

ταῖς μητράσιν, ὥς μὴ δύνασθαι τὸν ἀληθῆ πατέρα διαγνῶναι καὶ διακρίναι.

- 327 Ὁ δὲ τόπος οὗτος, εἰ καὶ τις ἄλλος, ἀλληγορίαν ἐπιδέχεται φιλοσόφου θεωρίας ὧν ἀνάπλεως· τῶν γὰρ ἀσεβῶν καὶ ἀνοσίων οὐχ εἰς τρόπος, ἀλλὰ πολλοὶ καὶ διαφέροντες. οἱ μὲν γὰρ τὰς ἀσωμάτων ιδέας ὄνομα κενὸν ἀμέτοχον ἀληθοῦς πράγματος εἶναί φασι, τὴν ἀναγκαιοτάτην οὐσίαν ἐκ τῶν ὄντων ἀναιροῦντες, ἥτις ἐστὶν ἀρχέτυπον παράδειγμα πάντων ὅσα ποιότητες οὐσίας, καθ' ἣν
- 328 ἕκαστον εἰδοποιεῖτο καὶ διεμετρεῖτο. τούτους αἱ ἱεραὶ τοῦ νόμου στήλαι μνηύουσι "θλαδίας". ὥς γὰρ τὸ τεθλασμένον ἀφήρηται τὴν ποιότητα καὶ τὸ εἶδος καὶ οὐδὲν ἕτερόν ἐστιν ἢ κυρίως εἰπεῖν ἄμορφος ὕλη, οὕτως καὶ ἡ ἀναιροῦσα δόξα ιδέας πάντα συγχεῖ καὶ πρὸς τὴν ἀνωτέρω τῶν στοιχείων
- 329 οὐσίαν τὴν ἄμορφον καὶ ἄποιον ἐκείνην ἄγει. οὐ τί γένοιτ' ἂν ἀτοπώτερον; ἐξ ἐκείνης γὰρ πάντ' ἐγέννησεν ὁ θεός, οὐκ ἐφαπτόμενος αὐτός—οὐ γὰρ ἦν θέμις ἀπείρου καὶ πεφυρμένης ὕλης ψαύειν τὸν εὐδαίμονα καὶ μακάριον—, ἀλλὰ ταῖς ἀσωμάτοις δυνάμεσιν, ὧν ἔτυμον ὄνομα αἱ ιδέαι, κατεχρήσατο πρὸς τὸ γένος ἕκαστον τὴν ἀρμόττουσαν λαβεῖν
- [262] μορφήν. ἡ δὲ πολλὴν ἀταξίαν | εἰσηγείται καὶ σύγχυσιν· ἀναιροῦσα γὰρ ταῦτα, δι' ὧν αἱ ποιότητες, συναναιρεῖ ποιότητας.
- 330 Ἅτεροι δ' ὥς ἐν ἄθλοις κακίας τὰ ἐπ' ἀσεβείᾳ νικητήρια σπεύδοντες αἵρεσθαι προσυπερβάλλουσιν ἅμα ταῖς ιδέαις καὶ ὑπαρξίν θεοῦ παρακαλυπτό-

^a For some remarks on the relation of the following sections to the philosophers' schools see App. pp. 622-623.

^b See note on § 48.

THE SPECIAL LAWS, I. 326-330

mother's lovers, so that they cannot recognize or distinguish their real father.

^a This is a topic peculiarly susceptible of allegorical 327 interpretation and full of matter for philosophical study. For the heads under which the impious and unholy can be characterized are not one, but many and different. Some aver that the Incorporeal Ideas or Forms are an empty name devoid of any real substance of fact, and thus they abolish in things the most essential element of their being, namely the archetypal patterns of all qualities in what exists, and on which the form and dimensions of each separate thing was modelled. These the holy tables 328 of the law speak of as "crushed," for just as anything crushed has lost its quality and form and may be literally said to be nothing more than shapeless matter, so the creed which abolishes the Forms confuses everything and reduces it to the pre-elemental state of existence, that state devoid of shape and quality. Could anything be more preposterous than 329 this? For when out of that confused matter God produced all things, He did not do so with His own handiwork, since His nature, happy and blessed as it was, forbade that He should touch the limitless chaotic matter. Instead He made full use of the incorporeal potencies ^b well denoted by their name of Forms to enable each kind to take its appropriate shape. But this other creed brings in its train no little disorder and confusion. For by abolishing the agencies which created the qualities, it abolishes the qualities also.

There are others who in the arena of wickedness 330 eagerly compete for the first prize in impiety and go to the further extreme of drawing a curtain over the

- μενοι ὡς οὐκ ὄντος λεγομένου δ' εἶναι χάριν τοῦ συμφέροντος ἀνθρώποις, οἳ δὴ δι' εὐλάβειαν τοῦ δοκοῦντος πάντα παρῆναι καὶ πάντα καθορᾶν ὁμμασιν ἀκοιμήτοις [οἷς] ἔμελλον ἀνέξειν ἀδικημάτων. τούτους ὁ νόμος εὐθυβόλως “ἀποκόπους” προσαγορεύει τὴν περὶ τοῦ πάντα γεννῶντος ἐκτετμημένους ὑπόληψιν, ἀγόνους μὲν σοφίας, ἐπιτηδεύοντας δὲ τὴν μεγίστην κακιῶν, ἀθεότητα.
- 331 Τρίτοι δ' εἰσὶν οἳ τὴν ἐναντίαν ἔτεμον εἰσηγησάμενοι πλήθος <θεῶν> ἀρρένων τε καὶ θηλειῶν, πρεσβυτέρων τε αὖ καὶ νεωτέρων, πολυαρχίας λόγῳ τὸν κόσμον ἀναπλήσαντες, ἵνα τὴν τοῦ ἐνὸς καὶ ὄντως ὄντος ὑπόληψιν ἐκ τῆς ἀνθρώπων δια-
- 332 νοίας ἐκτέμωσιν. οὗτοι δ' εἰσὶν οἱ συμβολικῶς “ἐκ πόρνης” ὑπὸ τοῦ νόμου προσαγορευόμενοι· καθάπερ γὰρ ὧν μητέρες πόρναι τὸν μὲν ἀληθῆ πατέρα οὔτε ἴσασιν οὔτ' ἐπιγράψασθαι δύνανται, πολλοὺς δὲ καὶ σχεδὸν ἅπαντας τοὺς ἐραστὰς καὶ ὠμιληκότας, τὸν αὐτὸν τρόπον καὶ οἱ ἀγνοοῦντες τὸν ἓνα καὶ ἀληθινὸν θεὸν πολλοὺς καὶ ψευδωνύμους ἀναπλάττοντες περὶ τὸ ἀναγκαιότατον τῶν ὄντων τυφλώττουσιν, ὅπερ ἢ μόνον ἢ πρῶτιστον ἐξ αὐτῶν σπαργάνων εἰκὸς ἦν ἀναδιδάσκεσθαι· τί γὰρ μάθημα κάλλιον ἢ τοῦ ὄντως ὄντος θεοῦ;
- 333 LXI. Τετάρτους δὲ καὶ πέμπτους ἐλαύνει πρὸς

^a For the application of ἀποκεκομμένος (there including 292

THE SPECIAL LAWS, I. 330-333

existence of God as well as of the Forms. They assert that God does not exist, but is alleged to exist for the benefit of men who, it was supposed, would abstain from wrongdoing in their fear of Him Whom they believed to be present everywhere and to survey all things with ever-watchful eyes. These are happily called by the law "mutilated,"^a for they have lost by castration the conception of the Generator of all things. They are impotent to beget wisdom and practise the worst of wickednesses, atheism.

A third class are those who have shaped their 331 course in the opposite direction, and introduced a numerous company of deities male and female, elder and younger. Thus they have infected the world with the idea of a multiplicity of sovereigns in order to geld from the mind of men the conception of the one and truly existent Being. It is these who are 332 figuratively called by the law "the children of a harlot."^b For as anyone who has a harlot for his mother has no knowledge of, and can claim no affiliation to, his real father, but must accept the paternity of most or practically all her lovers and patrons, so too those who know not the one true God but invent a number of deities, false so-called, are blind to the most essential reality with which they should have been indoctrinated from the cradle to the exclusion of or before anything else. For what better theme for the learner can there be than the Being who truly exists, even God?

LXI. The banishment is extended to a fourth and 333

θλαδίας) to atheism *cf. De Mig. 69*. The text is usually applied to unwisdom in general.

^b For the application of the words to polytheism *cf. De Mig. 69, De Dec. 8, De Conf. 144*.

PHILO

μὲν τὸ αὐτὸ τέλος ἐπειγομένους, οὐ μὴν ἀπὸ τῶν
 αὐτῶν βουλευμάτων· ἀμφότεροι γὰρ ζηλωταὶ
 μεγάλου κακοῦ, φιλαυτίας, ὄντες ὥσπερ τινὰ κοινὴν
 οὐσίαν διενείμαντο τὴν ὅλην ψυχὴν ἐκ λογικοῦ καὶ
 ἀλόγου μέρους συνεστῶσαν· καὶ οἱ μὲν τὸ λογικόν,
 ὃ δὴ νοῦς ἐστι, διεκκληρώσαντο, οἱ δὲ τὸ ἄλογον,
 334 ὅπερ εἰς τὰς αἰσθήσεις τέμνεται. οἱ μὲν
 οὖν τοῦ νοῦ προστάται τὴν ἡγεμονίαν καὶ βασιλείαν
 τῶν ἀνθρωπείων πραγμάτων ἀνάπτουσιν¹ αὐτῷ καὶ
 φασιν ἱκανὸν εἶναι καὶ τὰ παρεληλυθότα μνήμη
 διασώζειν καὶ τῶν παρόντων ἐρρωμένως ἀντι-
 λαμβάνεσθαι καὶ τὰ μέλλοντα εἰκότι στοχασμῷ
 335 φαντασιοῦσθαί τε καὶ λογίζεσθαι. οὗτος γάρ ἐστιν
 ὁ γῆν τὴν βαθύγειον καὶ ἀρετῶσαν τῆς ὀρεινῆς καὶ
 πεδιάδος κατασπείρας καὶ καταφυτεύσας καὶ τὴν
 βιωφελεστάτην γεωργίαν εὐρών· οὗτος ὁ ναῦν
 κατασκευάσας καὶ τὴν χέρσου² φύσιν ἐπινοίας
 παντὸς λόγου κρείττοσι πλωτὴν ἀπεργασάμενος καὶ

¹ MSS. ἀνάγουσιν.

² Heinemann χερσαῖον. See note a below.

^a i.e. the Ammonites (5th) and the Moabites (4th); see the continuation of the passage quoted from Deut. xxiii. "an Ammonite or a Moabite shall not enter into the assembly of the Lord." Philo does not actually quote the verse, possibly feeling that the arguments which lead him to the identification are too involved for this treatise. But that this is his meaning clearly appears from *Leg. All.* iii. 81, when,

THE SPECIAL LAWS, I. 333-335

a fifth class also.^a Both these seek the same goal but have different plans for attaining it. Both classes are votaries of the pestilent vice of self-assertion,^b but have treated the soul, which is a whole consisting of two parts, the rational and irrational, as if it were a property shared by two persons, and have partitioned it out between them. One class has taken as its portion the rational part, that is the mind, the other has taken the irrational, which is subdivided into the senses. The champions of mind ascribe 334 to it the leadership and sovereignty of human affairs, and aver that it is competent to preserve the past by means of memory, to gain a firm apprehension of the present, and to envisage and calculate the future by prognostication of what may be expected. It is 335 mind, they say, which sowed and planted the deep and fertile soil in the uplands and lowlands and so greatly enriched human life by the invention of agriculture. It is mind which constructed a ship, and by devices admirable beyond description turned what was

after noting that Ammon and Moab refused to give food to Israel, he described the Ammonites as deriving their nature from "sense" (*αἰσθησις*) their mother, and the Moabites from "mind" their father, the latter name being interpreted as *ἐκ πατρός* (cf. *De Som.* i. 89 and LXX, Gen. xix. 37, "she called his name Moab, saying *ἐκ τοῦ πατρὸς μου*"). Philo does not, I think, give any corresponding derivation for Ammon, but Heinemann suggests that he derived it from the Hebrew *אִמּוֹן* = "mother," see Gen. xix. 38 E.V. "and she called his name Ben-ammi" (LXX *ἐκ τοῦ γένους μου*). Cf. also *De Post.* 177. See also App. p. 623 on § 327.

^b I do not feel that this word (or "self-exaltation") is an adequate word for *φιλαυτία* in this context, but it seems to me better than "self-love" or "selfishness," both of which are restricted to the love of oneself as an individual, and not as a member of the race.

ὁδοὺς ἐν θαλάττῃ πολυσχιδεῖς ἄχρι λιμένων τῶν
 κατὰ πόλεις καὶ ὑποδρόμων λεωφόρους ἀνατεμνόντων
 καὶ γνωρίσας ἡπειρώτας νησιώτας οὐκ ἂν ποτ' εἰς
 ἑαυτοὺς ἐλθόντας, εἰ μὴ σκάφος ἐναυπηγήθη· οὗτος
 ὁ καὶ τῶν βαναύσων καὶ τῶν γλαφυρωτέρων τεχ-
 336 νῶν λεγομένων εὐρετής· οὗτος γράμματα καὶ ἀριθ-
 μούς καὶ μουσικὴν καὶ τὴν ἐγκύκλιον ἅπασαν
 παιδείαν ἐπενόησε καὶ συνηύξησε καὶ πρὸς τὸ τέλος
 ἤγαγεν· οὗτος καὶ τὸ μέγιστον ἀγαθόν, φιλοσοφίαν,
 ἐγέννησε καὶ δι' ἑκάστου τῶν μερῶν αὐτῆς ὠφέλησε
 τὸν ἀνθρώπινον βίον, διὰ μὲν τοῦ λογικοῦ πρὸς
 [263] ἀνεξαπάτητον ἐρμηνείαν, διὰ | δὲ τοῦ ἡθικοῦ πρὸς
 τὴν τῶν τρόπων ἐπανόρθωσιν, διὰ δὲ τοῦ φυσικοῦ
 πρὸς ἐπιστήμην οὐρανοῦ τε καὶ κόσμου. καὶ ἄλλα
 μέντοι παμπληθὴ λέγουσιν ἐγκώμια νοῦ συμφορή-
 σαντές τε καὶ ἀγείραντες ἔχοντα¹ τὴν ἀναφορὰν ἐπὶ
 τὰ λεχθέντα ἤδη, περὶ ὧν οὐ καιρὸς ἐνοχλεῖν.
 337 LXII. οἱ δὲ τῶν αἰσθήσεων προστάται τὸν
 ἔπαινον αὐτῶν εὖ μάλα σεμνοποιοῦσι διανέμοντες
 τῷ λόγῳ τὰς ἀπ' αὐτῶν ἐγγινομένας χρείας καὶ
 φασιν, ὅτι δύο μὲν αἴτια τοῦ ζῆν ἐστίν, ὁσφρησις καὶ
 γεῦσις, δύο δὲ τοῦ καλῶς ζῆν, ὄρασις καὶ ἀκοή.

¹ MSS. ἔχοντες.

^a Or (reading *χερσαῖον* as Heinemann, or perhaps *χέρσου ἰδιον* as suggested by R's *χερ . . . διον*) "turns the land-creature man into one that floats or swims." Heinemann quotes very appositely *Spec. Leg.* iv. 155, where, in a passage very similar to this, "the most incredible thing is that ἡ χερσαία φύσις διὰ πλωτῆς οἶα τε ἢ περαιούσθαι," also *De Op.* 147, where man is said to be *χερσαῖον ζῶον* on land, and *ἐνυδρον* when he sails in ships. The analogy with *Spec. Leg.*

naturally dry land into a waterway,^a opened up in the sea routes whose many branches serve as highways to the havens and roadsteads of the different states, and made the inhabitants of the mainland and those of the islands known to each other, who would never have met if a vessel had not been built. It is mind which discovered the mechanical^b and the finer arts, as they are called, which devised, fostered and brought 336 to their consummation letters and numbers and music and the whole range of school studies. Mind too was the parent of philosophy, the greatest of blessings, and employed each part of it to benefit human life, the logical to produce absolute exactitude of language, the ethical for the amelioration of character, the physical to give knowledge of heaven and the universe.^c And besides these they collect and accumulate in honour of mind a vast number of tributes to the same effect as those already mentioned, with which we have no occasion to trouble ourselves now.

LXII. The champions of the senses 337 sound their praises in lofty terms. They discuss and classify them according to the purposes which they serve and tell us that two, smell and taste, are the basis of life, and two, sight and hearing, of good life.

is not quite exact as there *πλωτῆς* is passive, while here it would be on Heinemann's rendering active. His other argument that dry land does not become a waterway might be met by supposing that Philo is thinking of Xerxes' canal through Mount Athos, on which he enlarges in *De Som.* ii. 118. He may not have known of any similar undertaking, but it is quite in his manner to treat a single historical example as a common occurrence.

^b Or "vulgar."

^c For the familiar triple division of philosophy see particularly Diog. Laert. vii. 39, and notes on *Leg. All.* 157 and *De Agr.* 14.

- 338 διὰ μὲν οὖν γεύσεως αἱ τῶν σιτίων τροφαὶ παρα-
πέμπονται, διὰ δὲ μυκτήρων ὁ ἀήρ, οὗ πᾶν ζῶον
ἐξήρηται· τροφή δ' ἐστὶ καὶ οὗτος ἡ συνεχὴς καὶ
ἀδιάστατος, ὃς οὐκ ἐργηγορότας μόνον ἀλλὰ καὶ
κοιμωμένους διατρέφει τε καὶ διασώζει· σαφὴς δὲ
πίστις· εἰ γὰρ κἂν βραχύτατον ὁ τῆς ἀναπνοῆς
δίαυλος ἐπισχεθείη κατὰ τὴν τοῦ πεφυκότος ἔξωθεν
ἐποχετεύεσθαι πνεύματος ἀποκοπὴν, θάνατος ἀπαρ-
339 αῖτητος ἐξ ἀνάγκης ἐπακολουθήσει. τῶν
γε μὴν φιλοσόφων αἰσθήσεων, δι' ὧν περιγίνεται τὸ
εὖ ζῆν, ὅρασις μὲν φῶς τὸ κάλλιστον ἐν τοῖς οὐσιν
ὄρᾱ, ὄρᾱ δὲ διὰ φωτὸς τᾶλλα πάντα, ἥλιον, σελήνην,
ἀστέρας, οὐρανόν, γῆν, θάλατταν, φυτῶν καὶ ζώων
ἀμυθήτους διαφοράς, καὶ συνόλως πάντα σώματα
καὶ σχήματα καὶ χρώματα καὶ μεγέθη, ὧν ἡ θεὰ
περιττὴν φρόνησιν ἐξειργάσατο καὶ πολὺν ἡμερον
340 ἐπιστήμης ἐγέννησε. παρέχεται δὲ καὶ ἄνευ τού-
των ὠφελείας ὅρασις ἡμῖν τὰς μεγίστας, εἰς τε τὴν
οἰκείων καὶ ἀλλοτρίων καὶ φίλων καὶ ἐχθρῶν
διάκρισιν καὶ βλαβερῶν μὲν φυγὴν, αἴρεσιν δὲ τῶν
ἐπ' ὠφελείᾳ. γέγονε μὲν οὖν καὶ τῶν ἄλλων
ἕκαστον τοῦ σώματος μερῶν πρὸς ἀρμοττούσας
χρείας καὶ σφόδρα ἀναγκαίας, ὡς βάσεις μὲν πρὸς
περίπατον καὶ δρόμον καὶ τᾶλλα ὅσα διὰ σκελῶν
ἐνεργεῖται, χεῖρες δὲ πρὸς τὸ πράξαι τι καὶ δοῦναι
καὶ λαβεῖν· ὀφθαλμοὶ δὲ ὥσπερ τι κοινὸν ἀγαθὸν
τὴν τοῦ δύνασθαι κατορθοῦν αἰτίαν καὶ τούτοις καὶ
341 τοῖς ἄλλοις ἅπασι παρέχουσιν. ἀψευδέστατοι δ' οἱ
πεπηρωμένοι μάρτυρες, οἳ μήτε χερσὶ μήτε ποσὶ
δύνανται χρῆσθαι κατὰ τὸ βέλτιον τὴν πρόσρησιν

^a Lit. "use them in the better way," i.e. that in which they could be used if supported by sight.

THE SPECIAL LAWS, I. 338-341

Taste acts as a conductor of the sustenance which 338 food gives, and the nostrils do the same for the air on which every created being depends. Air too is a means of sustenance, constant and unceasing, and nourishes and preserves us not only when awake but also while we sleep. We have a clear proof of this ; for if the course of respiration backwards and forwards is stopped ever so little by the interception of the natural influx of breath from outside, death will inexorably and inevitably follow. To 339

turn to the senses which minister to philosophy and secure for us the good life, sight sees the light which is the most beautiful of all that is and by means of the light sees everything else, sun, moon, stars, heaven, earth, sea, the countless varieties of plants and animals, in general, all kinds of bodies, shapes, colours and magnitudes, the contemplation of which creates a subtle intelligence and generates a great thirst for knowledge. But 340 apart from these benefits sight gives us others of the highest value, by enabling us to distinguish between kinsfolk and strangers, friends and enemies, and to shun the harmful and choose the beneficent. And while it is true that each of the other members of the body has its appropriate and very indispensable use, as the feet for walking and running and the other activities to which the legs are instrumental, and the hands for doing and giving and receiving things, the eyes may be said to have a common value and to create the conditions under which these members and all the others can operate successfully. The strongest testimony to this truth 341 is afforded by the blind, who cannot make the proper use ^a of their hands or feet and thus verify the name

ἐπαληθεύοντες, ἦν οὐκ ἐπ' ὀνειδίζει μᾶλλον ἢ οἴκτω
 θέσθαι φασὶ τοὺς πρότερον ἀδυνάτους ὀνομάσαντας·
 ἅμα γὰρ τῇ τῶν ὁμμάτων φθορᾷ καὶ αἱ τοῦ σώ-
 ματος δυνάμεις οὐχ ὑποσκελίζονται μόνον ἀλλὰ καὶ
 342 φθείρονται. θαυμασιώτατον δὲ καὶ ἀκοή χρῆμα,
 δι' ἧς μέλη καὶ μέτρα καὶ ῥυθμοί, ἔτι δὲ ἁρμονίαι
 καὶ συμφωνίαι καὶ τῶν γενῶν καὶ συστημάτων αἱ
 μεταβολαὶ καὶ πάνθ' ὅσα κατὰ μουσικὴν ἐπι-
 κρίνεται, καὶ λόγων [τε] τῶν κατὰ διεξόδους [καὶ]
 παμπληθεῖς ἰδέαι δικανικῶν συμβουλευτικῶν ἐγκω-
 μαστικῶν, ἔτι δὲ τῶν ἐν ἱστορίαις καὶ διαλόγοις
 καὶ τῶν ἐν ὁμιλίαις ἀναγκαίαις περὶ τῶν ἐν βίῳ
 πραγμάτων πρὸς τοὺς αἰὲς πλησιάζοντας· συνόλως
 γὰρ διὰ φωνῆς διττὴν ἐχούσης δύναμιν, εἷς τε τὸ
 λέγειν καὶ τὸ ᾄδειν, ἑκάτερα τὰ ὦτα¹ διακρίνει πρὸς
 343 ὠφέλειαν ψυχῆς· ὥδῃ γὰρ καὶ λόγος ὑγιεινὰ καὶ
 σωτήρια φάρμακα, ἣ μὲν τὰ πάθη κατεπάδουσα καὶ
 τὸ ἄρρυθμον ἐν ἡμῖν ῥυθμοῖς, τὸ δ' ἐκμελὲς μέλεσι,
 τὸ δ' ἄμετρον μέτροις ἐπιστομίζουσα—ποικίλον δ'
 ἐστὶ καὶ παντοδαπὸν ἕκαστον, ὥς μουσικοὶ καὶ
 [264] ποιηταὶ μαρτυροῦσιν, οἷς | πιστεύειν ἀναγκαῖον
 ἐπιτήδευμα τοῖς εὖ πεπαιδευμένοις—, ὁ δὲ λόγος
 ἐπέχων καὶ ἀνακόπτων τὰς ἐπὶ κακίαν ὁρμὰς καὶ
 τοὺς κεκρατημένους ἀφροσύναις καὶ ἀηδίαῖς ἐκ-
 νοσηλεύων, μαλακώτερον μὲν τοὺς ὑπέικοντας,

¹ MSS. ταῦτα, which Cohn printed but corrected in his Addenda (from the Armenian) to τὰ ὦτα.

^a i.e. in Attic law. See L. & S. (revised), which gives the reference to Aristotle, 'Ath. Pol. 49. 4, where we have δοκιμάζει
 300

THE SPECIAL LAWS, I. 341-343

of incapable^a given to them in the past, more, we are told, in pity than as a reproach. For when the eyes are destroyed, the capacities of the body are not merely overthrown, but actually perish. In 342 hearing too we have something very marvellous. By means of it we distinguish melodies and metres and rhythm, and with them the harmonies and consonances, and the varieties of genera and systems^b and all the elements of music ; and again, the multitudinous kinds of set speeches delivered in the law-courts, in the senate, in laudations, as well as the language used in historical narrative and dialogues and discussions of matters of business which we are bound to have with those with whom we come in contact from time to time. For we may say in sum that the voice has a twofold capacity for speech and song. Both these are assessed by the ears to the benefit of the soul. For both are medicaments, health-giving and life- 343 preserving. Song charms away the passions and controls the irregular element in us with its rhythm, the discordant with its melodies, the immoderate with its measures. And each of these three assumes every variety of form, as the musicians and poets testify, belief in whom necessarily becomes habitual in those who have received a good education. Speech checks and hampers impulses to vice and effects the cure of those in whom foolish and distressful thoughts have gained the mastery. It deals more gently with

δὲ τοὺς ἀδυνάτους ἢ βουλή. It then appears that the term includes paupers and τοὺς τὸ σῶμα πεπηρωμένους ὥστε μὴ δύνασθαι μηδὲν ἔργον ἐργάζεσθαι. See also the oration of Lysias 24, ὑπὲρ τοῦ ἀδυνάτου, where the defendant argues his right to the privileges.

^b For the use of these words to translate γένη καὶ συστήματα see note on *De Som.* i. 28.

σφοδρότερον δὲ τοὺς ἀφηνιάζοντας, αἷτιος γίνεται τῶν μεγίστων ὠφελειῶν.

- 344 LXIII. Τοιαῦτα συνέιροντες οἱ τε τοῦ νοῦ θιασῶται καὶ οἱ τῶν αἰσθήσεων οἱ μὲν ἐκείνον οἱ δὲ ταύτας θεοπλαστοῦσιν ὑπὸ φιλαυτίας ἐκλαθόμενοι τοῦ πρὸς ἀλήθειαν ὄντος θεοῦ. διὸ πάντας εἰκότως ἀπήλασεν ἱεροῦ συλλόγου, τοὺς τε τὰς ιδέας ἀναιροῦντας, “θλαδίας” ὑπειπὼν, καὶ τοὺς κατὰ τὸ παντελὲς ἀθέους, οἷς ὄνομα οἰκεῖον τὸ “ἀποκόπων” ἔθετο, καὶ τοὺς ἐξ ἐναντίας εἰσηγητὰς θεογονίας, οὓς ἐκάλεσεν “ἐκ πόρνης,” καὶ ἐπὶ πᾶσι τοὺς φιλαύτους, ὧν οἱ μὲν τὸν λογισμὸν, οἱ δ’ ἐκάστην τῶν αἰσθήσεων ἐξεθείωσαν· ἐπείγονται γὰρ πάντες οὗτοι πρὸς τὸ αὐτὸ τέλος, εἰ καὶ ἀπὸ διαφερόντων ἄγονται βουλευμάτων, τὸν ἓνα καὶ ὄντως
345 ὄντα θεὸν παρησυχάζοντες. ἀλλ’ ἡμεῖς γε οἱ φοιτηταὶ καὶ γνώριμοι τοῦ προφήτου Μωυσέως τὴν τοῦ ὄντος ζήτησιν οὐ μεθυσόμεθα, τὴν ἐπιστήμην αὐτοῦ τέλος εὐδαιμονίας εἶναι νομίζοντες καὶ ζωὴν μακραίωνα, καθὰ καὶ ὁ νόμος φησὶ τοὺς προσκειμένους τῷ θεῷ ζῆν ἅπαντας, δόγμα τιθεὶς ἀναγκαῖον καὶ φιλόσοφον· ὄντως γὰρ οἱ μὲν ἄθεοι τὰς ψυχὰς τεθνᾶσιν, οἱ δὲ τὴν παρὰ τῷ ὄντι θεῷ τεταγμένοι τάξιν ἀθάνατον βίον ζῶσιν.

^a As their particular name (to distinguish them from the θλάδια).

^b See Deut. iv. 4. The meaning of the original is that

THE SPECIAL LAWS, I. 343-345

the docile, more drastically with the rebellious, and thus becomes the source of the greatest possible benefits.

LXIII. Such is the chain of argument which leads 344 the votaries of mind and the votaries of the senses to ascribe divinity to their respective idols, forgetting in their self-assertion the God Who truly exists. And therefore Moses naturally banished them all from the holy congregation, both those who abolish the Forms, who appear under the name of "the crushed," and those who absolutely deny God, to whom he assigned the suitable^a title of "the mutilated" and those who preach the opposite doctrine of a family of gods, called by him "the children of the harlot," and finally the self-assertive, one party of whom deify the reason, the other each several sense. For these last all press to the same goal, though influenced by different plans for attaining it, and ignore the one and really existing God. But we, the scholars and disciples of Moses, 345 will not forgo our quest of the Existent, holding that the knowledge of Him is the consummation of happiness. It is also agelong life. The law tells us that all who "cleave to God live,"^b and herein it lays down a vital doctrine fraught with much wisdom. For in very truth the godless are dead in soul, but those who have taken service in the ranks of the God Who only is are alive, and that life can never die.

those who cleave to God when the others followed Baal-Peor are alive to-day. Philo gives this general meaning to the text in *De Fug.* 56 also.

ΠΕΡΙ ΤΩΝ ΑΝΑΦΕΡΟΜΕΝΩΝ ΕΝ ΕΙΔΕΙ
ΝΟΜΩΝ ΕΙΣ ΤΡΙΑ ΓΕΝΗ ΤΩΝ ΔΕΚΑ
ΛΟΓΙΩΝ, ΤΟ ΤΡΙΤΟΝ, ΤΟ ΤΕΤΑΡΤΟΝ, ΤΟ
ΠΕΜΠΤΟΝ· ΤΟ ΠΕΡΙ ΕΥΘΡΚΙΑΣ ΚΑΙ
ΣΕΒΑΣΜΟΥ ΤΗΣ ΙΕΡΑΣ ΕΒΔΟΜΗΣ ΚΑΙ
ΓΟΝΕΩΝ ΤΙΜΗΣ

[270]

1 I. Ἐν μὲν τῇ πρὸ ταύτης συντάξει δύο κεφάλαια
ἡκρίβωται τῶν δέκα, τό τε περὶ τοῦ μὴ νομίζειν
θεοὺς αὐτοκρατεῖς ἑτέρους καὶ τὸ περὶ τοῦ μηδὲν
θεοπλαστεῖν χειρόκμητον· εἴρηται δὲ καὶ τὰ ἑκα-
τέρῳ τῶν κατὰ μέρος διατεταγμένων ἀρμόττοντα
νόμιμα. νυνὶ δὲ περὶ τριῶν τῶν κατὰ στοῖχον ἐξῆς
διαλεξώμεθα πάλιν ἐφαρμόττοντες τὰ προσήκοντα

2 τῶν ἐν εἴδει. πρῶτον δ' ἐστὶ τῶν τριῶν
τὸ μὴ θεοῦ ὄνομα λαμβάνειν ἐπὶ ματαίῳ. ὁ γὰρ
τοῦ σπουδαίου, φησί, λόγος ὄρκος ἔστω, βέβαιος,
ἀκλινής, ἀψευδέστατος, ἐρηρυσμένος ἀληθείᾳ. κἂν
εἰ ὁμνῦναι μέντοι βιάζονται αἱ χρεῖαι, πατρὸς ἢ

[271] μητρὸς ζώντων μὲν ὑγείαν καὶ εὐετηρίαν, | τετελευ-
τηκότων δὲ τὴν μνήμην ὄρκον ποιητέον· ἀπεικο-
νίσματα γὰρ οὐτοί γε καὶ μιμήματα θείας δυνάμεως
εἰσι, τοὺς μὴ ὄντας εἰς τὸ εἶναι παραγαγόντες.

BOOK II

ON THE SPECIAL LAWS WHICH FALL UNDER THREE OF
THE TEN GENERAL COMMANDMENTS, NAMELY THE
THIRD ON THE DUTY OF KEEPING OATHS,^a THE
FOURTH ON REVERENCING THE SEVENTH DAY, AND
THE FIFTH ON HONOURING PARENTS

I. In the preceding treatise we have dealt fully 1
with two of the ten heads, one directed against the
acknowledgement of other sovereign gods, the other
against giving divine honours to any work of men's
hands. And we have described such among the
particular enactments of the law as may be properly
classed under either head. Let us now discuss the
three next in the list, again subjoining those of the
special ordinances which belong to them.

The first of the three forbids us to take God's name 2
in vain : the good man's word, it means, should be
an oath, firm, unswerving, utterly free from falsehood,
securely planted on truth. And if indeed occasion
should force us to swear, the oath should be by a
father and mother, their good health and welfare if
they are alive, their memory if they are dead. For
parents are copies and likenesses of the divine power,
since they have brought the non-existent into exist-

^a As the sequel shews, a very inadequate term to describe
§§ 1-38.

- 3 ἀναγέγραπται τις ἐν τοῖς νόμοις τῶν ἀρχηγετῶν
καὶ ἐπὶ σοφία μάλιστα θαυμασθέντων ὁμνῶς “κατὰ
τοῦ φόβου τοῦ πατρός,” ὑπὲρ ὠφελείας, οἶμαι, τῶν
ἔπειτα καὶ διδαχῆς ἀναγκαίας, ἵνα τοὺς γονεῖς ὄν
χρῆ τρόπον τιμῶσι στέργοντες ὡς εὐεργέτας καὶ
εὐλαβούμενοι ὡς ὑπὸ φύσεως κατασταθέντας ἄρ-
χοντας καὶ μὴ ῥαδίως ἐπιχειρῶσιν ὀνομάζειν θεόν.
- 4 ἄξιον ἐπαινεῖν καὶ τοὺς, εἴ ποτε βιασθεῖεν ὁμνύναι,
τῷ μέλλειν καὶ βραδύνειν καὶ ἀποκνεῖν ἐμποιοῦντας
δέος οὐ μόνον τοῖς ὁρώσιν ἀλλὰ καὶ τοῖς προκαλου-
μένοις εἰς τὸν ὅρκον· εἰώθασι γὰρ ἀναφθεγξάμενοι
τοσοῦτον μόνον “νὴ τόν” ἢ “μὰ τόν,” μηδὲν
προσπαρалаβόντες, ἐμφάσει τῆς ἀποκοπῆς τρανοῦν
- 5 ὅρκον οὐ γενόμενον. ἀλλὰ καὶ προσπαρалаβέτω
τις, εἰ βούλεται, μὴ μέντοι τὸ ἀνωτάτω καὶ πρεσ-
βύτατον εὐθὺς αἷτιον, ἀλλὰ γῆν, ἥλιον, ἀστέρας,
οὐρανόν, τὸν σύμπαντα κόσμον· ἀξιολογώτατα γὰρ
ταῦτα ἄτε καὶ πρεσβύτερα τῆς ἡμετέρας γενέσεως
καὶ προσέτι ἀγήρω διακωνοῦντα τῇ τοῦ πεποιη-
- 6 κόσμος γνώμη. II. τοσαύτη δέ τινες
εὐχερεία καὶ ῥαθυμία χρῶνται, ὥστε τὰ ἐν γενέσει
πάντα ταῦθ’ ὑπερβάντες ἐπὶ τὸν ποιητὴν καὶ πατέρα
τῶν ὅλων ἀνατρέχειν τῷ λόγῳ τολμῶσι, μὴ τόπους
εἰ βέβηλοι ἢ ἱεροί, μὴ καιροὺς εἰ ἐπιτήδειοι, μὴ
αὐτοὺς εἰ καθαροὶ σῶμα καὶ ψυχὴν, μὴ τὰ πράγ-
ματα εἰ μεγάλα, μὴ τὰς χρείας εἰ ἀναγκαῖαι
προεξετάσαντες, ἀλλὰ, τὸ λεγόμενον δὴ τοῦτο,

^a i.e. Jacob, see Gen. xxxi. 53. “The fear” really means (see v. 42) the God whom Isaac feared; so in R.V. it is printed “Fear.” Philo evidently takes it to mean Jacob’s own fear of Isaac.

^b See App. p. 624.

^c ἐμφάσει is used in the rhetorical sense of the significance

THE SPECIAL LAWS, II. 3-6

ence. In the laws we read of one of our first founders,^a 3 who are particularly admired for their wisdom, that he swore by the fear of his father, a fact recorded, I believe, for the benefit of posterity and to teach them the necessary lesson that they should honour their parents in the proper way by showing affection to them as benefactors and awe of them as rulers appointed by nature, and should not lightly essay to use the name of God. Those persons too deserve 4 praise whose unwillingness, tardiness and shrinking, if they are ever forced to swear, raise qualms not only in the spectators but even in those who are administering the oath: such people are in the habit of saying "Yes, by —" or "No, by—" ^b and add nothing more, and by thus breaking off suggest ^c the clear sense of an oath without actually making it. But 5 also a person may add to his "Yes" or "No" if he wish, not indeed the highest and most venerable and primal cause, but earth, sun, stars, heaven, the whole universe.^d For these are worthy of highest respect, since they have precedence in time over our place in creation, and also will remain for ever untouched by age according to the purpose of Him Who made them.

II. But so great is the lightness 6 and heedlessness shown by some that they pass by all these works of creation and allow their words to dash on to the Maker and Father of all, never staying to examine whether the place is profane or holy, whether the occasion is suitable, whether they themselves are pure in body and soul, whether the business is important or the object necessary. Instead, conveyed by the ἀποκοπή. Heinemann's translation "and so suddenly break off their affirmation so that the oath is not actually effected" misses the full meaning.

^a Contrast Matthew v. 34 f.

“ ἀνίπτοις χερσὶ ” πάντα φύροντες, ὡς δέον, ἐπει-
 δὴ γλῶτταν ἢ φύσις αὐτοῖς ἔδωρήσατο, λελυμένη
 7 χρῆσθαι καὶ ἀχαλινώτῳ πρὸς ἃ μὴ θέμις· οὓς ἐχρῆν
 ὀργάνων τῷ καλλίστῳ, ᾧ φωνὴ καὶ λόγος τὰ
 βιωφελέστατα καὶ κοινωνίας αἷτια τετράνῳται,
 πρὸς τιμὴν καὶ σεμνότητα καὶ εὐδαιμονισμόν κατα-
 8 χρῆσθαι τοῦ πάντων αἰτίου. νυνὶ δ’ ὑπὸ τῆς ἄγαν
 ἀσεβείας περὶ ᾧ ἂν τύχῃ τὰς φρικωδεστάτας
 ὀνομάζουσι κλήσεις καὶ ἄλλα ἐπ’ ἄλλοις ἐπιφέροντες
 ὀνόματα σωρηδὸν οὐκ ἐρυθριῶσι, νομίζοντες τῇ
 πυκνότητι καὶ τῷ συνεχεῖ τῶν ἐπαλλήλων ὄρκων
 οὐ διανοοῦνται περιέσεσθαι, λίαν ὄντες εὐήθεις· οὐ
 γὰρ πίστεως ἢ πολυορκία τεκμήριον ἀλλ’ ἀπιστίας
 ἐστὶ παρὰ τοῖς εὖ φρονοῦσιν.

- 9 III. Ἐὰν δέ τις ἐκβιασθεὶς ὁμόση περὶ παντὸς
 [272] οὐτινοοῦν, ὃ μὴ νόμος | ἀπείρηκε, παντὶ σθένει καὶ
 μηχανῇ πάσῃ τὸν ὄρκον βεβαιούτῳ μηδὲν ἐμποδῶν
 τιθέμενος εἰς τὴν τοῦ γνωσθέντος τελείωσιν, καὶ
 μάλιστα ἐπειδὴ μὴ ὀργαὶ ἀτίθασοι ἢ λελυττηκότες
 ἔρωτες ἢ ἐπιθυμίαι ἀκάθεκτοι τὴν διάνοιαν ἐκμήνω-
 σιν, ὡς ἀγνοῆσαι τὰ λεγόμενα καὶ πραττόμενα,
 λογισμῷ δὲ καὶ διανοίᾳ νηφούσῃ ποιῆται τὸν ὄρκον.
 10 τί γὰρ ἄμεινον ἢ ἀψευδεῖν παρ’ ὅλον τὸν βίον καὶ
 ταῦτα μάρτυρι θεῷ χρώμενον; ὄρκος γὰρ οὐδὲν

^a Pl. vi. 266 “I fear to pour a libation to Zeus with unwashed hands.”

^b Lit. “causes” in antithesis to the “cause” below. But in English we can hardly call “words” the “cause of fellowship.” I have introduced “creators” and “created” to preserve something of the antithesis.

^c καὶ ταῦτα, “and that too,” is difficult. The natural mean-

THE SPECIAL LAWS, II. 6-10

with unwashed hands,^a as the phrase goes, they make a foul brew of everything, as though Nature's gift of a tongue justified them in using it without restraint or bridle for unlawful purposes, whereas 7 that most excellent of instruments which gives clear expression to voice and words, those great benefactors of human life and creators^b of a sense of fellowship, should have been employed to the full by them to ascribe honour and majesty and blessedness to the Cause Which has created all things. As it is, so 8 highly impious are they that on any chance matter the most tremendous titles are on their lips and they do not blush to use name after name, one piled upon another, thinking that the continual repetition of a string of oaths will secure them their object. A very foolish delusion. For in the eyes of sensible people much swearing is a proof, not of good faith, but of faithlessness.

III. But if anyone has been absolutely compelled 9 to swear on any matter whatever, so long as it is not forbidden by the law, he should use all his strength and every means in his power to make good his oath, and allow nothing to hinder him from carrying out his decision, particularly when he has taken the oath in a reasonable and sober frame of mind, not distraught by savage tempers or frenzied yearnings or uncontrollable desires, so that he does not know what he says or does. For what is better than to practise 10 a lifelong veracity, and to have God as our witness thereto?^c For an oath is nothing else than to call

ing is that having taken God as our witness enhances the excellence of keeping to the truth. But this contradicts what he has said against swearing at all. Perhaps in this sentence he passes for a moment from oaths to vows, *i.e.* from swearing *by* God to swearing *to* God.

- ἄλλο ἢ μαρτυρία θεοῦ περὶ πράγματος ἀμφισβητου-
 μένου· θεὸν δὲ μὴ ἐπ' ἀληθείᾱ¹ καλεῖν πάντων ἀν-
 11 οσιώτατον. ὁ γὰρ τοῦτο ποιῶν μόνον οὐκ ἄντικρυς
 βοᾷ, καὶ ἡσυχάζειν δοκῇ· “ σοὶ χρώμαι τοῦ ἀδικεῖν
 προκαλύμματι· αἰδουμένῳ μοι τὸ δοκεῖν ἀμαρτάνειν
 συνέργησον, ἀντ' ἐμοῦ πονηρευομένου τὴν αἰτίαν
 ὑπόστηθι· μέλει γάρ μοι πλημμελοῦντι μὴ φαύλῳ
 νομίζεσθαι· σὺ δὲ τῆς παρὰ τοῖς πολλοῖς δόξης
 ἀλογεῖς οὐδὲν εὐφημίας ἐπιστρεφόμενος.” ἅπερ
 καὶ λέγειν καὶ ἐννοεῖσθαι ἀσεβέστατον· ἀγανα-
 κτήσαι γὰρ ἂν οὐχ ὅτι θεὸς ὁ πάσης κακίας ἀ-
 μέτοχος, ἀλλὰ καὶ πατήρ καὶ ὁθνεῖος ἄνθρωπος
 μὴ τελείως ἀρετῆς ἄγευστος, εἰ τοιαῦτα ἀκούει.
 12 Πάντας μὲν οὖν ὅρκους, ὡς ἔφην, βεβαιωτέον,
 ὅσοι περὶ καλῶν καὶ συμφερόντων γίνονται πρὸς
 ἐπανάρθωσιν ἰδίων ἢ κοινῶν πραγμάτων, φρονή-
 σεως καὶ δικαιοσύνης καὶ ὁσιότητος ἡγουμένων.—
 IV. τούτοις ἐμφέρονται καὶ τῶν εὐχῶν αἱ νομι-
 μώταται διὰ περιουσίαν ἀγαθῶν ἢ παρόντων ἢ
 προσδοκωμένων γινόμεναι—, τοὺς δ' ἔνεκα τῶν
 13 ἐναντίων ἐπικυροῦν οὐκ εὐαγές. εἰσὶ γὰρ οἱ ὁμι-
 νύουσιν, ἐὰν τύχῃ, κλοπὰς καὶ ἱεροσυλίας ἢ φθορὰς
 καὶ μοιχείας ἢ τραύματα καὶ σφαγὰς ἢ τι τῶν
 ὁμοιοτρόπων κακῶν ἐργάσασθαι,² καὶ ἀνυπερθέτως
 αὐτὰ δρῶσι ποιούμενοι πρόφασιν τὸ εὐορκεῖν, ὡς
 οὐκ ἄμεινον³ καὶ θεῷ κεχαρισμένον μᾶλλον τῆς (οὐ)

¹ mss. ἀληθεία (= ἀληθεία).² mss. ἐργάσασθαι.³ ὡς οὐκ ἄμεινον <ὄν> would, I think, be more usual Greek.
Cf. *De Dec.* 92.

THE SPECIAL LAWS, II. 10-13

God to bear witness in a disputed matter, but to call God to witness to a falsehood is the very height of profanity. To do so is practically to say outright, 11 even though one appear not to utter a word, "I take Thee as a cloak for my wrongdoing. I am ashamed to appear a sinner, be Thou my accomplice; take the charge of my villainy upon Thyself instead of me. For it is a matter of weight to me in my wickedness not to be thought a rogue, but Thou carest not for the opinion of the multitude and troublest not that men should speak well of Thee." Such words or thoughts are impious in the extreme. To hear them would rouse the indignation, not only of God, Who is exempt from all wickedness, but also of a father or even a stranger who knew anything at all of the flavour of virtue.

So then, as I have said, all oaths must be made good 12 so long as they are concerned with matters honourable and profitable for the better conduct of public or private affairs and are subject to the guidance of wisdom and justice and righteousness, IV. under which head come also the perfectly lawful vows made in acknowledgement of an abundant measure of blessings either present or expected. But when the oaths have objects of the opposite kind in view, religion forbids us to put them into execution. For 13 there are some who swear at random^a to commit acts of theft and sacrilege or rape and adultery or assaults and murders or other similar crimes and carry them out without hesitation on the pretext that they must be faithful to their oaths, as though it were not better and more pleasing to God to abstain from wrong-

^a Or "as opportunity offers."

- παραβάσεως¹ τῶν ὄρκων τὸ μηδὲν ἀδικεῖν, ἐπεὶ
 δικαιοσύνη καὶ πᾶσα ἀρετὴ νόμος ἐστὶ πάτριος καὶ
 θεσμός ἀρχαῖος· νόμοι δὲ καὶ θεσμοὶ τί ἕτερον ἢ
 φύσεως ἱεροὶ λόγοι τὸ βέβαιον καὶ τὸ πάγιον ἐξ
 14 αὐτῶν ἔχοντες, ὡς ὄρκων ἀδιαφορεῖν; ἴστω δὴ πᾶς
 ἐνωμότως ἀδिका δρῶν, ὅτι εὐορκεῖ μὲν οὐ, τὸν δὲ
 πολλῆς φυλακῆς καὶ ἐπιμελείας ἄξιον ὄρκον ἀνα-
 τρέπει, ὥ τὰ καλὰ καὶ δίκαια ἐπισφραγίζεται·
 προστίθησι γὰρ ὑπαίτια ὑπαιτίοις, ἐν οὐ δέοντι
 [273] γινομένοις ὄρκοις, οὓς πολὺ | βέλτιον ἦν ἡσυχάζε-
 15 σθαι, πράξεις παρανόμους. ἀπεχόμενος οὖν τοῦ
 ἀδικοπραγεῖν ποτνιασθῶ τὸν θεόν, ἵνα μεταδῶ τῆς
 ἰλεω δυνάμεως αὐτῷ συγγνοὺς ἐφ' οἷς ἀβουλία
 χρησάμενος ὤμοσε· διπλάσια γὰρ αἰρεῖσθαι κακά,
 δυνάμενον τὴν ἡμίσειαν αὐτῶν ἀποφορτίσασθαι,
 16 μανία καὶ φρενοβλάβεια δυσίατος. εἰσὶ δ'
 οἱ τὴν φύσιν ἄμικτοι καὶ ἀκοινῶνητοι δι' ὑπερ-
 βολὴν μισανθρωπίας γεγονότες ἢ καὶ ὑπ' ὀργῆς οἷα
 χαλεπῆς δεσποίνης ἐκβιασθέντες ὄρκῳ τὴν ἀγριό-
 τητα πιστοῦνται τῶν ἡθῶν, οἵτινες οὐ φασιν
 ὁμοτράπεζον ἢ ὁμωρόφιον ἔξειν τὸν δεῖνα ἢ τὸν
 δεῖνα ἢ πάλιν τῷ δεῖνι μὴ παρέξειν ὠφέλειάν τινα ἢ
 παρ' ἐκείνου τι λήψεσθαι μέχρι τελευτῆς· ἔστι δ'
 ὅτε καὶ μετὰ τὴν τελευτὴν τὸ ἀσύμβατον διαφυλάτ-

¹ Cohn following Mangey prints for the τῆς παραβάσεως of the mss. βεβαιώσεως. I have hesitated in making the correction printed above, because it seems strange that anything so obvious should have escaped Mangey, Cohn, Heinemann and others. But I can see nothing against it. The double negative is rather effective than otherwise. The omission of the negative in the mss. of Philo is common (see in this treatise §§ 129, 132), and Philo was no doubt familiar with the use of οὐ with a substantive, as τὴν τῶν γεφυρῶν . . . οὐ διάλυσιν in Thuc. i. 137 and elsewhere.

THE SPECIAL LAWS, II. 13-16

doing than to abstain from breaking their oaths. Justice and every virtue are commanded by the law of our ancestors and by a statute established of old, and what else are laws and statutes but the sacred words of Nature, possessing intrinsically a fixity and stability which makes them equivalent to oaths? And everyone who commits a wrong because he has 14 sworn to do so may be assured that the act is not one of faithfulness to a pledge but breaks the oath so worthy of all careful observance with which she sets her seal^a on what is just and excellent. For he adds guilt to guilt when oaths taken for improper purposes which had better have been left unspoken are followed by actions which violate the law. Let him 15 abstain, then, from wrongful conduct and supplicate God, that He may grant him a share of what His gracious power can give and pardon him for what he has sworn so unadvisedly. For to choose a double measure of ill when he could disburden himself of the half of it is the act of one almost hopelessly imbecile and insane.

But there are some who, either 16 because through excessive moroseness their nature has lost the sense of companionship and fellow-feeling or because they are constrained by anger which rules them like a stern mistress, confirm the savagery of their temper with an oath. They declare that they will not admit such and such a person to their board or under their roof, or again, that they will not render assistance to so and so or accept anything from him till his life's end. Sometimes they carry on their vindictiveness after that end has come and leave

^a I take *φύσις* to be the subject of *ἐπισφραγίζεται*. Heine-mann takes the verb as passive, but I can find no example of this.

- τουςιν οὐδὲ νεκροῖς τοῖς σώμασιν ἐπιτρέποντες ἐν
 17 διαθήκαις¹ τὰ νομιζόμενα παρασχέιν. οἷς παρ-
 αινέσαιμι ἂν καθάπερ καὶ τοῖς προτέροις, εὐχαῖς
 καὶ θυσίαις ἐξευμενίζεσθαι τὸν θεόν, ἵνα εὖρωνταί
 τινα ψυχικῶν ἀρρωστημάτων θεραπείαν ἀναγκαίαν,
 ἃ μηδεὶς ἀνθρώπων ἱκανὸς ἰάσασθαι.
- 18 V. "Ἐτεροι δ' εἰσὶ κομπασταὶ τῶν ὑπ' ἀλαζονείας
 φυσωμένων,² οἱ λιμοδοξοῦντες οὐδενὶ τῶν εἰς τὴν
 ὠφελιμωτάτην ὀλιγοδείαν χρῆσθαι δικαιοῦσιν, ἀλλὰ
 καὶ προτρέπη τις ἔνεκα τοῦ τὸν ἀφηνιασμὸν τῶν
 ἐπιθυμιῶν ἀναχαιτίσαι, τὴν νουθεσίαν ὕβριν εἶναι
 νομίζουσι καὶ πρὸς τὸν ἀβροδίαιτον ὠθούμενοι βίον
 ἀλογοῦσι τῶν σωφρονιστῶν, γέλωτα καὶ χλεύην
 τιθέμενοι τὰς φρονήσεως καλὰς ὁμοῦ καὶ λυσιτελε-
 19 στάτας ὑψηγῆσεις. εἰ δὲ δὴ καὶ τύχοι τις εἶναι
 περιουσία καὶ ἀφθονία τῶν περὶ τὸν βίον, ὄρκοις
 ἐπισφραγίζονται τὴν χρῆσιν καὶ ἀπόλαυσιν τῶν εἰς
 πολυτέλειαν· οἷον δὴ τι λέγω· πρῶην τις τῶν οὐκ
 ὀλίγα κεκτημένων ὑγρὸν καὶ διαρρέοντα βίον ἀσπα-
 σάμενος, ἐπειδὴ πρεσβύτης παρὼν συγγενῆς ἢ
 πατρικὸς ὥς γ' οἶμαι φίλος ἐνουθέτει πρὸς τὸ
 σεμνότερον καὶ αὐστηρότερον τὴν δίαιταν παρα-
 καλῶν μεταβαλεῖν, τὴν παραίνεσιν οὐ μετρίως
 δυσχεράνας ὥμοσεν ἀντιφιλονεικῶν, ἕως ἂν τὰς

¹ Mangey preferred *θήκαις*. See note *a*.

² Cohn regards τῶν . . . φυσωμένων as corrupt, and Heinemann would expunge κομπασταὶ as a gloss, but see note *b*.

^a Mangey's suggestion of *θήκαις* (or *ταῖς θήκαις*?) for *διαθήκαις*, i.e. "in the tomb" is tempting. That the implacable man should take steps to insure that when he himself is dead his enemy should suffer after *his* death, seems rather absurd.

THE SPECIAL LAWS, II. 16-19

directions in their wills^a against even granting the customary rites to his corpse. To such persons I 17 would give the advice which I gave to the former class, that they should propitiate God with prayers and sacrifices to win from Him what their needs demand, namely, the healing treatment of their spiritual distempers which no human power is competent to cure.

V. But there are others, boastful persons,^b of the 18 sort that is puffed up by arrogance, who in their craving for high position determine to have nothing to do in any way with the frugal, the truly profitable mode of living. Indeed, if any rebuke them in order to rein in the unruliness of their desires, they regard the admonition as an insult, and as they press forward to a career of luxury disregard their correctors and hold the admirable and also highly valuable instructions of wisdom a matter for laughter and mockery. And if they happen to have some abund- 19-
ance of resources and means of living on a lavish scale, they employ oaths to set the seal on their use and enjoyment of the wealth which enables them to spend so freely. Here is an instance of what I mean. A short time ago a man of considerable property who had found a loose and dissipated style of living to his taste, was in the presence of an elderly person, a relation or old family friend, I believe, who was reproving him and advising him to make a change and conduct himself with more strictness and seriousness. The other strongly resented this reproof and countered the challenge by swearing that so long as

^b Cohn's difficulty seems to me imaginary. I understand the *κομπασταί* to be persons who *talk* in the truculent manner described below. But this is not necessarily true of all who are "puffed up by arrogance."

- χορηγίας ἔχη καὶ παρασκευάς, μηδενὶ χρήσεσθαι τῶν εἰς εὐτέλειαν, μὴ κατὰ πόλιν, μὴ κατ' ἀγρούς, μὴ πλέων, μὴ πεζεύων, ἀλλ' αἰεὶ καὶ πανταχοῦ τὸν πλοῦτον ἐπιδείξεσθαι. πλούτου δὲ ταῦθ', ὡς ἔοικεν, ἐπιδείξεις οὐκ ἔστι μᾶλλον ἢ ἀλαζονείας καὶ
- 20 ἀκραςίας. καίτοι τῶν ἐν ταῖς μεγάλας ἡγεμονίαις οὐκ ὀλίγοι μέχρι νῦν εἰσιν οἱ παμπληθεῖς ἔχοντες παρασκευὰς καὶ χορηγίας ἀφθόνους, ὥσπερ ἐξ ἀενάου τινὸς πηγῆς πλούτου ῥέοντος αὐτοῖς ἀδιαστάτως, ὅμως ἐφ' ᾧ καὶ οἱ πένητες ἡμεῖς ἔστιν ὅτε τρέπονται, κεραμεῶς κύλικας καὶ
- [274] ὀβελίας ἄρτους καὶ ἐλαίας ἢ τυρὸν ἢ λάχανα | προσόψημα, καὶ θέρους μὲν περιζῶμα καὶ λεπτήν ὀθόνην, χειμῶνος δὲ χλαῖναν ἄρραγῇ καὶ στιφρὰν καὶ τὰ πρὸς τὴν κοίτην ἔστιν ὅτε χαμαίστρωτα, πολλὰ χαίρειν φράσαντες κλίναις ἐλεφαντίναις ἢ χελώνης ἢ χρυσοῦ πεποιημέναις καὶ στρωμναῖς ἀνθοβαφέσι καὶ ἐσθήσιν ἀλουργίσι καὶ πεμμάτων μελιπήκτων περιεργίαις καὶ τραπεζῶν πολυτελείαις.
- 21 αἷτιον δ' οὐ μόνον, οἶμαι, τὸ φύσεως αὐτοὺς εὐμοίρου λαχεῖν, ἀλλὰ καὶ τὸ παιδείας ὀρθῆς ἐκ πρώτης ἡλικίας ἐφάπασθαι, ἥτις ἀνεδίδαξε πρὸ τῶν ἡγεμονικῶν τὰ ἀνθρώπινα τιμᾶν, ἥτις καὶ ἐνδιαιτωμένη τῇ ψυχῇ μόνον οὐ καθ' ἑκάστην ἡμέραν ὑπομιμνήσκει τῆς ἀνθρωπότητος ἀπὸ τῶν ὑψηλῶν καὶ ὑπερόγκων ἀντισπῶσα καὶ στέλλουσα καὶ τὸ
- 22 ἄνισον ἰσότητι θεραπεύουσα. τοιγαροῦν τὰς πόλεις εὐθηνίας, εὐπορίας, εὐνομίας, εἰρήνης ἀναπεπλή-

^a For a similar, though much longer, diatribe against luxurious living see *De Som.* ii. 18 ff.

THE SPECIAL LAWS, II. 19-22

he possessed his incomings and goods in stock he would take no step in the direction of economy, either in town or country, either on shipboard or on the road, but would make display of his wealth always and everywhere. But this is evidently not so much an exhibition of wealth as of arrogance and intemperance. And yet to this day ²⁰ among those who hold high offices of authority there are not a few who possessing accumulated goods in vast numbers and abundant resources, to whom wealth is ceaselessly flowing in as from a perennial fountain, still sometimes betake themselves to the use of such things as we poor people use.^a Their cups are earthen, their loaves spit-baked, their extra dishes olives or cheese or greens : in the summer they wear a girdle and a thin shirt and in the winter a stout rent-proof mantle. The floor will sometimes serve for their bedstead : they have nothing to say to beds of ivory-work or made of tortoiseshell and gold, or bedding brocaded with flowers and purple-dyed garments and elaborate honey-cakes and tables spread with costly luxuries. The reason, I take it, is not only that they are blessed ²¹ with a fine nature, but also that they have been brought under the influence of a right training from their earliest years. That training has taught them to value the interests of the man before those of the ruler. It makes its abode in their souls, and hardly a day passes but it reminds it of their common humanity and draws them away from lofty and overweening thought, reduces their swollen dimensions, and medicines their inequality with equality. And ²² therefore they have filled their cities with plenty and abundance, with order and peace ; of no good thing

- κασιν, ἀγαθὸν μὲν οὐδὲν ὑπεξελόμενοι, πάντα δ' ἀφειδῶς καὶ ἀταμιεύτως χαριζόμενοι. τὰ μὲν δὴ τῶν εὐγενῶν καὶ ὡς ἀληθῶς ἡγεμόνων ἔργα ταῦτα
- 23 καὶ τὰ τούτοις παραπλήσια. τὰ δὲ τῶν νεοπλούτων ἐκεῖνα πλάνῳ τινὶ τύχῃ εἰς πολυχρηματίαν περιηκόντων, οἳ τὸν ἀληθῆ καὶ βλέποντα πλοῦτον ἐξ ἀρετῶν τελείων συνεστῶτα καὶ τῶν κατ' ἀρετὰς πράξεων οὐδ' ὄναρ ἴσασι, τῷ δὲ τυφλῷ προσέπταισαν, ἐφ' οὗ σκηριπτόμενοι κατ' ἀναγκαῖον τὴν ἄγουσαν ὁδὸν οὐχ ὁρῶντες εἰς ἀνοδίας ἐκτρέπονται, θαυμάζοντες τὰ μηδεμιᾶς ἄξια σπουδῆς καὶ τὰ φύσει τίμια γελῶντες· οἷς ὁ ἱερὸς λόγος ὄρκον ἐν οὐ δέοντι καιρῷ ποιούμενοις οὐ μετρίως ἐπιτιμᾷ καὶ ὀνειδίζει· δυσκάθαρτοι γὰρ καὶ δυσίατοι, ὥς μηδὲ παρὰ θεῷ τῷ τὴν φύσιν ἔλεω συγγνώμης ἀξιούσθαι.
- 24 VI. Παρθένων δὲ καὶ γυναικῶν τὸ περὶ τὰς εὐχὰς αὐτοκρατὲς ἀφείλετο, τῶν μὲν παρθένων τοὺς πατέρας κυρίους, τῶν δὲ γυναικῶν τοὺς ἄνδρας ἐπιγνώμονας ἀποφῆνας εἰς τε βεβαίωσιν τῶν ὀρκῶν καὶ λύσιν· καὶ μήποτ' εἰκότως· αἱ μὲν γὰρ διὰ νεότητα δύναμιν ὀρκῶν οὐκ ἴσασιν, ὡς χρήζειν τῶν ἐπικρινούντων, αἱ δὲ πολλάκις ὑπ' εὐχερείας ὁμνύουσιν, ἃ μὴ τοῖς ἀνδράσι συνοίσει· διόπερ αὐτοῖς ἀνέθηκε τὴν ἐξουσίαν τοῦ τὰ ὁμοσθέντα¹ φυλάττειν
- 25 ἢ τούναντίον. χῆραι δὲ μὴ ῥαδίως ὁμνύτωςαν—οὐ γὰρ ἔχουσι τοὺς παραιτητάς, οὔτε ἄνδρας ὧν δι-

¹ MSS. νομισθέντα or ὀνομασθέντα.

^a See on i. § 25.

^b Or "stumbled over," but σκηριπτόμενοι seems to suggest

THE SPECIAL LAWS, II. 22-25

have they mulcted them, all good things have they bestowed freely, unsparingly and unstintedly. These and the like are the actions of noble men, rulers in the true sense. Far different are the ²³ actions of the newly rich who have been wafted into opulence by a freak of fortune. They know nothing, have never even dreamt, of the true wealth which has eyes to see,^a whose substance is the perfect virtues and the actions which conform with them; it is a blind wealth against which they have struck ^b and taking it for their support they fail of necessity to see the road before them and wander away into pathless wilds, admiring what deserves no serious respect and mocking at what nature would bid them honour. Such persons, when they take a mistimed oath, are rebuked and reproached in no gentle terms by the holy word. Hardly can they be purged and healed, so that even the gracious nature of God deems them unworthy of His pardon.

VI. ^c Virgins and wives are not allowed full control ²⁴ of their vows by the law. It puts the virgins in subjection to their fathers and sets the husbands to judge for their wives whether the oaths are to hold good or to be cancelled. That is surely reasonable, for the former, owing to their youth, do not know the value of oaths, so that they need others to judge for them, and the latter often, through want of sense, swear what would not be to their husbands' advantage; and therefore it gave the husbands power to maintain the promise, or the reverse. ^d Widows who have none ²⁵ to intervene on their behalf, neither husbands from

a blind person (οὐχ ὁρῶντες) coming into collision with another blind person. Cf. "shall the blind lead the blind?"

^c Num. xxx. 4 ff.

^d Num. xxx. 9 ff.

εξεύχθησαν οὔτε πατέρας ἀφ' ὧν μετανέστησαν, ὅτε τὴν πρὸς γάμον ἀποικίαν ἐστέλλοντο—, ἐπειδὴ μένειν τοὺς τούτων ὅρκους ἀναγκαῖον ἐρημία τῶν
26 κηδομένων βεβαιουμένους.

- [275] Ἐὰν δέ τις | ἐπιωρκούντα τινα εἰδὼς μὴ καταμηνύσῃ ἢ ἀπελέγξῃ φιλίᾳ ἢ αἰδοῖ ἢ φόβῳ διδούς πλέον ἢ εὐσεβείᾳ, τοῖς αὐτοῖς ἐπιτιμίῳις ἔνοχος ἔστω· διαφέρει γὰρ τοῦ ἀδικεῖν οὐδὲν τὸ συν-
27 ἐπιγράφεσθαι ἀδικοῦντι. δίκαι δὲ κατ' ἐπιόρκων αἱ μὲν ἀνάκεινται τῷ θεῷ, αἱ δὲ ἀνθρώποις, θεῷ μὲν αἱ ἀνωτάτω καὶ μέγισται—ἵλεως γὰρ οὐ γίνεται τοῖς οὕτως ἀσεβοῦσιν, ἀλλὰ μένειν εἰς αἰὲ δυσκαθάρτους ἔᾱ, δικαίως, οἶμαι, καὶ προσηκόντως· ὁ γὰρ ἀμελήσας τί δεινὸν εἰ ἀντ-
28 ἀμεληθήσεται, οἷς δίδωσι τὰ ἴσα καρπούμενος;—αἱ δ' ἀπ' ἀνθρώπων διάφοροι, θάνατος ἢ πληγαί, τῶν μὲν ἀμεινόνων καὶ περιπτῶν εἰς εὐσέβειαν θανάτου δίκας βεβαιούντων, τῶν δὲ μαλακώτερον χρωμένων ὀργαῖς δημοσίᾳ μάστιγι τυπόντων ἀναφανδὸν ἐν κοινῷ· εἰσὶ δὲ καὶ πληγαὶ τοῖς μὴ δουλοπρεπέσιν οὐκ ἔλαττον δίκης θανάτου.

- 29 VII. Ταῦτα μὲν οὖν αἱ ῥηταὶ προστάξεις περιέχουσιν. ἔστι δὲ καὶ ἀλληγορήσαι τὰ περὶ τὸν

^a Lev. v. 1. R.V. "If anyone sin in that he heareth the voice of adjuration" (A.V. "swearing") "he being a witness, whether he hath seen or known, if he do not utter it then he shall bear his iniquity." The meaning of "adjuration" apparently is a solemn appeal in the name of God to give witness (as in the banns of marriage). Philo takes the Greek word for adjuration ὀρκισμός as = "(false) swearing."

^b Probably (as Heinemann), an allusion to the LXX form of the third commandment, "shall not purify," οὐ μὴ καθαρῶσαι, for "shall not hold guiltless."

^c No definite punishments for perjury, as distinguished

THE SPECIAL LAWS, II. 25-29

whom they have been parted, nor fathers whom they left behind them when they set out to find a new home in marriage, should be slow to swear, for their oaths stand beyond repeal, the inevitable result of their lack of protectors.

^a If anyone knows that another has perjured himself, and influenced by friendship or shame or fear rather than piety, fails to inform against him or bring him to justice, he must be liable to the same penalties as the perjurer. For to range oneself on the side of the wrongdoer is just the same as committing the wrong. As to the penalties of perjury, some proceed from God, others from man. The highest and greatest are from God, Who is not gentle to such impiety, but suffers the guilty to remain for ever in their well-nigh hopeless uncleanness, a just and fitting penalty, I hold.^b For he who has ignored God, how can he wonder if he is ignored in his turn and is repaid in his own coin? The penalties given by men are different, death or the lash.^c The better kind whose piety is extra-fervent maintain the penalty of death, while those whose feelings of indignation are not so stern have the offenders scourged by order of the State in a public place and in the sight of all. Indeed except to persons of a servile nature, a flogging is as severe a penalty as death.

VII. Such is the sum and substance of these ordinances^d taken literally. But we may also allegorize

from false witness in general, appear in the Pentateuch. See on § 252.

^a The allegory which follows only applies to §§ 24 and 25, and not to §§ 26-28. Have these sections been misplaced? The subject of vows which occupies the rest of the treatment of the third commandment differs radically from oaths, and the sudden return to the question of perjury is very awkward.

- τόπον ἔχοντα θεωρίαν τὴν διὰ συμβόλων. εἰδέναι τοῖνυν προσήκει ὅτι ὁ τῆς φύσεως ὀρθὸς λόγος πατρὸς ὁμοῦ καὶ ἀνδρὸς ἔχει δύναμιν, ἐπινοίαις διαφόροις· ἀνδρὸς μὲν, ἐπειδὴ τὸν ἀρετῶν σπόρον ὥσπερ εἰς ἀγαθὴν ἄρουραν τὴν ψυχὴν καταβάλλεται, πατρὸς δ' ὅτι βουλὰς ἀγαθὰς καὶ πράξεις καλὰς καὶ σπουδαίας γεννᾶν πέφυκε καὶ γεννήσας ἐκτρέφει ποτίμοις δόγμασιν, ἃ παιδεΐα καὶ σοφία
- 30 χορηγοῦσι. διάνοια δ' ἀπεικάζεται τοτὲ μὲν παρθένῳ, τοτὲ δὲ γυναικὶ ἢ χηρευούσῃ ἢ ἀνδρὶ ἔτι ἡρμοσμένη· παρθένος μὲν διάνοια ἀγνήν καὶ ἀδιάφθορον διαφυλάττουσα ἑαυτὴν ἀπὸ τε ἡδονῶν καὶ ἐπιθυμιῶν, ἔτι δὲ καὶ λυπῶν καὶ φόβων, ἐπιβούλων παθῶν, ἧς τὴν προστασίαν ὁ γεννητὴς ἀνῆπται πατὴρ· τῆς δ' ὡς γυναικὸς ἀστείῳ λόγῳ τῷ κατ' ἀρετὴν συμβιούσης τὴν ἐπιμέλειαν ὁ αὐτὸς λόγος οὗτος ἐπαγγέλλεται σπεύρων ἀνδρὸς τρόπον ἐννοίας
- 31 ἀρίστας. ἢ δ' ἂν ἀπορφανισθῇ ψυχὴ καὶ γενεᾶς τῆς κατὰ τὴν φρόνησιν καὶ ἐπιγαμίας τῆς κατὰ τὸν ὀρθὸν λόγον, χηρεύουσα τῶν καλλίστων καὶ ἔρημος οὖσα σοφίας, ὑπαίτιον ἐλομένη ζωὴν, ἔνοχος ἔστω οἷς ἔγνω καθ' ἑαυτῆς, ἱατρὸν ἀμαρτημάτων οὐκ ἔχουσα οὐθ' ὡς ἄνδρα συμβιωτὴν οὐθ' ὡς πατέρα γεννητὴν τὸν κατὰ σοφίαν λόγον.
- 32 VIII. Τῶν δὲ μὴ μόνον τὰς οὐσίας ἢ μέρη τούτων ἀλλὰ καὶ αὐτοὺς ἀνάθημα ποιησαμένων ἐν εὐχαΐς ὥρισε τιμὰς, οὐ πρὸς κάλλος ἢ μέγεθος ἢ τι [276] τῶν ὁμοιοτρόπων ἀπιδῶν, | ἀλλὰ πρὸς ἀριθμὸν

^a For §§ 32-34 see Lev. xxvii. 2-8.

THE SPECIAL LAWS, II. 29-32

such parts of the subject as admit of being studied in a figurative sense. We should know, then, that nature's right reasoning has the functions both of a father and a husband, though the conceptions attached to each are different. It acts as a husband because it deposits the seed of virtue in the soul as in a fertile field. It acts as a father because its nature is to beget good intentions and noble and worthy actions, and then to foster its offspring with the water of the truths which education and wisdom abundantly supply. The mind is likened on the one hand to a virgin, on the other to a woman either in widowhood, or still united to a husband. As a virgin it keeps itself pure and uncorrupted from the malignant passions, pleasures and desires and griefs and fears. Over this virgin mind the father who beget it has assumed authority. But when, like a wife, it dwells with virtuous reasoning as its worthy mate, that same reasoning promises to take charge of it and impregnates it husband-like with thoughts of highest excellence. But the soul, which is bereaved of its birth-tie with sound sense or its marriage-tie with right reasoning, is widowed of all that is most excellent and, deserted by wisdom because it has chosen a life of guilt, must stand bound by the decision which it has made to its own undoing. It has none to heal its errors, no reasoning of wisdom, either to live with it as its husband or to act as its father and begetter.

VIII. ^a In dealing with those who have dedicated votive offerings, not only of their property or parts of it, but of themselves, the law laid down a scale of valuation in which no regard is paid to beauty or stature or anything of the kind, but all are assessed

- ἴσον, διακρίνας ἄνδρας αὐτὸ μόνον γυναικῶν καὶ
 33 νηπίους τελείων. κελεύει γὰρ ἀπὸ μὲν εἰκοσαετίας
 ἄχρις ἑξήκονταετίας ἄνδρὸς εἶναι τιμὴν δραχμᾶς
 διακοσίας νομίσματος ὀλαργύρου, γυναικὸς δὲ
 εἴκοσι πρὸς ταῖς ἑκατόν, ἀπὸ δὲ πενταετίας ἄχρις
 εἰκοσαετίας τοῦ μὲν ἄρρενος δραχμᾶς ὀγδοήκοντα,
 τῆς δὲ θηλείας τεσσαράκοντα, ἀπὸ δὲ βρέφους εἰς
 πενταετίαν τοῦ μὲν ἄρρενος δραχμᾶς εἴκοσι, τοῦ δὲ
 θήλεος δώδεκα, τῶν δ' ὑπὲρ ἑξήκοντα ἔτη βεβιω-
 κόντων πρεσβυτῶν μὲν δραχμᾶς ἑξήκοντα, πρεσβυ-
 34 τίδων δὲ τεσσαράκοντα. τὰ δ' ἴσα καὶ ἐπ' ἄρρένων
 καθ' ἡλικίαν ἐκάστην καὶ ἐπὶ θηλειῶν ὁμοίως
 διατάξατο, τριῶν ἔνεκα τῶν ἀναγκαιοτάτων· ἐνὸς
 μὲν ὅτι ἴσον ἐστὶ καὶ ὅμοιον τὸ ἀξίωμα τῆς εὐχῆς,
 ἐάν τε ὑπὸ μεγάλου τινὸς ἐάν τε καὶ ὑπ' εὐτελοῦς
 γίνηται· δευτέρου δ' ὅτι τοὺς εὐξαμένους ἀρμόττον
 οὐκ ἦν ταῖς τῶν ἀνδραπόδων ὑποβάλλεσθαι τύχαις
 —ἐκεῖνα γὰρ πρὸς τὰς τῶν σωμάτων εὐεξίας καὶ
 εὐμορφίας τιμᾶται ἢ τοῦναντίον ἐπευωνίζεται—.
 τρίτου δ' ὃ καὶ ἀναγκαιοτάτον, ὅτι παρὰ μὲν ἡμῶν
 ἀνισότης, ἰσότης δὲ παρὰ θεῷ τίμιον.
- 35 IX. Ταῦτα μὲν ἐπ' ἀνθρώπων, ἐπὶ δὲ κτηνῶν
 τάδε νομοθετεῖται· ἐάν τις ἀφορίσῃ κτῆνος, εἰ μὲν
 εἷη καθαρὸν ἔκ τινος γένους τῶν τριῶν, ἅπερ εἰς
 θυσίαν ἀπενεμήθη, βοῦς ἢ πρόβατον ἢ αἶξ, ἐκεῖνο
 καταθνήτω μὴ ὑπαλλαττόμενος μήτε χεῖρον κρείτ-
 τονος μῆτ' ἄμεινον χείρονος· οὐ γὰρ πολυσαρκία καὶ

^a E.V. "50 shekels," LXX "50 didrachma," that is, properly speaking, 100 drachmas, but Philo follows the common valuation by which the didrachmon was held to be worth half a shekel. Cf. Matt. xvii. 24 (where the R.V. translates *διδραχμον* by "half-shekel"), of the temple-tax based on Ex.

THE SPECIAL LAWS, II. 32-35

equally, the sole distinctions made being between men and women and between children and adults. It ordained that from 20 years to 60 a man should be 33 valued at 200^a drachmas of pure silver coinage and a woman at 120; from 5 to 20 years, a male at 80 and a woman at 40 drachmas; from infancy to 5 years, a male at 20 and a female at 12 drachmas, while in the case of old persons who have lived beyond 60, the men are valued at 60 drachmas and the women at 40. The order that all males and all females should be 34 assessed equally^b at every age was made for three most cogent reasons. First, because the worth of one person's vow is equal and similar to that of another, whether it is made by a person of great importance or one of mean estate; secondly, because it was not seemly that the votaries should be subject to the vicissitudes of slaves who are valued at a high price or on the other hand are rated low accordingly as they have or have not a fine condition of body and comeliness; thirdly, and this is the most convincing of all, that in the sight of men inequality, in the sight of God equality, is held in honour.

IX. These are the regulations laid down by the law 35 in the case of human beings.^c For livestock we have the following. If a man sets apart a beast from his stock, if it is a clean specimen of one of the three kinds which are allowed for sacrifice, an ox or sheep or goat, he must sacrifice that particular animal without substituting either a better for a worse or a worse for a better. For God does not delight in the xxx. 13. So too Josephus, *Ant.* iii. 195, says that the shekel is worth 4 Attic drachmas. The same transvaluation is followed throughout this section.

^b i.e. irrespective of the other considerations, beauty and stature, mentioned above.

^c Lev. xxvii. 9-13.

- πιότητι ζώων χαίρει ὁ θεός, ἀλλ' ἀνυπαίτιω τοῦ
 ἐξαμένου διαθέσει· ἐὰν δὲ ὑπαλλάττηται, δύο ἀνθ'
 ἑνὸς καθιερούτω, τό τε ἀρχαῖον καὶ τὸ ἀντ' ἐκείνου.
- 36 ἐὰν δέ τις εὗξηταί τι τῶν μὴ καθαρῶν κτηνῶν,
 ἀγέτω πρὸς τὸν δοκιμώτατον τῶν ἱερέων· ὁ δὲ
 τιμάσθω μὴ ὑπερβάλλον τὴν ἀξίαν, προσεπιτιθεὶς
 τῆς τιμῆς καὶ τὸ πέμπτον, ἢν', εἰ δέοι καθαρὸν ἀντὶ
 τούτου ζῶον ἱερουργεῖν, μηδὲν ὑστερίζοι τῆς ἀξίας
 τιμῆς, καὶ ἄλλως ὑπὲρ τοῦ δυσωπῆσαι τὸν εὐξά-
 μενον, ὅτι τὴν εὐχὴν ἐποίησατο οὐ συλλογισμῶ, τὸ
 μὴ καθαρὸν ζῶον ὥς γ' οἶμαι τότε νομίσας εἶναι
 καθαρὸν πλάνω διανοίας, κεκρατημένος ὑπὸ πάθους.
- 37 οἰκία δ' εἰ γένοιτο ἀνάθημα, πάλιν ἐχέτω τιμητὴν
 ἱερέα· οἱ δ' ὠνούμενοι μὴ τὰ ἴσα κατατιθέτωσαν,
 ἀλλ' εἰ μὲν ὁ εὐξάμενος ἀνακομίζεσθαι προέλοιτο,
 ἐπιδαιφιλευέσθω τὸ πέμπτον, κολάζων τὴν εὐ-
 χέρειαν καὶ ἐπιθυμίαν, διττὸν κακόν, ἐν οἷς μὲν
- [277] ἡὔχετο τὴν εὐχέρειαν, | ἐν οἷς δ' ἐφίεται ὦν πρό-
 τερον ἐξέστη τὴν ἐπιθυμίαν, εἰ δ' ἕτερος, μηδὲν
- 38 πλέον τῆς ἀξίας κατατιθέτω. ὁ δ' εὐξάμενος μὴ
 μακροὺς ἐμποιεῖτω χρόνους πρὸς τὴν ὦν ἡὔξατο
 τελείωσιν· ἄτοπον γὰρ τὰς μὲν πρὸς ἀνθρώπους

^a In Leviticus simply "the priest."

^b The meaning of the rule seems to be that if the animal cannot be lawfully dedicated, its owner may sell it for the price fixed by the priest, and give the money, but if he redeems it he must pay the extra fifth. The question of providing a clean animal in its stead does not appear to be considered.

^c Lit. "mastered by passion." But it is strange to find a mistake or delusion of this kind called a *πάθος*, though perhaps it falls in with the Stoic theory that the passions are *κρίσεις*. Cf. index in *S.V.F.* to *κρίσις*, and note on *Leg. All.* ii. 6.

THE SPECIAL LAWS, II. 35-38

fleshiness or fatness of animals, but in the blameless intention of the votary. But if he does make any exchange, he must consecrate two instead of one, both the original and its substitute. If he has vowed any 36 of his unclean cattle, he must bring it to the most highly esteemed of the priests,^a who must assess it not exceeding its proper value and then add a fifth part of that value, so that if a clean animal has to be provided for the sacrifice instead of this one, what is provided may not fall short of the proper value.^b Further, the intention is to discomfit the votary for having made a vow without reflection under the impression that the impure animal was on this occasion pure, a mistake presumably due to some mental aberration which powerfully affected him.^c If he 37 dedicates his house, again he should take a priest as assessor, but the sums to be disbursed by the purchasers vary. ^d If the votary determines to redeem the house, he must spend more freely and add a fifth as a punishment for two bad things, thoughtlessness and lust of possession, the former shown in the matter of his vow, the latter in his desire to regain what he had surrendered. If the purchaser is other than the original owner, he should not pay more than the proper value. The votary must not interpose long 38 delay in accomplishing his vow.^e It would be a strange inconsistency if while in our dealings with

^a Lev. xxvii. 14, 15. Philo omits the regulations about land which follow in vv. 16-25.

^e Deut. xxiii. 21, "If thou shalt vow a vow to the Lord thy God thou shalt not delay (*χρονεύς*) to pay it." The meaning of what follows seems to be that we often anticipate our payments to men, because we know they need it. The fact that God does not need them should not make us treat God with less respect than we shew to men.

ὁμολογίας ἐπιτέμνειν πειρᾶσθαι, τὰς δὲ πρὸς θεὸν τὸν ἀνεπίδεᾷ καὶ οὐδενὸς χρεῖον ἐκπροθέσμους ἀποφαίνειν, μελλήσει καὶ βραδυτῇτι διελέγχοντας αὐτοὺς ἐπὶ τῷ μεγίστῳ τῶν ἀδικημάτων, ὀλιγωρία τῇ πρὸς αὐτόν, οὗ τὴν θεραπείαν ἀρχὴν καὶ τέλος εὐδαιμονίας εἶναι νομιστέον. ὄρκων μὲν δὴ πέρι καὶ εὐχῶν ἄλεις.

39 X. ¹Ἐξῆς ἐστὶ κεφάλαιον τὸ περὶ τῆς ἱερᾶς ἐβδόμης, ᾧ μυρία καὶ ἀναγκαῖα ἐμφέρεται, τὰ εἶδη τῶν ἐορτῶν, αἱ τῶν φύσει μὲν ἐλευθέρων διὰ δὲ καιροὺς ἀβουλήτους θητευόντων καθ' ἑβδομον ἐνιαυτὸν ἀφέσεις, αἱ πρὸς χρεώστας τῶν συμβαλλόντων φιλοφροσύνη τὰ δάνεια ἐβδόμῳ ἔτει τοῖς ὁμοφύλοις χαριζομένων, αἱ ἀνάπαυλαι τῆς βαθυγείου πεδιάδος τε καὶ ὀρεινῆς, αἱ γίνονται παρ' ἐξαετίαν, τὰ περὶ τοῦ πεντηκοστοῦ ἔτους νομοθετηθέντα· ὧν καὶ ἡ ἄνευ κόπου ψιλὴ διήγησις ἱκανὴ τοὺς μὲν εὐφυεῖς τελειῶσαι πρὸς ἀρετὴν, τοὺς δ' ἀφηνιαστὰς καὶ σκληροὺς τὸ ἦθος εὐπειθεστέρους

40 ἀπεργάσασθαι. τὰ μὲν οὖν περὶ τῆς ἐν ἀριθμοῖς ἐβδόμης² εἴρηται διὰ μακροτέρων πρότερον, ἣν τε ἔχει φύσιν ἐν δεκάδι καὶ ἣν συγγένειαν

[278] πρὸς τε αὐτὴν δεκάδα καὶ πρὸς τετράδα, | τὴν

¹ At this point the mss. insert the title *Περὶ ἐβδόμης*.

² Mangey ἐβδομαδός.

^a Here begins the fourth commandment. A fresh numeration of the chapters in Cohn. ^b *De Op.* 90-127.

^c Or "within the series of the first ten numbers." For this see *De Op.* 95-100. The properties "outside the decad"

men we try to antedate fulfilment of our promises, in dealing with God, Who lacks and needs nothing, we should extend it beyond the appointed time. By such slowness and procrastination we convict ourselves of the greatest of iniquities, contempt of Him whose service we must hold to be the beginning and consummation of happiness. This is enough on this subject of oaths and vows.

X. "The next head is concerned with the sacred 39 seventh day. Under this head are included a great number of matters of vital importance, the different kinds of feasts; the release in the seventh year of persons who were naturally free but through times of adversity are in servitude; the charity shown by creditors to debtors in cancelling loans to their fellow-nationals, this also in the seventh year; the rest allowed both in the lowlands and the uplands to the fertile soil at intervals of six years; and the laws laid down with respect to the fiftieth year. The mere recital of all these is enough to make the naturally gifted perfect in virtue without any effort on their part and to produce some degree of obedience in the rebellious and hard-natured. Now the 40

part played by seven among the numbers has been described at length in an earlier place,^b where we have discussed the properties which it possesses within the decad,^c and its close connexion with ten itself^d and with four, which is the origin and source of

(*ibid.* 91) are explained as those of the seventh term in a series, as in the geometrical progression mentioned here just below.

^a I do not see anything in *De Op.* which corresponds to this. The "kinship" of 7 to 4 is that $4+3=7$ (*ibid.* 96), and that 4 is the source of 10, because $1+2+3+4=10$, is often brought out, *e.g. ibid.* 47.

δεκάδος ἀρχήν τε καὶ πηγὴν, καὶ ὡς συντεθείσα μὲν ἀπὸ μονάδος ἐξῆς γεννᾷ τὸν ὀκτῶ καὶ εἴκοσι τέλειον ἀριθμὸν τοῖς αὐτοῦ μέρεσιν ἰσούμενον εἰς δ' ἀναλογίαν ἀχθεῖσα κύβον ὁμοῦ καὶ τετράγωνον ἀποτελεῖ, καὶ ὡς μυρία ἄλλα κάλλη θεωρημάτων ἐξ αὐτῆς ἐπιδείκνυται, περὶ ὧν οὐ καιρὸς μακρηγορεῖν. ἕκαστον δὲ τῶν προκειμένων καὶ ἐμφερομένων εἰδῶν ἐπισκεπτέον, ἀπὸ τοῦ πρώτου τὴν ἀρχὴν ποιησαμένους. ἦν δὲ πρῶτον τὸ περὶ ἑορτῶν.

- 41 XI. ¹ Εἰσὶ τοίνυν ἀριθμῷ δέκα ἑορταί, αἷς ἀναγράφει ὁ νόμος· πρώτη μὲν, ἣν ἀκούσας θαυμάσαι τις ἂν ἴσως, αὕτη δ' ἐστὶν ἡμέρα πᾶσα· δευτέρα δὲ ἡ δι' ἐξ ἡμερῶν ἐβδόμη, σάββατον αὐτὴν Ἑβραῖοι πατρίῳ γλώττῃ καλοῦσι· τρίτη δ' ἡ μετὰ σύνοδον τὴν κατὰ σελήνην νέαν νομηνία· τετάρτη δ' ἡ τῶν διαβατηρίων, ἣ καλεῖται Πάσχα· πέμπτη δ' ἡ τῶν ἀσταχύων ἀπαρχή, τὸ ἱερὸν δράγμα· ἕκτη δ' ἄζυμα· μεθ' ἣν ἡ τῶν ἐβδομάδων ὄντως ἐβδόμη· ὀγδόη δὲ ἱερομηνία· ἐνάτη δὲ νηστεία· δεκάτη δὲ ἡ τῶν σκηνῶν, ἣτις ἐστὶ τῶν ἐτησίων ἑορτῶν συμπέρασμα, εἰς τέλειον ἀριθμὸν δεκάδα τελευτῶσα. ἀρκτέον δὲ ἀπὸ τῆς πρώτης.

- 42 XII. Ὁ ἅπασαν ἡμέραν ἑορτὴν ἀναγράφει ὁ νόμος

¹ Here a title varying in the mss. is inserted, printed by Cohn as *Περὶ τῶν δέκα ἑορτῶν*.

THE SPECIAL LAWS, II. 40-42

ten. Also we have shewn how a sevenfold addition of successive numbers beginning with unity produces twenty-eight,^a a perfect number, equal to the sum of its factors; again, how when brought into a geometrical progression, it produces simultaneously a square and a cube,^b besides the numberless other beautiful results which the study of it reveals. On these numerical points we must not linger at the present juncture, but we must examine each specific subject which lies before us included under the general head, beginning with the first; and the first subject, as we saw, is the feasts.

XI. There are in all ten feasts which are recorded 41 in the law. The first, the mention of which may perhaps cause some surprise, is the feast of every day. The second is that held on the seventh day with six days between, called by the Hebrews in their native tongue Sabbath. The third is the new moon which follows the conjunction of the moon with the sun. The fourth is the "Crossing" festival called Pascha. The fifth is the offering of the first ears, the sacred Sheaf. The sixth is the Unleavened Bread. Then comes what is emphatically^c a seventh, being the feast of Sevens or Weeks. Eighth is the Sacred-month-day, ninth is the Fast, tenth the feast of Tabernacles which concludes the yearly festivals and thus ends up with a perfect number ten. We must begin with the first of these.

XII. When the law records that every day is a 42

^a *i.e.* $1+2 \dots +7=28$, the factors of which 1, 2, 4, 7, 14 also = 28. *Cf. De Op.* 101.

^b *Cf. ibid.* 92, 93, where $64=4^3$ and 8^2 , and $729=27^2$ and 9^3 are given as examples.

^c Or "truly," *i.e.* it not only comes seventh in the list, but takes its name from the same number.

πρὸς τὸν ἀνεπιλήπτον βίον ἀρμοζόμενος ὁσίων
 ἀνθρώπων ἐπομένων τῇ φύσει καὶ τοῖς ταύτης
 διατάγμασι. καὶ εἴ γε μὴ παρενημέρησαν αἱ κακίαι
 καταδυναστεύσασαι τοὺς περὶ τῶν συμφερόντων
 λογισμοὺς οὓς τῆς ἐκάστων ψυχῆς ἐξώκισαν, ἀλλ'
 ἔμειναν αἱ τῶν ἀρετῶν δυνάμεις εἰς ἅπαν ἀήττητοι,
 μία ἂν ἦν ὁ ἀπὸ γενέσεως ἄχρι τελευτῆς χρόνος
 ἀδιάστατος ἑορτῇ καὶ αἱ τε οἰκίαι καὶ αἱ πόλεις ἐν
 ἀδείᾳ καὶ ἐκεχειρίᾳ μεσταὶ πάντων ἃν ἦσαν ἀγαθῶν
 43 εὐδὶαν ἄγουσαι πραγμάτων. νυνὶ δ' αἱ πλεονεξίαι
 καὶ ἀντεπιθέσεις, ἃς ἄνδρες ὁμοῦ καὶ γυναῖκες μη-
 χανῶνται κατὰ τε αὐτῶν καὶ κατ' ἀλλήλων, τὸ
 συνεχὲς τῆς ἰλαρᾶς διέκοψαν εὐθυμίας. ἐμφανῆς
 44 δὲ τοῦ λεγομένου πίστις. ὅσοι γὰρ ἢ παρ' Ἑλ-
 [279] λησιν | ἢ παρὰ βαρβάροις ἀσκηταὶ σοφίας εἰσὶν
 ἀνεπιλήπτως καὶ ἀνυπαίτως ζῶντες, μήτε ἀδικεῖ-
 σθαι μήτε ἀνταδικεῖν αἰρούμενοι, τὰς τῶν φιλο-
 πραγμόνων ὁμιλίας ἐκτρέπονται² καὶ τὰ χωρία, ἐν
 οἷς ποιοῦνται τὰς διατριβάς, προβέβληνται, δικα-
 στήρια καὶ βουλευτήρια καὶ ἀγορὰς καὶ ἐκκλησίας
 καὶ συνόλως ὅπου τις τῶν εἰκαιτέρων ἀνθρώπων
 45 θίασος ἢ σύλλογος, οἷα βίον ἀπόλεμον καὶ εἰρηναῖον
 ἐξηλωκότες, θεωροὶ τῆς φύσεως καὶ τῶν ἐν αὐτῇ
 πάντων ἀριστοὶ, γῆν καὶ θάλατταν καὶ αέρα καὶ

¹ MSS. ὥς τῶν, which does not seem to me as impossible as it does to Cohn. See note b.

² MSS. ἐκτρέπόμενοι.

^a The idea of the feast of every day comes from Num. xxviii., xxix. In xxviii. 2 we have (LXX) "observe to offer me in my feasts, my gifts" etc. followed by the list of the various offerings. This list begins with the daily sacrifices and continues in the same order as in this book, with the sole exception that the Sheaf is not mentioned. Philo utilizes

THE SPECIAL LAWS, II. 42-45

festival,^a it accommodates itself to the blameless life of righteous men ^b who follow nature and her ordinances. And if only the vices had not conquered and dominated the thoughts in us which seek the truly profitable and dislodged them from each soul—if instead the forces of the virtues had remained unvanquished throughout, the time from birth to death would be one continuous feast, and houses and cities dwelling in security and leisure^c would have been full of all good things with everything tranquil around them. As it is, the overreaching and the assaults ⁴³ which men and women alike contrive against themselves and each other have cleft a breach in the continuous line of this cheerful gaiety. Here is a clear proof of what I am saying. All who practise wisdom, ⁴⁴ either in Grecian or barbarian lands, and live a blameless and irreproachable life, choosing neither to inflict nor retaliate injustice, avoid the gathering of busybodies and abjure the scenes which they haunt, such as law-courts, council-chambers, markets, congregations and in general any gathering or assemblage of careless men. Their own aspirations are for a life ⁴⁵ of peace, free from warring. They are the closest observers of nature and all that it contains; earth, sea, air and heaven and the various forms of being

the hint suggested by Numbers to enforce the doctrine, which he bases elsewhere (*De Sac.* 111) on the same text that only the wise man can keep a feast. It is no doubt a consideration with him that the inclusion serves to make the perfect number ten, but he could have obtained this otherwise by including the "Basket," see §§ 215 f.

^b If the mss. *ὡς τῶν* is retained, the meaning will be "the law *assumes* that men follow nature" etc. (which they seldom do). Cf. §§ 51, 52.

^c Or perhaps "peace" (cessation of hostilities), *ἐκεχειρία* being used in its more technical sense.

οὐρανὸν καὶ τὰς ἐν αὐτοῖς φύσεις διερευνώμενοι, σελήνη καὶ ἡλίω καὶ τῇ χορείᾳ τῶν ἄλλων ἀστέρων πλανήτων τε καὶ ἀπλανῶν ταῖς διανοαῖς συμπεριπολοῦντες, τὰ μὲν σώματα κάτω πρὸς χέρσον ἰδρυμένοι, τὰς δὲ ψυχὰς ὑποπτέρους κατασκευάζοντες, ὅπως αἰθεροβατοῦντες τὰς ἐκεῖ δυνάμεις περιαθρῶσιν, οἷα χρή τοὺς¹ τῷ ὄντι κοσμοπολίτας γενομένους, οἳ τὸν μὲν κόσμον ἐνόμισαν εἶναι πόλιν, πολίτας δὲ τοὺς σοφίας ὁμιλητάς, ἀρετῆς ἐγγραφούσης, ἣ πεπίστευσαι τὸ κοινὸν πολίτευμα πρυ-

46 τανεύειν. XIII. γέμοντες οὖν καλοκάγαθίας καὶ τῶν περὶ σῶμα κακῶν καὶ τῶν ἐκτὸς ἀλογεῖν ἐθιζόμενοι καὶ ἐξαδιαφορεῖν τὰ ἀδιάφορα μελετῶντες καὶ κατὰ τῶν ἡδονῶν καὶ ἐπιθυμιῶν ἀλειφόμενοι καὶ συνόλως ἐπάνω τῶν παθῶν ἵστασθαι σπουδάζοντες αἰεὶ καὶ τὸν ἐπιτειχισμόν αὐτῶν πάσῃ δυνάμει καθαιρεῖν παιδευόμενοι καὶ ταῖς τῆς τύχης μὴ καμπτόμενοι προσβολαῖς διὰ τὸ προεκκλελογίσθαι τὰς ἐπιθέσεις αὐτῆς—ἐπικουφίζει γὰρ καὶ τὰ βαρύτερα τῶν ἀβουλήτων ἢ πρόληψις, καινὸν οὐδὲν ἔτι τῆς διανοίας τῶν συμβαινόντων ὑπολαμβάνουσης, ἀλλ' ὥς ἐπὶ παλαιοῖς καὶ ἐώλοις ἀμαυρὰν τὴν ἀντίληψιν ποιουμένης—, εἰκότως ἐνευφραϊνόμενοι ταῖς ἀρεταῖς ἅπαντά γε τὸν βίον ἐορτὴν ἄγουσιν.

47 οὗτοι μὲν οὖν ὀλίγος εἰσὶν ἀριθμός, ἐμπύρευμα κατὰ πόλεις ὑποτυφόμενον² σοφίας, ἔνεκα τοῦ μὴ κατὰ τὸ παντελὲς σβεσθεῖσαν ἀρετὴν ἐκ τοῦ γένους

48 ἡμῶν ἀφανισθῆναι. εἰ δὲ τοῖς ὀλίγοις συνεφρόνησαν οἱ πανταχοῦ καὶ ἐγένοντο, οἷους βούλεται εἶναι ἡ

¹ MSS. χρηστοὺς² MSS. ὑποτυφόμενοι.

which inhabit them are food for their research, as in mind and thought they share the ranging of the moon and sun and the ordered march of the other stars fixed and planetary. While their bodies are firmly planted on the land they provide their souls with wings, so that they may traverse the upper air and gain full contemplation of the powers which dwell there, as behoves true "cosmopolitans" who have recognized the world to be a city having for its citizens the associates of wisdom, registered as such by virtue to whom is entrusted the headship of the universal commonwealth. XIII. Such men filled with high 46 worthiness, inured to disregard ills of the body or of external things, schooled to hold things indifferent as indeed indifferent,^a armed against the pleasures and lusts, ever eager to take their stand superior to the passions in general, trained to use every effort to overthrow the formidable menace which those passions have built up against them, never swerving under the blows of fortune because they have calculated beforehand the force of its assaults, since the heaviest adversities are lightened by anticipation,^b when the mind ceases to find anything strange in the event and apprehends it but dully as it might some stale and familiar story—such men, we say, in the delight of their virtues, naturally make their whole life a feast. These are indeed but a small number 47 left in their cities like an ember of wisdom to smoulder, that virtue may not be altogether extinguished and lost to our race. But if only everywhere men had 48 thought and felt as these few, and become what

^a Cf. *Quis Rerum* 253, where ἐξδιαφόρησις τῶν ἀδιαφόρων is coupled with other forms of mental and spiritual exercise, and see note.

^b See App. p. 624.

φύσις, ἀνεπίληπτοι καὶ ἀνυπαίτιοι πάντες, ἐρασταὶ
 φρονήσεως, χαίροντες τῷ καλῷ δι' αὐτὸ τὸ καλὸν
 καὶ τοῦτο μόνον ἀγαθὸν ἡγούμενοι, τὰ δ' ἄλλα
 πάντα ὑπήκοα καὶ δοῦλα ὡς ἂν ἄρχοντες, εὐδαι-
 μονίας ἂν αἱ πόλεις ἐγένοντο μεσταί, τῶν μὲν ὅσα
 λύπης αἷτια καὶ φόβων ἀμέτοχοι, πλήρεις δὲ τῶν
 ἀπεργαζομένων χαρὰς καὶ εὐπαθείας, ὡς μηδένα
 [280] καιρὸν ἐλλείπειν ἰλαροῦ | βίου, πάντα δὲ τὸν τοῦ
 49 ἐνιαυτοῦ κύκλον εἶναι ἐορτήν.

XIV. διὸ
 παρ' ἀληθείᾳ δικαζούσῃ τῶν φαύλων οὐδεὶς ἀλλ'
 οὐδὲ τὸν βραχύτατον χρόνον ἐορτάζει, συνειδήσει
 τῶν ἀδικημάτων ἀγχόμενος καὶ τῇ ψυχῇ κατηφῶν,
 εἰ καὶ τῷ προσώπῳ μειδιᾷν καθυποκρίνεται. ποῦ
 γὰρ ἔχει καιρὸν ἀψευδοῦς εὐφροσύνης κακοβουλό-
 τατος ὢν καὶ συζῶν ἀφροσύνη καὶ περὶ πάντα
 ἀκαιρευόμενος, γλῶτταν, γαστέρα, τὰ γεννητικά;
 50 δι' ἧς μὲν γὰρ ἐκλαλεῖ τὰ ἀπόρρητα καὶ ἡσυ-
 χαστέα, τὴν δὲ ἀκράτου πολλοῦ καὶ ἔδεσμάτων
 ἀμέτρων ἀναπύμπλησιν ὑπὸ λαιμαργίας, τοῖς δὲ
 καταχρήται πρὸς ἐκνομωτάτους οἷστρους καὶ μίξεις
 ἀθέσμους, οὐ μόνον ἀλλοτρίοις γάμοις ἐπιμεμηνώς,
 ἀλλὰ καὶ παιδεραστῶν καὶ βιαζόμενος τὸν ἄρρενα
 τῆς φύσεως χαρακτήρα παρακόπτειν καὶ μεταβάλ-
 λειν εἰς γυναικόμορφον ἰδέαν ἔνεκα τοῦ μεμιασμένῳ
 51 καὶ ἐπαράτῳ πάθει χαρίσασθαι. δι' ἣν αἰτίαν ὁ
 πάντα μέγας Μωυσῆς τὰς ὑπερβολὰς τοῦ περὶ τὴν
 ὄντως ἐορτὴν κάλλους ἰδὼν τελειοτέραν ἢ κατ'
 ἀνθρωπίνην φύσιν ὑπέλαβεν εἶναι καὶ ἀνέθηκεν
 αὐτὴν θεῷ φήσας κατὰ λέξιν οὕτως· “ ἐορταὶ κυ-
 338

THE SPECIAL LAWS, II. 48-52

nature intended them to be, all of them blameless and guiltless and lovers of sound sense, rejoicing in moral excellence just because it is what it is and counting it the only true good and all the other goods but slaves and vassals, subject to their authority, the cities would have been brimful of happiness, utterly free from all that causes grief and fears, and packed with what produces joys and states of well-being, so that each season as it comes would give full opportunity for cheerful living and the whole cycle of the year would be a feast. XIV. And there- 49
fore in the judgement of truth none of the wicked keeps a feast, even for the shortest time, tormented as he is by consciousness of wrongdoing and depressed in soul, even though he simulates a smile with his face. For where does the wicked man find a season for true rejoicing? He whose every plan is for evil, whose life-mate is folly, with whom everything, tongue, belly and organs of generation, is against what is seasonable. For with the first he blurts out 50
matters of secrecy which call for silence, while in his greed he fills the second with viands unlimited and strong drink in great quantities, and as for the third, he misuses them for abominable lusts and forms of intercourse forbidden by all laws. He not only attacks in his fury the marriage-beds of others, but even plays the pederast and forces the male type of nature to debase and convert itself into the feminine form, just to indulge a polluted and accursed passion. For this reason Moses, great here as ever, seeing how 51
vast was the beauty which belonged to the true feast, held that its perfection was beyond the capacity of human nature to realize, and consecrated it to God with these very words, "The Lord's feasts." For 52

- 52 ρίου." τὸ γὰρ ἐπίλυπον καὶ περιδεῆς τοῦ ἡμετέρου
γένους λογιζόμενος καὶ ὡς ἔστι μυρίων κακῶν
μεστόν, ἃ γεννῶσι μὲν αἱ ψυχῆς πλεονεξίαι, γεν-
νῶσι δὲ καὶ αἱ σώματος κῆρες, προσβάλλουσι δὲ αἱ
τῆς τύχης¹ ἀνωμαλίας καὶ τῶν συνόντων αἱ ἀντεπι-
θέσεις μυρία κακὰ δρώντων τε καὶ πασχόντων,
εἰκότως ἐθαύμαζεν, εἰ δύναται τις ἐν τοσούτῳ
πελάγει πραγμάτων ἐκουσίῳ τε καὶ ἀκουσίῳ
φερόμενος καὶ μηδέποτε ἡρεμῆσαι οἷός τε ὢν μηδ'
ἀκινδύνῳ βίῳ μετ' ἀσφαλείας ἐνορμίσασθαι τὴν μὴ
λεγομένην ἀλλὰ πρὸς ἀλήθειαν οὖσαν ὄντως ἄγειν
ἐορτήν, ἐνευφραινόμενος καὶ ἐντρυφῶν θεωρία τε
τοῦ κόσμου καὶ τῶν ἐν αὐτῷ καὶ ἀκολουθία φύσεως
καὶ ἁρμονία πρὸς ἔργα λόγων καὶ πρὸς λόγους
53 ἔργων. ὅθεν ἀναγκαίως εἶπε τὰς ἐορτὰς εἶναι
μόνον θεοῦ· μόνος γὰρ εὐδαίμων καὶ μακάριος,
παντὸς μὲν ἀμέτοχος κακοῦ, πλήρης δ' ἀγαθῶν
τελείων, μᾶλλον δ', εἰ χρή τάληθές εἰπεῖν, αὐτὸς
ὢν τὸ ἀγαθόν, ὃς οὐρανῷ καὶ γῇ τὰ κατὰ μέρος
54 ὥμβρησεν ἀγαθά. παρὸ καὶ τῶν πάλαι
τις ἀρετῶσα διάνοια, γαληνιασάντων αὐτῇ τῶν
παθῶν, ἐνεμειδίασε χαρᾶς ἐγκύμων καὶ ὑπόπλεως
γενομένη· καὶ λογισαμένη παρ' αὐτῇ, μή ποτ' ἄρα
τὸ μὲν χαίρειν ἴδιόν ἐστι μόνου θεοῦ, αὐτὴ δὲ
διαμαρτάνει σφετεριζομένη τὰς ὑπὲρ ἄνθρωπον εὐ-
[281] παθείας, εὐλαβεῖται τε καὶ τὸν ψυχικὸν | γέλωτα

¹ MSS. ψυχῆς.

^a Lit. "those who are together"; rather than as Heine-
mann "our fellowmen."

^b See Gen. xviii. 11-15. This interpretation of Sarah's
laughter and her denial of it, and the answer to that denial
"but thou didst laugh," has already been given in *De Abr.*
206, where see note. "Her passions now calmed within her"

THE SPECIAL LAWS, II. 52-54

when he considered the sorrowful and terror-stricken condition of our race, how charged it is with numberless evils generated by the greedy desires of the soul and also by the infirmities of the body, increased by the vicissitudes of fortune and the mutual onslaughts of neighbours against neighbours^a who inflict and suffer countless wrongs, he could not but wonder that anyone, tossed about on so vast a sea of events, whether of his own intending or not, and unable to find tranquility or the secure anchorage of a life kept safe from danger, could really hold a feast, not in the sense in which the word is commonly used, but in the true sense ; and the true sense is, to find delight and festivity in the contemplation of the world and its contents and in following nature and in bringing words into harmony with deeds and deeds with words. And therefore it was 53 a necessary pronouncement that the feasts belonged to God alone, for God alone is happy and blessed, exempt from all evil, filled with perfect forms of good, or rather, if the real truth be told, Himself *the* good, Who showers the particular goods on heaven and earth.

And so it was that in the days of old 54 a certain mind of rich intelligence, her passions now calmed within her, smiled because joy lay within her and filled her womb.^b And when, as she considered the matter, it seemed to her that joy might well be the peculiar property of God alone, and that she herself was sinning in taking for her own conditions of well-being above human capacity, she was afraid, and denied the laughter of her soul

is the interpretation often (*e.g. De Fuga* 128) given by Philo of v. 11, "it ceased to be with Sarah after the manner of women."

56 ἀρνεῖται μέχρι τοῦ παρηγορηθῆναι· τὸ γὰρ δέος αὐτῆς ἐπικουφίζει ὁ ἱλεως θεὸς χρησμῶ κελεύσας ὁμολογεῖν, ὅτι ἐγέλασεν, ἵν' ἡμᾶς ἀναδιδάξῃ, ὅτι οὐ κατὰ τὸ παντελὲς ἐστέρηται τὸ γενητὸν χαρᾶς, ἀλλ' ἔστιν ἡ μὲν ἀμιγῆς καὶ ἀκραιφνεστάτη, μηδὲν τῶν τῆς ἐναντίας ἐπιδεχομένη φύσεως, ἐξαίρετος θεοῦ, ἡ δ' ἀπ' ἐκείνης ῥυεῖσα μικτή, βραχέσιν ἀνακεκραμένη λυπηροῖς, ἀνδρὸς ἤδη σοφοῦ δωρεὰν μεγίστην λαβόντος τὴν τοιαύτην μῆξιν, ἐν ᾗ πλείω τὰ ἡδέα τῶν ἀηδῶν ἀνακέκρται. ταῦτα μὲν ἐπὶ τοσοῦτον.

56 XV. Μετὰ δὲ τὴν συνεχῇ καὶ ἀδιάστατον καὶ διαιωνίζουσαν ἐορτὴν ἄγεται δευτέρα ἡ δι' ἑξ ἡμερῶν ἱερὰ ἐβδόμη· ἦν οἱ μὲν ὠνόμασαν παρθένον εἰς τὴν ὑπερβάλλουσαν ἀγνείαν ἀπιδόντες αὐτῆς, οἱ δὲ αὐτοὶ καὶ ἀμήτορα, σπαρεῖσαν ἐκ μόνου τοῦ πατρὸς τῶν ὄλων, ἰδέαν τῆς ἄρρενος γενεᾶς, ἀμέτοχον τῆς πρὸς γυναικῶν· ἀνδρειότατος γὰρ καὶ ἀλκιμώτατος ὁ ἀριθμὸς, πρὸς ἀρχὴν καὶ ἡγεμονίαν εὖ πεφυκώς· ἔνιοι δὲ αὐτὴν καιρὸν προσηγόρευσαν ἀπὸ τῶν αἰσθητῶν τεκμηράμενοι τὴν νοητὴν αὐτῆς
57 οὐσίαν. ὅσα γὰρ τῶν ἐν αἰσθητοῖς ἄριστα, δι' ὧν αἱ ἐτήσιοι ὥραι καὶ τῶν καιρῶν αἱ περίοδοι τεταγμένως ἀποτελοῦνται, μετέσχηκεν ἐβδομάδος, λέγω δὲ πλάνητας ἑπτὰ καὶ ἄρκτον καὶ πλειάδα καὶ σελήνης αὐξομένης τε καὶ μειουμένης ἀνακυκλήσεις

^a See on *De Dec.* 102.

^b Alternatives for translating the untranslatable *καιρός* might be "the right season," "the happy hour or moment," or the abstract "timeliness." Heinemann gives "die entscheidende Zeit." In *De Op.* 59 *καιρός* is defined as *χρόνοι κατορθώσεως*. The application of it to the number seven is, like the other names, Pythagorean. As Philo understands it

THE SPECIAL LAWS, II. 55-57

until her doubts were set at rest. For the gracious 55
God allayed her fears by an oracle in which He
bade her acknowledge that she laughed, meaning
thus to teach us the lesson that joy is not altogether
denied to the creature. Joy is of two kinds. One
is unmixed and of the utmost purity, admitting
nothing whatever of the nature opposite to its own.
This joy belongs to God and to no other. The other
which flows from it is a mixed stream blended with
lesser tributaries of sorrow, and if the blend is such
that the pleasant ingredients outnumber the un-
pleasant, the wise man receives it as the greatest of
gifts. So much for this matter.

XV. After this continuous unbroken feast which 56
has neither beginning nor end, the second to be
observed is the sacred seventh day, recurring with
six days between. Some have given to it the name
of virgin,^a having before their eyes its surpassing
chastity. They also call her the motherless,^a be-
gotten by the father of the universe alone, the ideal
form of the male sex with nothing of the female.
It is the manliest and doughtiest of numbers, well
gifted by nature for sovereignty and leadership.
Some give it the name of the "season,"^b judging its
conceptual nature from its manifestation in the realm
of sense. For seven is a factor common to all the 57
phenomena which stand highest in the world of
sensible things and serve to consummate in due order
transitions of the year and recurring seasons. Such
are the seven planets, the Great Bear, the Pleiades
and the cycles of the moon, as it waxes and wanes,

here, we may perhaps say that it is personified like *τύχη*, of
which it is the converse, and represents the due order in which
events happen. See further App. p. 624.

καὶ τῶν ἄλλων τὰς ἐναρμονίους καὶ παντὸς λόγου
 58 κρείττους περιφοράς. Μωυσῆς δὲ ἀπὸ σεμνοτέρου
 πράγματος ἐκάλεσεν αὐτὴν συντέλειαν καὶ παντέ-
 λειαν, ἐξάδι μὲν τὴν γένεσιν τῶν τοῦ κόσμου μερῶν
 ἀναθεῖς, ἐβδομάδι δὲ τὴν τελείωσιν. ἐξὰς μὲν γὰρ
 ἀρτιοπέριττος ἀριθμός, ἐκ τοῦ δις τρία παγείς,
 ἔχων ἄρρενα μὲν τὸν περιττόν, θῆλυν δὲ τὸν ἄρτιον,
 ἐξ ὧν εἰσιν αἱ γενέσεις κατὰ φύσεως θεσμούς ἀ-
 59 κινήτους. ἐβδομάς δὲ ἀμιγέστατος καὶ φῶς, εἰ χρῆ
 τὰληθὲς εἰπεῖν, ἐξάδος· ἃ γὰρ ἐγέννησεν ἐξὰς, ταῦθ'
 ἐβδομάς τελεσφορηθέντα ἐπεδείξατο. παρὸ καὶ
 γενέθλιος τοῦ κόσμου δεόντως ἂν προσαγορευέοιτο,
 καθ' ἣν τὸ τοῦ πατρὸς ἔργον τέλειον ἐκ τελείων
 60 μερῶν ἀνεφάνη. ἐν ἣ προστέτακται
 πάντων ἀνέχειν ἔργων, οὐκ ἐπειδὴ ῥαθυμίας ὁ
 νόμος εἰσηγητής—ἀεὶ γὰρ ἐθίζει κακοπαθεῖν καὶ
 πρὸς πόνον ἀλείφει καὶ τοὺς ἀργεῖν καὶ σχολάζειν
 [282] ἐθέλοντας προβέβληται, διείρηται γοῦν | ἐξ ἡμέρας
 ἐνεργεῖν—, ἀλλ' ἵνα τοὺς συνεχεῖς καὶ ἀτρύτους
 πόνους χαλάσῃ καὶ τὰ σώματα μεμετρημέναις
 ἀνέσεσιν ἀνακτησάμενος καινώσῃ πάλιν πρὸς τὰς
 αὐτὰς ἐνεργείας· οἱ γὰρ διαπνεύσαντες, οὐκ ἰδιῶται
 μόνον ἀλλὰ καὶ ἀθληταί, ῥώμην συλλέγονται καὶ
 ἀπὸ κραταιοτέρας δυνάμεως ἀνυπερθέτως ἕκαστα
 61 τῶν πρακτέων τλητικῶς ὑπομένουσι. προστάξας
 μέντοι μὴ διαπονεῖν τοῖς σώμασι κατὰ τὰς ἐβδόμας

^a Cf. *Μοϋ.* i. 207 (and note), and ii. 210.

THE SPECIAL LAWS, II. 57-61

and the movements, harmonious and grand beyond description, of the other heavenly bodies. But 58 Moses from a higher point of view gave it the name of completion and full perfection when he laid down six as the number under which the parts of the universe were brought into being, seven as that under which they were perfected. For six is even-odd, formed out of twice three with the odd part as its male element and the even as its feminine, and these two, by the immutable laws of nature, are the sources of generation. But seven is a number en- 59 tirely uncompounded, and may be quite properly described as the light of six. For seven reveals as completed what six has produced, and therefore it may be quite rightly entitled the birthday of the world,^a whereon the Father's perfect work, compounded of perfect parts, was revealed as what it was.

On this day we are commanded 60 to abstain from all work, not because the law inculcates slackness; on the contrary it always inures men to endure hardship and incites them to labour, and spurns those who would idle their time away, and accordingly is plain in its directions to work the full six days. Its object is rather to give men relaxation from continuous and unending toil and by refreshing their bodies with a regularly calculated system of remissions, to send them out renewed to their old activities. For a breathing-space enables not merely ordinary people but athletes also to collect their strength and with a stronger force behind them to undertake promptly and patiently each of the tasks set before them. Further, when He forbids bodily labour 61 on the seventh day, He permits the exercise of

- ἔφηκε τὰς ἀμείνους πράξεις ἐπιτελεῖν· αὐταὶ δ' εἰσὶν αἱ διὰ λόγων καὶ δογμάτων τῶν κατ' ἀρετὴν· προτρέπει γὰρ φιλοσοφεῖν τότε βελτιοῦντας τὴν
- 62 ψυχὴν καὶ τὸν ἡγεμόνα νοῦν. ἀναπέπταται γοῦν ταῖς ἐβδόμαις μυρία κατὰ πᾶσαν πόλιν διδασκαλεῖα φρονήσεως καὶ σωφροσύνης καὶ ἀνδρείας καὶ δικαιοσύνης καὶ τῶν ἄλλων ἀρετῶν, ἐν οἷς οἱ μὲν ἐν κόσμῳ καθέζονται σὺν ἡσυχίᾳ τὰ ὥτα ἀνωρθιακότες μετὰ προσοχῆς πάσης ἔνεκα τοῦ διψῆν λόγων ποτίμων, ἀναστὰς δέ τις τῶν ἐμπειροτάτων ὑφηγεῖται τὰ ἄριστα καὶ συνοίσοντα, οἷς ἅπας ὁ βίος
- 63 ἐπιδώσει πρὸς τὸ βέλτιον. ἔστι δ' ὡς ἔπος εἰπεῖν τῶν κατὰ μέρος ἀμυθήτων λόγων καὶ δογμάτων δύο τὰ ἀνωτάτω κεφάλαια, τό τε πρὸς θεὸν δι' εὐσεβείας καὶ ὁσιότητος καὶ τὸ πρὸς ἀνθρώπους διὰ φιλανθρωπίας καὶ δικαιοσύνης· ὧν ἑκάτερον εἰς πολυσχιδεῖς ἰδέας καὶ πάσας ἐπαινετὰς τέμνεται.
- 64 ἔξ ὧν δῆλόν ἐστιν, ὅτι Μωυσῆς οὐδένα καιρὸν ἀπράκτους ἔῃ τοὺς χρωμένους αὐτοῦ ταῖς ἱεραῖς ὑφηγήσεσιν· ἀλλ' ἐπειδὴ συνέστημεν ἐκ ψυχῆς καὶ σώματος, ἀπένειμε καὶ τῷ σώματι τὰ οἰκεῖα ἔργα καὶ τῇ ψυχῇ τὰ ἐπιβάλλοντα καὶ ἐφεδρεύειν τὰ ἕτερα τοῖς ἐτέροις ἐσπούδασεν, ἵνα πονοῦντος μὲν τοῦ σώματος ἡ ψυχὴ διαναπαύηται, ἀναπαύλῃ δὲ χρωμένου διαπονή, καὶ οἱ ἄριστοι τῶν βίων, ὃ τε θεωρητικὸς καὶ ὁ πρακτικὸς, ἀμείβωσιν ἀντι- παραχωροῦντες ἀλλήλοις, ὁ μὲν πρακτικὸς λαχὼν

* The meaning of ὡς ἔπος εἰπεῖν is not quite clear. Generally, if not always, it is applied to a general statement, mostly numerical, to indicate that it is not exact. Perhaps it may

THE SPECIAL LAWS, II. 61-64

the higher activities, namely, those employed in the study of the principles of virtue's lore. For the law bids us take the time for studying philosophy and thereby improve the soul and the dominant mind. So each seventh day there stand wide open 62 in every city thousands of schools of good sense, temperance, courage, justice and the other virtues in which the scholars sit in order quietly with ears alert and with full attention, so much do they thirst for the draught which the teacher's words supply, while one of special experience rises and sets forth what is the best and sure to be profitable and will make the whole of life grow to something better. But among the vast number of particular truths and 63 principles there studied, there stand out practically^a high above the others two main heads : one of duty to God as shewn by piety and holiness, one of duty to men as shewn by humanity and justice, each of them splitting up into multiform branches, all highly laudable. These things shew clearly that Moses 64 does not allow any of those who use his sacred instruction to remain inactive at any season. But since we consist of body and soul, he assigned to the body its proper tasks and similarly to the soul what falls to its share, and his earnest desire was, that the two should be waiting to relieve each other. Thus while the body is working, the soul enjoys a respite, but when the body takes its rest, the soul resumes its work, and thus the best forms of life, the theoretical and the practical, take their turn in replacing each other. The practical life has six as mean here that it would be possible to find more than two main heads, or other than these two. Heinemann translates "so zu sagen," but I do not see what this means here, even if the Greek can be so translated.

ἐξάδα κατὰ τὴν τοῦ σώματος ὑπηρεσίαν, ὁ δὲ θεωρητικὸς ἐβδομάδα πρὸς ἐπιστήμην καὶ τελειότητα διανοίας.

- 65 XVI. Ἀπείρηται δὲ κατ' αὐτὴν πῦρ ἐναύειν ὡς |
 [283] ἀρχὴν καὶ σπέρμα τῶν περὶ βίον πραγματειῶν,
 ἐπειδὴ περ ἄνευ πυρὸς οὐδὲν ἔστι τῶν εἰς τὰς πρὸς
 τὸ ζῆν ἀναγκαίας χρείας ἐργάσασθαι ὡς δι' ἐνὸς
 τοῦ ἀνωτάτω καὶ πρεσβυτάτου τῶν εἰς τὰς τέχνας
 66 καὶ μάλιστα τὰς βαναύσους αἰτίου κεκωλῦσθαι καὶ
 <τὰ>¹ τῶν κατὰ μέρος ὑπηρεσιῶν. ἀλλ' ἔοικε διὰ
 τοὺς ἀπειθεστέρους καὶ ἡκιστα προσέχοντας τὸν
 νοῦν τοῖς προσταττομένοις² καὶ τὰ ἄλλα προσνομο-
 θετεῖν, οὐ μόνον ἐλευθέρους ἀνέχειν ἔργων ἀξιῶν
 ταῖς ἐβδόμαις, ἀλλὰ καὶ θεράπουσι καὶ θεραπαίναις
 ἐφιεῖς, ἄδειαν καὶ μόνον οὐκ ἐλευθερίαν δι' ἑξ
 67 ἡμερῶν προκηρύττων τούτοις, ἵν' ἀμφοτέρους ἀνα-
 διδάξῃ μάθημα κάλλιστον· τοὺς μὲν δεσπότης
 αὐτουργεῖν ἐθίζεσθαι, μὴ ἀναμένοντας τὰς ἀπὸ τῶν
 οἰκετῶν λατρείας καὶ ὑπηρεσίας, ἵν', εἴ τινες
 ἀβούλητοι καιροὶ κατάσχοιεν κατὰ τὰς τῶν ἀν-
 θρωπείων πραγμάτων μεταβολάς, μὴ τῷ ἀήθει τῆς
 αὐτουργίας προκάμνοντες τοῖς ἐπιτάγμασιν ἀπ-
 αγορεύωσιν, ἀλλ' εὐκίνητοτέροις χρώμενοι τοῖς τοῦ
 σώματος μέρεσιν εὐφόρως καὶ μετὰ ῥαστώνης

¹ The insertion was made by Tischendorf, though not accepted by Cohn. *Sc. αἴτια*. It seems to me necessary for the construction.

² MSS. *πραττομένοις*.

^a Ex. xxxv. 3, cf. *Mos.* ii. 219 and note.

^b Or "primary," see on § 82.

^c For §§ 66-69 see Ex. xx. 10.

^d This seems to contradict both the foregoing and the

THE SPECIAL LAWS, II. 64-67

its number allotted for ministering to the body. The theoretical has seven for knowledge and perfection of the mind.

XVI. It is forbidden to light any fire on this day,^a 65
fire being regarded as the source and origin of life, since without it nothing can be executed which serves the requirements necessary for existence. And thus the prohibition of the highest^b and earliest instrument needed in the arts, and especially those of the mechanical kind, acts as a barrier to those required for the particular forms of service. ^c But it would 66
seem that his further enactments were given for the sake of the more disobedient who refused to pay attention to his commandments, when he not only requires the free men to abstain from work on the Sabbath, but gives the same permission to men-servants and handmaids, and sends them a message of security and almost of freedom after every six days, to teach both masters and men an admirable lesson. The masters must be accustomed to work 67
themselves without waiting for the offices and attentions of their menials,^d and so in the event of times of difficulty such as occur through the vicissitudes of human affairs, they may not through unfamiliarity with personal service lose heart at the outset and despair of accomplishing the tasks set before them, but use the different parts of their body with more nimbleness and shew a robust and

commandment itself "neither thou . . . nor thy manservant, nor thy maidservant." Philo perhaps means that there are wants which must necessarily receive attention, and that if this attention is rendered by oneself, it is not work in the sense of the commandment, but is work if rendered by another. Strict modern Sabbatarians would probably feel the same.

ἐνεργῶσι, τοὺς δ' οἰκέτας μὴ ἀπογινώσκειν τὰς ἀμείνους ἐλπίδας, ἀλλ' ἔχοντας τὴν δι' ἑξ ἡμερῶν ἄνεσιν ἐμπύρευμά τι καὶ ζώπυρον ἐλευθερίας τὴν εἰς τὸ παντελὲς ἄφεσιν, εἰ διαμένοιεν χρηστοὶ καὶ
 68 φιλοδέσποτοι, προσδοκᾶν. ἐκ δὲ τοῦ τοὺς μὲν ἐλευθέρους ὑπομεῖναι ποτε τὰς δούλων ὑπηρεσίας, τοῖς δ' οἰκέταις ἐγγενέσθαι μετασχεῖν ἀδείας, συμβήσεται τὸν τῶν ἀνθρώπων βίον ἐπιδοῦναι πρὸς ἀρετὴν τελειοτάτην, ὑπομιμνησκομένων ἰσότητος καὶ ἀντεκτινόντων ἀλλήλοις χρέος ἀναγκαῖον τῶν τε λαμπρῶν εἶναι δοκούντων καὶ τῶν ἀφανεστέρων.

69 ἀλλὰ γὰρ οὐ θεράπονσι μόνον ἐκεχειρίαν ἔδωκεν ὁ νόμος ταῖς ἐβδόμαις, ἀλλὰ καὶ κτήνεσι· καίτοι φύσει θεράποντες μὲν ἐλεύθεροι γεγόνασιν—ἄνθρωπος γὰρ ἐκ φύσεως δούλος οὐδεὶς—, τὰ δ' ἄλογα ζῶα πρὸς τὴν τῶν ἀνθρώπων χρεῖαν καὶ ὑπηρεσίαν εὐτρεπισθέντα δούλων ἔχει τάξιν· ἀλλ' ὅμως ἀχθοφορεῖν ὀφείλοντα καὶ τοὺς ὑπὲρ τῶν κεκτημένων ὑπομένειν πόνους τε καὶ καμάτων

70 ἀναπαύλας εὐρίσκει ταῖς ἐβδόμαις. καὶ τί δεῖ τῶν ἄλλων μεμνήσθαι; οὐδὲ γὰρ βοῦς πρὸς τὰ ἀναγκαιότατα καὶ χρησιμώτατα τῶν ἐν τῷ βίῳ γεγωνός, ἄροτον¹ γῆς προετοιμαζομένης εἰς σποράν
 [284] καὶ πάλιν δραγμάτων συγκομισθέντων | ἀλοητὸν εἰς καρποῦ κάθαρσιν, τότε καταζεύγνυται, τὴν τοῦ κόσμου γενέθλιον ἑορτάζων. οὕτως ἄρα διὰ πάντων τὸ ἱεροπρεπὲς αὐτῆς πεφοίτηκε.

71 XVII. Τοσούτου δ' ἀξιοῖ σεβασμοῦ τὴν ἐβδόμην,

¹ MSS. ἄροτρον.

* See App. pp. 624-625.

^b The Deuteronomic version of the fourth commandment

THE SPECIAL LAWS, II. 67-71

easy activity ; while on the other hand the servants are not to refuse to entertain still higher hopes, but should find in the relaxation allowed after six days an ember or spark of freedom, and look forward to their complete liberation if they continue to serve well and loyally. But the result of this occasional submission of the free to do the menial offices of the slave, together with the immunity allowed to the slave, will be a step forward in human conduct towards the perfection of virtue, when both the seemingly distinguished and the meaner sort remember equality and repay to each other the debt incumbent on them.

But the holiday of the Sabbath is given by the law not only to servants but also to the cattle, though there might well be a distinction. For servants are free by nature, no man being naturally a slave,^a but the unreasoning animals are intended to be ready for the use and service of men and therefore rank as slaves. Yet all the same, though it is their proper business to carry burdens and undergo toils and labour for their owners, they obtain their respite on the seventh days. There is no need to go through the rest of the list, when even the ox^b who serves the most useful and indispensable purposes in human life, namely ploughing when the soil is prepared for the sowing, and again thrashing when the sheaves are brought in for the purging of the fruit, is then kept free from the yoke and enjoys the birthday festival of the world. So universally has the sanctity of the day extended its influence.

XVII. So high is the reverence which he assigns

(v. 14) has "nor thine ox, nor thine ass, nor any of thy cattle." So also LXX in Ex. xx. 10, though the Hebrew and E.V. have only "nor thy cattle."

PHILO

ὥστε καὶ ἄλλα ὅποσα ταύτης μετέχει τετίμηται
 παρ' αὐτῷ. κατὰ γοῦν ἑβδομον ἐνιαυτὸν αἰὲ
 χρεωκοπίαν εἰσηγείται πένησιν ἐπικουρῶν καὶ τοὺς
 πλουσίους ἐπὶ φιλανθρωπίαν προκαλούμενος, ἵνα
 τῶν ἰδίων μεταδιδόντες ἀπόροις χρηστὰ καὶ περὶ
 αὐτῶν προσδοκῶσιν, εἰ γένοιτό τι πταῖσμα· πολλὰ
 δὲ τὰ ἀνθρώπινα καὶ οὐκ ἐπὶ τῶν αὐτῶν ὁ βίος
 ὁρμεῖ πνεύματος ἀστάτου τρόπον μεταβάλλων πρὸς
 72 τὰ ἐναντία. καλὸν μὲν οὖν τὴν ἀπὸ δανειστῶν
 χάριν ἐπὶ πάντας φθάνειν χρεώστας· ἐπεὶ δ' οὐ
 πάντες πρὸς μεγαλοφροσύνην πεφύκασιν, ἀλλ'
 εἰσὶν ἥττους ἔνιοι χρημάτων ἢ οὐ σφόδρα εὐποροί,
 καὶ τούτους ἐδικαίωσεν εἰσφέρειν ἅ μὴ λυπήσει
 73 διδόμενα. παρὰ γὰρ τῶν ὁμοεθνῶν εἰσπράττειν οὐκ
 ἑάσας ἐφῆκε παρὰ τῶν ἄλλων κομίζεσθαι, τοὺς μὲν
 καλέσας εὐθυβόλως “ἀδελφούς,” ἵνα μηδεὶς φθονῇ
 τῶν ἰδίων ὡς ἂν ἐκ φύσεως συγκληρονόμοις ἀδελ-
 φοῖς, τοὺς δὲ μὴ ὁμοεθνεῖς, ὅπερ εἰκός, “ἄλλο-
 τρίους” ὠνόμασεν. ἡ δ' ἄλλοτριότης ἀκοινώνητον,
 εἰ μὴ καὶ ταύτην τις ὑπερβολαῖς ἀρετῶν μεθ-
 αρμόσαιτο πρὸς συγγενικὴν οἰκειότητα· συνόλως
 γὰρ ἐν ἀρεταῖς ἡ πολιτεία καὶ νόμοις, οἳ μόνον τὸ
 74 καλὸν ἀγαθὸν εἰσηγοῦνται. ὑπαίτιον δὲ τὸ

^a See Deut. xv. 1-3.

^b Heinemann translates “weniger wohlhabend,” apparently taking χρημάτων as a genitive of respect. I think this is impossible.

^c Meaning perhaps “which must not be allowed to grieve them.” Cf. Deut. xv. 10, “Thine heart shalt not be grieved (LXX οὐ λυπηθήσῃ) because the Lord will bless thee.”

THE SPECIAL LAWS, II. 71-74

to the seventh day that other things which share in the qualities of the number are honoured in his estimation. Thus he lays down a rule for cancellation of debts in every seventh year,^a both as a succour to the poor and as a challenge to the rich to shew humanity, in order that by giving some share of their own to the needy they may expect to receive the same kindness themselves, if any disaster befall them. Human vicissitudes are manifold, and life is not always on the same anchorage, but is like an unsteady wind, ever veering round to the opposite quarter. Now the best course would be that the creditors' 72 liberality should be extended to all debtors. But since they are not all capable of showing magnanimity, some being under the dominion of their money^b or not very well off, he laid down that they too should make a contribution, the sacrifice of which would not give them pain.^c He does not allow them to 73 exact money from their fellow-nationals, but does permit the recovery of dues from the others.^d He distinguishes the two by calling the first by the appropriate name of brethren, suggesting that none should grudge to give of his own to those whom nature has made his brothers and fellow-heirs. Those who are not of the same nation he describes as aliens,^e reasonably enough, and the condition of the alien excludes any idea of partnership, unless indeed by a transcendancy of virtues he converts even it into a tie of kinship, since it is a general truth that common citizenship rests on virtues and laws which propound the morally beautiful as the sole good.^f Now lending 74

^a Deut. xv. 3.

^e E.V. "foreigner."

^f See App. p. 625.

PHILO

δανείζειν ἐπὶ τόκῳ· δανείζεται γάρ τις οὐ περιουσία
ζῶν, ἀλλὰ δηλονότι χρεῖος ὢν, ὅς¹ ἐπαναγκαζόμενος
τόκους τοῖς ἀρχαίοις προσαποτίνειν ἀπορώτατος ἐξ
ἀνάγκης ἂν γένοιτο καὶ νομίσας ὠφελείσθαι ἔτι
βλάπτεται καθάπερ τὰ ὀλιγόφρονα τῶν ζώων τῷ
75 παρόντι δελέατι. σοὶ δ' εἶποιμ' ἄν, ὦ δανειστά·
τί κοινωνία τρόπον ἀκοινωνήτον συσκιάζεις; τί δὲ
τῷ μὲν δοκεῖν εἶναι χρηστός καὶ φιλάνθρωπος προσ-
ποιῇ, ἐν δὲ τοῖς ἔργοις ἀπανθρωπίαν ἐπιδείκνυσαι
καὶ δεινὴν σκαιότητα, πλείω ὢν ἔδωκας ἀναπράτ-
των καὶ ἔστιν ὅπου διπλάσιον, πενιχρότερον ἀ-
76 εργαζόμενος τὸν πένητα; τοιγάρτοι συναλγεί μὲν
οὐδεῖς, ὅταν ὀρεχθεῖς πλείονων προσσυναποβάλῃς
[285] καὶ τὰ ὄντα, πάντες | δ' ἐφῆδονται τοκογλύφον καὶ
ὀβολοστάτην καὶ τὰ τοιαῦτα ὀνομάζοντες, ὡς
ἐφεδρον ἀλλοτρίων κακῶν καὶ τὴν ἐτέρων ἀτυχίαν
77 ἰδίαν κρίνοντα εὐτυχίαν. ἀλλὰ πηρόν,² ὡς ἔφη τις,
ἢ κακία, καὶ ὁ δανείζων τυφλός, τὸν χρόνον τῆς
ἀποδόσεως οὐ βλέπων, ἐν ᾧ μόλις ἢ οὐδ' ὅλως ὢν
ἐκ πλεονεξίας τεύξεσθαι προσεδόκησεν ἐφίξεται.
78 οὗτος μὲν οὖν διδότης δίκας τῆς φιλαργυρίας, ἃ
προήκατο μόνα κομιζόμενος,³ ἵνα μὴ ἀτυχίας ἀν-
θρώπων ἐργάζεται προσοδευόμενος ἐξ ὧν οὐ
προσῆκεν· οἱ δὲ χρεῶσται τῆς ἀπὸ τῶν νόμων

¹ MSS. ὡς.

² MSS. πονηρόν.

³ MSS. μὴ κομιζόμενος.

^a Ex. xxii. 25, Lev. xxv. 35-37, Deut. xxiii. 19; in the last passage lending money on interest to a foreigner is sanctioned.

^b The source of the quotation is not known.

^c ἐργάζεται ἀτυχίας could in itself mean "create or produce misfortunes," as Heinemann seems to take it, though we should expect ἀνθρώποις, but the point is rather that he *uses* people's misfortunes. ἐργάζεσθαι, to "trade" or "make

THE SPECIAL LAWS, II. 74-78

money on interest is a blameworthy action,^a for a person who borrows is not living on a superabundance of means, but is obviously in need, and since he is compelled to pay the interest as well as the capital, he must necessarily be in the utmost straits. And while he thinks he is being benefited by the loan, he is actually like senseless animals suffering further damage from the bait which is set before him. I ask you, Sir Moneylender, why do you 75 disguise your want of a partner's feeling by pretending to act as a partner? Why do you assume outwardly a kindly and charitable appearance but display in your actions inhumanity and a savage brutality, exacting more than you lend, sometimes double, reducing the pauper to further depths of poverty? And therefore no one sympathizes when 76 in your eagerness for larger gains you lose your capital as well. In their glee all call you extortioner and money-grubber and other similar terms, you who have lain in wait for the misfortunes of others, and regarded their ill-luck as your own good luck. It has 77 been said^b that vice has no sense of sight; so too the moneylender is blind, and has no vision of the time of repayment, when it will hardly be possible, if at all, to obtain what he has expected to gain by his greed. Such a person may well pay the penalty 78 of his avarice by receiving back merely what he provided, and learn not to make a trade of other people's misfortunes^c and enrich himself in improper ways. And the borrowers should be granted the privilege money," is common enough, and there is a good parallel of this use with the accusative in Demosthenes, p. 794 τὰ τῶν ἄλλων κατὰ τοῦτον τρέφει . . . ταῦτα γεωργεῖ, ταῦτα ἐργάζεται. (The genitive with ἀπό, or the dative, seems to be commoner, and perhaps we might read ἀπ' ἀτυχίας or ἀτυχίας.)

φιλανθρωπίας ἀξιούσθωσαν, τόκους καὶ ἐπιτοκίας μὴ τελούντες, αὐτὸ δὲ μόνον τὸ ἀρχαῖον ἀποτινύντες· πάλιν γὰρ ἐν καιροῖς τὸν αὐτὸν ἔρανον ἀνταποτίσουσι τοῖς συμβάλλουσιν ἀμειβόμενοι ταῖς ἴσαις ὠφελείαις τοὺς χάριτος ἄρξαντας.

- 79 XVIII. Τοιαῦτα διαταξάμενος ἐξῆς ἀναγράφει νόμον ἡμερότητος καὶ φιλανθρωπίας μεστόν. ἐάν, φησί, πραθῇ σοί τις τῶν ἀδελφῶν, ἐξ ἔτη δουλευέτω, τῷ δὲ ἐβδόμῳ προῖκα ἐλεύθερος ἀφίεσθω.
- 80 πάλιν “ἀδελφόν” τὸν ὁμόφυλον εἶπεν ὑποσπείρων τῇ τοῦ κεκτημένου ψυχῇ διὰ τῆς προσήσεως τὴν πρὸς τὸν ὑπήκοον συγγένειαν, ἵνα μὴ ὡς ξένου, πρὸς ὃν οὐδὲν φίλτρον ἐστὶν εὐνοίας, κατολιγωρῇ, φιλοῖκειον δέ τι προπεπονητῶς πάθος ἐκ διδασκαλίας, ἣν ὁ ἱερὸς λόγος ὑπηχεῖ, μὴ ἀγανακτῇ μέλ-
- 81 λοντος ἐλευθεροῦσθαι. τοὺς γὰρ τοιοῦτους δούλους μὲν ὀνομάζεσθαι συμβέβηκε, θῆτας δὲ τῷ ὄντι εἶναι τῶν ἀναγκαίων χάριν ὑπηρετοῦντας, κὰν μυριάκις αὐτεξούσιον δυναστείαν καὶ δεσποτείαν
- 82 ἀπειλῶσί τινες κατ’ αὐτῶν· οὓς τιθασευτέον, ἐπιλέγοντας τὰ χρηστὰ ἐκείνα τοῦ νόμου παραγγέλματα· μισθωτός ἐστιν, ὦ ἄνθρωπε, ὁ λεγόμενος δοῦλος, καὶ αὐτὸς ἄνθρωπος ὢν, ἔχων πρὸς σέ τὴν ἀνωτάτω συγγένειαν, ἔπειτα καὶ ἀπὸ τοῦ αὐτοῦ

^a See Deut. xv. 12, which follows the passage discussed in §§ 71-73, from which the prohibition of usury was a digression. The limitation of slavery is also enforced in Ex. xxi. 2. But the use of the word “brother” shews that it is Deuteronomy which he has in mind.

^b For ὑπηχεῖν see note on *De Som.* i. 164.

^c Or “hired labourers,” “wage-earners.” The word implies not merely occupation but a definite status, above the δοῦλος, but lower than the other citizens. In § 39 *θητεύοντες* are opposed to ἐλεύθεροι.

THE SPECIAL LAWS, II. 78-82

of the law's charity, and pay neither simple nor compound interest, but just the principal. For later, as the proper occasion arise, they will make the same sacrifice to their present creditors and requite with equal assistance those who were the first to bestow the benefit.

XVIII. After ordinances of this sort he follows 79 them by laying down a law which breathes kindness and humanity throughout.^a "If," he says, "one of your brethren is sold to you, let him continue in slavery for six years but in the seventh be set free without payment." Here again he uses the term 80 brother of a fellow-national, and by this name indirectly sows in the soul of the owner the thoughts of his close relationship to the person in his power. It bids him not despise him as a stranger who has no charm to win his affection, but allow the lesson which the holy word suggests^b to create a preliminary sense of kinship, and thus feel no resentment at his approaching liberation. For people in this position, 81 though we find them called slaves, are in reality labourers^c who undertake the service just to procure themselves the necessities of life, however much some may bluster about the rights of absolute power which they exercise over them. ^dWe must abate 82 their truculence by repeating these excellent injunctions of the law. The man whom you call a slave, my friend, is a hired person, himself too a man, ultimately^e your kinsman, further of the same

^a §§ 82-85 are a homily on Deut. xv. 12-18.

^e ἀνωτάτω = "if you go right up to the beginning," "ultimately" or "primarily," as suits the context. So in § 233 and very probably in § 65. Cf. *Mos.* i. 314, he who kills a man is guilty διὰ τὴν ἀνωτάτω καὶ κοινὴν συγγένειαν. Heine-
mann in "höchsten Sinne" seems to me to miss the sense.

- ἔθνους, τάχα δὲ καὶ φυλῆτης καὶ δημότης, ἐνδείας
 83 χάριν εἰς τοῦτ' ὁ σχῆμα ὑπηγμένος. ἀνελὼν οὖν
 ἐκ τῆς ψυχῆς ἐπίβουλον κακόν, ἀλαζονείαν, ὡς
 μισθωτῷ προσφέρει, τὰ μὲν διδούς, τὰ δὲ καὶ
 λαμβάνων· παρέξει μὲν οὖν ἐκείνος ἀοκνότατα τὰς
 ὑπηρεσίας αἰεὶ καὶ πανταχοῦ, μηδὲν ὑπερτιθέμενος,
 ἀλλὰ φθάνων τὰς σὰς ἐπικελεύσεις τάχει καὶ
 προθυμία· σὺ δ' ἀντιδίδου τὰς τροφὰς καὶ ἐσθῆτα
 καὶ τὴν ἄλλην ἐπιμέλειαν, μὴ καταζεύξας ὡς ζῶον
 ἄλογον μηδὲ πλείοσι καὶ βαρυτέροις τῆς δυνάμεως
 ἄχθεσι πιέζων μηδ' ὑβρίζων μηδὲ ἀπειλαῖς καὶ
 [286] ἐπανατάσσειν εἰς | χαλεπὰς δυσθυμίας ἐφελκό-
 μενος, ἀλλ' ἀναχωρήσεις διδούς καὶ ἀνέσεις με-
 μετρημένας· τὸ γὰρ “μηδὲν ἄγαν” ἐπὶ πάντων
 ἄριστον καὶ μάλιστα πρὸς οἰκέτας δεσποτῶν.
 84 ὑπηρετηθεὶς μέντοι χρόνον αὐταρκέστατον, ἐξα-
 ετίαν, ὅταν ὁ ἱερώτατος ἀριθμὸς ἐνίστασθαι μέλλῃ,
 τὸ ἔβδομον ἔτος, ἐλεύθερον μεθίεσο τὸν ἐλεύθερον
 φύσει μηδὲν ἐνδοιάσας, ἀλλ', ὡ γενναῖε, καὶ γε-
 γηθῶς δίδου τὴν χάριν, ὅτι καιρὸν ἔλαβες τὸ ζῶον
 ἄριστον, ἄνθρωπον, ἐν τοῖς μεγίστοις εὐεργετηῆσαι·
 δούλῳ γὰρ οὐκ ἔστι μείζον ἐλευθερίας ἀγαθόν.
 85 χαίρων οὖν καὶ προσεπιδαιψίλευσαί τι τῶν ἰδίων
 ἀφ' ἐκάστου μέρους τῆς κτήσεως ἐφοδιάσας τὸν
 εὐεργετηθέντα· σὸν γὰρ ἐγκώμιον, εἰ μὴ πένης ὢν
 ἀπαλλάττοιο τῆς οἰκίας, ἀλλὰ τῶν εἰς τὰναγκαῖα

^a This is a case in which Philo seems to adapt the law to contemporary conditions. We do not hear of *δῆμοι* in old Israel, but apparently a classification into *φυλαί* and *δῆμοι* was in force in Alexandria. See App. p. 625.

^b See Deut. xv. 18, “It shall not seem hard to thee when thou lettest him go free from thee.”

THE SPECIAL LAWS, II. 82-85

nation, perhaps also of the same tribe and ward,^a reduced to the guise which he now adopts by actual need. Expel, then, from your soul that evil and 83 malignant thing, arrogance. Deal with him as your hired servant, both in what you give and what you take. As for the latter, he will render you his services without the slightest backwardness always and everywhere without procrastination, and anticipate your orders with zeal and rapidity. And you must give him in return food and raiment and take care for his other needs. Do not harness him like an unreasoning animal nor oppress him with weights too heavy and too numerous for his capacity, nor heap insults upon him, nor drag him down by threats and menaces into cruel despondency. Rather grant him time and places for respite according to some regular rule. For while "not too much of anything" is an excellent maxim in every case, it is particularly 84 so as between masters and servants. ^b When however you have received his services for the fullest term required, namely, six years, and when the truly sacred number of the seventh year is about to begin, grant his freedom to him who is naturally free and grant it without hesitation, my friend, and rejoice that you have found an opportunity of benefiting the highest of living creatures, man, in his chief interest. For a slave can have no greater boon than freedom. ^c Be 85 glad, too, to crown your benefaction by bestowing something of each of your various kinds of property to start him on his way. For it is a praise to you that he should not leave your home penniless but well stocked in resources to procure what is necessary.

^a *Ibid.* v. 13, "when thou lettest him go free from thee thou shalt not let him go empty."

ἀφορμῶν εὐπορηκώς, ἵνα μὴ πάλιν ὑπ' ἐνδείας εἰς τὴν ἀρχαίαν ἀτυχίαν ὑπαχθῇ δουλεύειν ἀναγκασθεὶς διὰ σπάνιν τῶν περὶ δίαιταν καὶ ἡ σὴ χάρις ἀναιρεθῇ. πενήτων μὲν δὴ πέρι τοσαῦτα.

- 86 XIX. Κελεύει δ' ἐξῆς ἀργὴν τὴν χώραν ἔαν ἔτει ἐβδόμῳ, διὰ πολλά· πρῶτον μὲν, ἵνα τὴν ἐβδομάδα τιμῇσιν κατὰ πάντας χρόνους ἡμερῶν καὶ μηνῶν καὶ ἐνιαυτῶν· ἐβδόμη τε γὰρ πᾶσα ἡμέρα ἱερά, τὸ καλούμενον παρ' Ἑβραίοις σάββατον, μηνῶν τε ὁ ἔβδομος κατὰ πᾶν ἔτος ἐορτῶν ἔλαχε τὴν μεγίστην, ὥστ' εἰκότως καὶ ὁ ἔβδομος ἐνιαυτὸς τοῦ περὶ τὸν ἀριθμὸν σεβασμοῦ τυχὼν ἐκτετίμηται.
- 87 δεῦτερον δ' ἐκεῖνο· μὴ πάντα,¹ φησὶν, ἴσθι τοῦ κέρδους, ἀλλὰ καὶ ἐκὼν ζημίαν ὑπόμεινον, ἵνα καὶ τὴν ἀκούσιον βλάβην, εἴ ποτε γένοιτο, ῥαδίως ἐνέγκῃς, ἀλλὰ μὴ ὡς ἐπὶ καινῷ καὶ ξένῳ δυσχεραίνων ἀθυμήσῃς. εἰσὶ γὰρ τῶν πλουσίων οὕτως ἀτυχεῖς τὰς γνώμας τινές, ὥστε ἀπορίας ἐπισχούσης στένουσι καὶ κατηφοῦσιν οὐδὲν ἡττον ἢ εἰ
- 88 πᾶσαν ἀφηρέθησαν τὴν οὐσίαν. ἀλλὰ τῶν Μωυσέως ὁμιλητῶν ὅσοι φοιτηταὶ γνήσιοι καλοῖς ἐνασκούμενοι νομίμοις ἐκ πρώτης ἡλικίας ἐθίζονται τὰς ἐνδείας εὐμαρῶς ὑπομένειν διὰ τοῦ καὶ τὴν ἀρετῶσαν χώραν ἔαν ἀργὴν, ἅμα καὶ μεγαλοφροσύνην ἀναδιδασκόμενοι καὶ² τὰς ὁμολογουμένας

¹ The phrase "do not belong in all things to lucre," seems to me strange, and as the mss. vary between πάντα, φησὶν, ἴσθι and παντάπασιν ἴσθι, one might be inclined to read, as Cohn thinks possible, παντάπασιν, φησὶ. Nicetas's paraphrase, however, ἵνα διδάξῃ μὴ πάντα εἶναι τοῦ κέρδους is an argument for the form here printed.

² Mangey proposed to correct καὶ to διὰ τοῦ. Heinemann suggests <διὰ τοῦ> καὶ. See note a, p. 362.

THE SPECIAL LAWS, II. 85-88

Otherwise the same thing may happen again. He may be reduced by need to his old unhappy plight and compelled to undertake slavery again through lack of the means of life, and the boon you bestowed upon him may be cancelled. So much for the poor.

XIX. Then follows a commandment to let the 86 land lie fallow during the seventh year.^a There are several reasons for this. In the first place he wished to give seven its honourable position in all the series in which time is measured, namely, days, months and years. For every seventh day is holy, a Sabbath as the Hebrews call it, and it is in the seventh month in every year that the chief of all the feasts falls, and therefore naturally the seventh year also has been marked out for a share in the dignity which belongs to the number. And there is this second reason. 87 Do not, he says, be entirely under the power of lucre, but submit voluntarily to some loss, so that you may find it easy to bear some involuntary injury, if ever it should occur, instead of resenting it as some strange and alien misfortune and falling into despair. For some of the rich are so poor-spirited that when adversity overtakes them, they are as mournful and depressed as if they had been robbed of their whole substance. But among 88 the followers of Moses all who have been his true disciples, trained in his excellent institutions from their earliest years, by allowing even rich territory to lie idle inure themselves to bear privations calmly and by the lesson of magnanimity thus learned voluntarily and deliberately to let even undoubted

^a See Ex. xxiii. 11, Lev. xxv. 2 ff.

- προσόδους μόνον οὐκ ἐκ τῶν χειρῶν ἐκουσίῳ γνώμῃ
 89 μεθιέναι. τρίτον κάκεινο αἰνίττεσθαι μοι
 [287] δοκεῖ, τὸ μηδενὶ προσήκειν τὸ | παράπαν ἀνθρώ-
 πους ἄχθει βαρύνειν καὶ πιέζειν· εἰ γὰρ τοῖς μέρεσι
 τῆς γῆς, ἃ μήτε ἡδονῆς μήτε ἀλγηδόνης πέφυκε
 κοινωνεῖν, μεταδοτέον ἀναπαύλης, πῶς οὐχὶ μᾶλλον
 ἀνθρώποις, οἷς οὐ μόνον αἴσθησις πρόσσεστιν ἢ
 κοινὴ καὶ τῶν ἀλόγων ζώων, ἀλλὰ καὶ λογισμὸς
 ἐξαίρετος, ᾧ τὰ ἐκ πόνων καὶ καμάτων ὀδυνηρὰ
 90 τρανοτέραις φαντασίαις ἐντυποῦται; παυσάσθωσαν
 οὖν οἱ λεγόμενοι δεσπότες τῶν ἐπὶ δούλοις σφοδρῶν
 καὶ δυσυπομονήτων ἐπιταγμάτων, ἃ καὶ τὰ σώματα
 κατακλᾶ βιαζόμενα καὶ τὰς ψυχὰς πρὸ τῶν σω-
 91 μάτων ἀπαγορεύειν ἀναγκάζει. φθόνος γὰρ οὐδεὶς
 προστάττειν τὰ μέτρια, δι' ὧν καὶ ὑμεῖς τῆς προσ-
 ηκούσης ὑπηρεσίας ἀπολαύσετε καὶ οἱ θεράποντες
 εὐφόρως τὰ κελευσθέντα δράσουσι καὶ τὰς δια-
 κονίας οὐ πρὸς ὀλίγον ἅτε προκαμόντες καὶ (εἰ δεῖ
 τὰλθηθῆς εἰπεῖν) ἐν τοῖς πόνοις προγηράσαντες
 ὑπομενοῦσιν, ἀλλὰ πρὸς μήκιστον ἀθλητῶν τρόπον
 ἀνηβῶντες, οὐ τῶν εἰς πολυσαρκίαν παινομένων,
 ἀλλ' οἷς ἔθος ἐγγυμνάζεσθαι διὰ ξηρῶν ἰδρώτων
 πρὸς τὴν τῶν περὶ τὸν βίον ἀναγκαίων καὶ χρησί-
 92 μων κτῆσιν. παυσάσθωσαν καὶ οἱ τῶν

^a The correction suggested by Mangey and Heinemann (see note 2, p. 360) would make sacrificing revenues parallel to letting the land lie idle. I think the text is better as it stands. Leaving the land idle teaches the poorer to stand the privation, and the richer to sacrifice wealth voluntarily.

^b The allusion, which neither Cohn nor Heinemann notices, is to Plato, *Phaedrus* 239 c, where ξηροὶ ἰδρώτες are coupled with πόνος ἀνδρείοι, and contrasted with ἀπαλὴ καὶ ἀνανδρος
 362

THE SPECIAL LAWS, II. 88-92

sources of wealth fall almost from their very hands.^a

There is also, I think, this third suggestion, that men should absolutely abstain from putting any oppressive burden upon anyone else. For if the different parts of the earth which cannot share in any sensations of pain or pleasure yet have to be given respite, how much more must this be the case with men who not only possess the sense which is common also to the irrational animals but even the special gift of reason through which the painful feelings caused by toil and labour stamp and record themselves in mental pictures, more vivid than mere sensation! Let so-called masters therefore cease from imposing upon their slaves severe and scarcely endurable orders, which break down their bodies by violent usage and force the soul to collapse before the body. You need not grudge to moderate your orders. The result will be that you yourselves will enjoy proper attention and that your servants will carry out their orders readily and accept their duties not just for a short time to be abandoned through wearying too quickly, and, indeed, we may say, as if old age had prematurely overtaken them in their labours. On the contrary, they will prolong their youth to the utmost, like athletes, not those who fatten themselves up into full fleshiness, but those who regularly train themselves by "dry sweatings"^b to acquire what is necessary and useful for life. So too let rulers of cities cease from

δίαυτα. The commentators take the phrase as meaning sweats in the gymnasium as opposed to sweating in the baths, and so with the verb *ξηραλούφειν*. Philo, however, does not use it in this sense, but for toil-enduring people in general who are in his eyes the true athletes. On the depreciation of athletes see App. pp. 625-626.

- πόλεων ἡγεμόνες φόροις καὶ δασμοῖς συνεχέσι καὶ
 μεγάλοις αὐτὰς ἐκτραχηλίζοντες, οἱ τὰ μὲν ἴδια
 ταμεῖα πληροῦσιν, ἅμα τοῖς χρήμασι καὶ τὰς
 ἀνελευθέρους κακίας καὶ τὸν σύμπαντα βίον αὐτῶν
 93 ῥυπαινούσας θησαυροφυλακοῦντες. ἀνηλεεστάτους
 γὰρ καὶ γέμοντας ἀπανθρωπίας τοὺς τῶν φόρων
 ἐκλογεῖς ἐπίτηδες αἰροῦνται τὰς πρὸς πλεονεξίαν
 ἀφορμὰς αὐτοῖς ἐνδιδόντες· οἱ δὲ τῇ φυσικῇ σκαιό-
 τητι προσειληφότες καὶ τὴν ἐξ ἐπιταγμάτων δε-
 σποτικῶν ἐκεχειρίαν καὶ πάντα ὑπὲρ ἀρεσκείας τῆς
 ἐκείνων ἐγνωκότες πράττειν οὐδὲν παραλείπουσι
 τῶν χαλεπωτάτων, ἐπιείκειαν καὶ ἡμερότητα μὴδ'
 94 ὄναρ εἰδότες· τοιγάρτοι πάντα φύρουσι καὶ συγ-
 χέουσιν ἀργυρολογοῦντες, ὥς μὴ μόνον ἐκ τῶν
 οὐσῶν ἀναπράττειν, ἀλλὰ καὶ ἐκ τῶν σωμάτων,
 ὕβρεσιν, αἰκίαις, πρὸς ἀποτομίαν κεκαινουργη-
 μέναις βασάνοις· ἥδη δέ τινας ἀκούω
 μὴδὲ νεκρῶν ἀποσχέσθαι δι' ἀγριότητα καὶ παρ-
 ηλλαγμένην λύτταν, οἱ ἐπὶ τοσοῦτον ἐθηριώθησαν,
 ὥς καὶ τύπτειν ὑστρίχισι τολμᾶν τοὺς τεθνεώτας·
 95 καὶ ἐπειδὴ τις τῆς ἄγαν ὠμότητος κατεμέμφετο,¹ εἰ
 μὴδ' ὁ θάνατος, ἢ κακῶν ἀπάντων ἀπαλλαγὴ καὶ
 ὥς ἀληθῶς τελευτῇ, περιποιήσῃ τοῖς ἐκποδῶν τὸ
 ἀνύβριστον, ἀλλ' ἀντὶ ταφῆς καὶ τῶν νομιζομένων
 αἰκίας ὑπομενοῦσιν, ἀπολογία χείρονι κατηγορίας
 ἐχρῶντο φάσκοντες προπηλακίζειν τοὺς τεθνεώτας,
 οὐχ ὑπὲρ τοῦ κωφὴν καὶ ἀναίσθητον κόνιν ὑβρίζειν
 [288] —ἀνωφελές γάρ—, ἀλλ' ὑπὲρ τοῦ | τοὺς ἢ κατὰ
 γένος ἢ καθ' ἑταιρίαν προσήκοντας εἰς οἶκτον

¹ At this point R, as we have it, breaks off.

^a I take αὐτῶν to refer to πόλεις, Heinemann apparently to the ἡγεμόνες.

THE SPECIAL LAWS, II. 92-95

racking them with taxes and tolls as heavy as they are constant. Such rulers both fill their own coffers and while hoarding money hoard also illiberal vices which defile the whole of civic life.^a For they purposely choose as tax-gatherers the most ruthless of men, brimful of inhumanity, and put into their hands resources for overreaching. These persons add to their natural brutality the immunity they gain from their masters' instructions, and in their determination to accommodate every action to those masters' pleasure they leave no severity untried, however barbarous, and banish mercy and gentleness even from their dreams. And therefore in carrying out their collecting they create universal chaos and confusion and apply their exactions not merely to the property of their victims but also to their bodies, on which they inflict insults and outrages and forms of torture quite original in their savagery.

Indeed, I have heard of persons who, actuated by abnormal frenzy and cruelty, have not even spared the dead, persons who become so utterly brutalized that they venture even to flog corpses with whips. And when anyone censured the extraordinary cruelty shewn in refusing to allow even death, the release and in very truth the "end" of all ills, to procure freedom from insult for those who are now beyond its reach, and in causing them to undergo outrage instead of the normal rites of burial, the line of defence adopted was worse than the accusation. They treated the dead, they said, with such contempt not for the useless purpose of insulting the deaf and senseless dust but in order to excite the pity of those who were related to them by birth or some other tie of fellowship, and thus

- ἀγαγεῖν καὶ προκαλέσασθαι λύτρα καταθέσθαι τῶν
 96 σωμάτων ὑστάτην ἀπονείμαντας χάριν. XX. εἴτα,
 ὦ φαυλότατοι πάντων ἀνθρώπων, εἴπομι' ἂν αὐ-
 τοῖς, ἃ διδάσκετε, οὐ προεμάθετε; ἢ προκαλεῖσθαι
 μὲν εἰς ἔλεον ἐτέρους, εἰ καὶ δι' ὠμοτάτων ἔργων,
 οἶδατε, τὰ δὲ χρηστὰ καὶ φιλόανθρωπα πάντα τῆς
 ἑαυτῶν ψυχῆς ἐκτέμνησθε; καὶ ταῦτα μὴ ἀ-
 ποροῦντες ἀγαθῶν ὑψηλῶν καὶ μάλιστα τῶν ἡμε-
 τέρων νόμων, οἳ καὶ τὴν γῆν μεθείσαν φόρων τῶν
 ἐτησίων ἀνεσιν καὶ ἀνάπαυαν αὐτῇ παρασχόντες;
 97 αὕτη δέ, καίτοι δοκοῦσα ἄψυχος εἶναι,
 πρὸς ἀμοιβὴν εὐτρέπιστα καὶ χάριτος ἀντίδοσιν,
 ἣν ἔλαβε δωρεὰν ἀντεκτίνειν ἐπείγομένη· τυχούσα
 γὰρ ἀδείας ἔτει ἐβδόμῳ καὶ μὴ πονηθεῖσα, σύμ-
 παντα δὲ τὸν τοῦ ἐνιαυτοῦ κύκλον ἀπελευθεριά-
 σασα, τῷ μετὰ ταῦτα διπλασίους, ἔστι δ' ὅτε καὶ
 98 πολυπλασίους, ὑπ' εὐφορίας¹ ἤνεγκε καρπούς. τὸ
 παραπλήσιον μέντοι καὶ τοὺς ἀλείπτας ἔστιν ἰδεῖν
 δρῶντας ἐπὶ τῶν ἀθλητῶν· ὅταν γὰρ αὐτοὺς συγ-
 κροτήσωσιν ἐπαλλήλοις καὶ συνεχέσι γυμνασίαις,
 πρὶν εἰς ἄκρον καμεῖν, ἀνακτῶνται παρέχοντες
 ἀνέσεις οὐ μόνον τῶν ἐν ἀθλήσει πόνων ἀλλὰ καὶ
 τῶν πρὸς ἐδωδὴν καὶ πόσιν, τὸ σκληροδίαιτον
 χαλῶντες εἰς τε ψυχῆς εὐθυμίαν καὶ εὐπάθειαν
 99 σώματος. καὶ οὐ δήπου διδάσκαλοι ῥαθυμίας καὶ

¹ MSS. ὑπὲρ εὐφορίας οἱ ὑπὲρ ἐλευθερίας.

^a i.e. Philo thinks of the collectors as instructing the relatives on the duty of shewing pity, which they are incompetent to do, as they have no conception of pity themselves. A simpler sense might be obtained, particularly if the question marks are dropped and οἳ read for ἡ—"Vilest of men, 366

THE SPECIAL LAWS, II. 95-99

urge them to ransom the bodies of their friends by making a final gift in payment for them. XX. Foolish, foolish people, I would say to them, have you 96 not first learnt the lesson which you teach, or are you competent to induce others to shew pity, even with the cruellest actions before them," when you have excinded all kindly and humane feelings from your own souls? And this you have done, though you had no lack of good advisers, particularly in our laws, which have relieved even the land from its yearly tolls and provided it with a rest and respite. This 97

land, though to all appearance a lifeless thing, is put into a condition to make its requital and to repay a boon which it received as a free gift but is now eager to return. For the immunity which it has during the seventh year and its rest from labour and complete freedom during the whole annual cycle give it a fertility in the next year which causes it to bear twice as much or even many times as much as in the previous years. We may also note that the trainers 98 of athletes take much the same line in dealing with their pupils. When they have thoroughly drilled them by an unbroken course of exercises, before they reach the point of exhaustion, they give them a fresh lease of life by providing relaxations, not only from the labour of the training itself but from the dietary regulations as to food and drink, the hardships of which they abate in order to make the soul cheerful and the body comfortable. And we 99 must not suppose that here we have the professional trainers to hard work appearing as instructors in

you have not first learnt the lesson which you teach; you know how to evoke pity, though with deeds of great cruelty, yet you have excinded . . ."

- τρυφῆς εἰσιν οἷς ἐπάγγελμα τὸ πρὸς πόνους ἀλεί-
 φειν, ἀλλὰ μεθόδῳ καὶ τέχνῃ προσποιούσιν ἰσχὺν
 κραταιοτέραν ἰσχύϊ καὶ δυνάμεις σθεναρωτέρας
 δυνάμεισι, τὴν ῥώμην ἀνέσει καὶ ἐπιτάσει καθάπερ
 100 ἁρμονίαν συναύζοντες. ἔμαθον δὲ παρὰ τῆς παν-
 σόφου ταῦτα φύσεως, ἥτις τὸ ἐπίπονον καὶ καμα-
 τηρὸν τοῦ γένους ἡμῶν ἐπισταμένη διένειμε τὸν
 χρόνον εἰς ἡμέραν τε καὶ νύκτα, τῇ μὲν ἐγρήγορσιν,
 101 νυκτὶ δ' ὕπνον παρασχοῦσα. φροντὶς γὰρ αὐτὴν
 οἶα μητέρα κηδεμονικωτάτην εἰσῆλθε τοῦ μὴ τὰ
 ἔγγονα ἀποτρύχεσθαι· μεθ' ἡμέραν γὰρ τὰ σώματα
 διανίστησι καὶ πρὸς τὰς τοῦ βίου χρείας καὶ ὑπ-
 ηρεσίας ἀπάσας ἐγείρει κακίζουσα τοὺς ἀργῶ καὶ
 ἀβροδιαίτῳ βίῳ σχολάζειν ἐθιζομένους, νύκτωρ δὲ
 καθάπερ ἐν πολέμῳ τὸ ἀνακλητικὸν ὑποσημήνασα
 πρὸς ἀνάπαυλιν καλεῖ καὶ τὴν τῶν σωμάτων
 102 ἐπιμέλειαν. οἱ δ' ἀποθέμενοι πολὺ βάρος πραγ-
 ματειῶν, ὅσον ἔωθεν εἰς ἑσπέραν ἦσαν ἐπηχθι-
 σμένοι, καὶ ἐπανελθόντες οἴκαδε πρὸς ἡσυχίαν
 τρέπονται καὶ καταδαρθόντες ὕπνῳ βαθεῖ τὸν
 μεθημερινὸν πόνον ἐκνοσηλεύονται, καὶ πάλιν νεα-
 λεῖς καὶ ἀκμήτες γενόμενοι σπεύδουσιν ἕκαστοι
 103 πρὸς τὰ οἰκεῖα καὶ συνήθη. τὸν δόλιχον τοῦτον ἡ
 φύσις διὰ τε ὕπνου καὶ ἐγρηγόρσεως ἀπένειμεν |
 [289] ἀνθρώποις, ἵν' ἐν μέρει μὲν ἐνεργῶσιν, ἐν μέρει δ'
 ἀτρεμίζοντες ἐτοιμότερα καὶ εὐκινητότερα τὰ τοῦ
 σώματος ἰσχωσι μέρη.
 104 XXI. Πρὸς ἅπερ ἀπιδὼν ὁ τοὺς νόμους ἡμῶν
 προφητεύσας ἄνεσιν ἐκήρυξε τῇ χώρᾳ δι' ἐξαετίας
 γεωπόνους ἐπισχών. ἀλλὰ γὰρ οὐχ ἕνεκα ὧν εἶπον
 αὐτὸ μόνον τοῦτ' εἰσηγήσατο, ἀλλὰ καὶ τῆς

slackness and luxury ; they are following a scientific method by which further strength and power is given to what is already strong and powerful, and vigour enhanced as though it were a harmony by alternating relaxation with tension. This truth I have learnt 100 from the never-failing wisdom of nature who, knowing how toil-worn and weary our race becomes, divided our time into day and night, giving the hours of wakefulness to one and of sleep to the other. For, 101 most careful of mothers, her anxious thought was that her children should not be exhausted. In the daylight she wakens our bodies and stimulates them to carry out all the offices and demands of life, and reproaches those who are making it their practice to loiter through life in an idle and voluptuous way. But at night she sounds the recall as in war and summons them to repose and take care of their bodies. And 102 men casting off all the sore burden of affairs which has lain heavy upon them from morn till eve, turn homewards and betake themselves to rest, and in the deep sleep which falls upon them cast off the distempers of their daylight troubles, and then again unwearied and full of fresh vigour hasten eagerly each to his own familiar occupation. This double 103 course nature has assigned to men by means of sleeping and waking with the result that by alternating activity with inaction they have increased readiness and nimbleness in the various parts of their bodies.

XXI. These considerations the prophetic author 104 of our laws had before his eyes when he proclaimed a rest for the land and made the husbandman stay his work after six years. But he gave this enactment not only on the grounds which I have mentioned but also moved by that habitual kindness which he aims

- συνήθους φιλανθρωπίας, ἣν ἅπαντι μέρει τῆς νομοθεσίας συνυφαίνειν ἀξιοῖ τοῖς ἐντυγχάνουσι ταῖς ἱεραῖς γραφαῖς κοινωνικὰ καὶ χρηστὰ ἐνσφραγιζόμενος ἦθῃ. 105 κελεύει γὰρ τῷ ἐβδόμῳ ἔτει μηδὲν συγκλείειν χωρίον, ἀλλὰ πάντας ἀμπελώνας καὶ ἔλαιώνας ἀναπεπταμένους ἔαν καὶ τὰς ἄλλας κτήσεις ὅσαι σπαρτῶν εἰσιν ἢ δένδρων, ἵνα τοῖς ἀπ' αὐτοματισθεῖσι καρποῖς οἱ πένητες ἀδεῶς χρήσθαι δύνωνται μᾶλλον ἢ οὐχ ἦττον τῶν κεκτημένων.
- 106 ὁθεν τοῖς μὲν δεσπόταις οὐκ ἐφῆκεν ἐργάζεσθαι στοχασάμενος τοῦ μηδεμιᾶς λύπης αἷτιος αὐτοῖς γενέσθαι ὡς τὰ μὲν ἀναλώματα παρασχοῦσι, τὰς δ' ἀντὶ τούτων προσόδους μὴ λαμβάνουσι, τοὺς δ' ἀπόρους ὡς ἰδίων ἀπολαύειν τότε γοῦν τῶν ἄλλοτρίων εἶναι δοκούντων ἠξίωσε ταπεινοῦ σχήματος αὐτοὺς ἀπαλλάττων καὶ τῶν ἐπὶ μεταίταις ὀνειδῶν.
- 107 ἄρ' οὐκ ἄξιον ἐρασθῆναι τῶν νόμων, οἳ τοσαύτης γέμουσιν ἡμερότητας; δι' ἣν οἱ μὲν πλούσιοι διδάσκονται μεταδιδόναι καὶ κοινωνεῖν ὧν ἔχουσι, παρηγοροῦνται δ' οἱ πένητες, μὴ πάντοτε ταῖς τῶν εὐπόρων οἰκίαις ἐπιφοιτᾶν ἀναγκαζόμενοι πρὸς ἐπ' ἀνόρθωσιν ὧν ἐνδεεῖς εἰσιν, ἀλλ' ἔστιν ὅτε καὶ προσοδευόμενοι καθάπερ ἐξ ἰδίων κτημάτων τοὺς ἀπ' αὐτο-
- 108 ματίζοντας, ὡς ἔφην, καρπούς.
- ἡῆραι καὶ ὀρφανοὶ παῖδες καὶ ὅσοι ἄλλοι τῶν ἡμελημένων καὶ ἀφανῶν ἕνεκα τοῦ μὴ περιουσιάζειν τότε περιουσιάζουσι ταῖς τοῦ θεοῦ δωρεαῖς ἐξαπιναίως πεπλουτηκότες, ὃς αὐτοὺς πρὸς κοινωνίαν ἐκάλεσε τῶν κτητόρων ἐν τῷ τῆς ἱερᾶς ἐβδόμης ἀριθμῷ.

^a Ex. xxiii. 11. In Lev. xxv. 6, 7 the produce of the seventh year is given as food for the household.

THE SPECIAL LAWS, II. 104-109

at infusing into every part of his legislation, thereby impressing on the readers of the sacred scriptures the stamp of good and neighbourly customs. For he 105 forbids them to close up any field during the seventh year.^a All olive-yards and vineyards are to be left wide open and so with the other kinds of property, whether of sown crops or orchard-trees, thus giving an unrestricted use of such fruits as are of natural growth to the poor quite as much, if not more so, than to the owners. Thus on the one hand he did 106 not allow the masters to do any work of tillage because he wished to avoid giving them the painful feeling that they had incurred the expenditure but did not receive the income in return, and on the other hand he thought fit that the poor should for this year at any rate enjoy as their own what appeared to belong to others, and in this way took from them any appearance of humiliation or possibility of being reproached as beggars. May not our passionate affec- 107 tion well go out to laws charged with such kindly feeling, which teaches the rich to give liberally and share what they have with others and encourages the poor not to be always dancing attendance on the houses of the wealthy, as though compelled to resort thither to make up their own deficiency, but sometimes also to come claiming a source of wealth in the fruits which, as I have said, develop untilled and which they can treat as their own ?

Widows and orphans and all others who are 108 neglected and ignored because they have no surplus of income have at this time such a surplus and find themselves suddenly affluent through the gifts of God, Who invites them to share with the owners under the sanction of the holy number seven. And 109

- 109 καὶ ὅσοι μέντοι κτηνοτροφοῦσι, μετ' ἀδείας ἐπὶ
 χλοηφαγίας τὰ οἰκεῖα θρέμματα ἄγουσιν ἐκλεγό-
 μενοι πεδία εὐχορτα καὶ ἐπιτηδειότατα ἐμβόσκε-
 σθαι, καταχρώμενοι τῇ τῆς ἐκεχειρίας ἀδείᾳ· καὶ
 φθόνος οὐδεὶς ἀπαντάται¹ ἐκ τῶν δεσποτῶν ἅτε
 παλαιοτάτῳ ἔθει κεκρατημένων, ὃ σύντροφον ἐκ
 μακρῶν χρόνων γενόμενον εἰς φύσιν ἐκκενίκηκεν.
- 110 XXII. Ἀρχὴν ταύτην βαλλόμενος ὥσπερ θε-
 μέλιόν τινα ἐπιεικείας καὶ φιланθρωπίας ἐπὶ τὰ
 ἑβδομάδας ἐτῶν συνθεῖς τὸ πεντηκοστὸν ὅλον
 ἀπέφηνεν ἱερόν, ἐξαίρετα καὶ πάντα διαφερόντως
 καλὰ νομοθετήσας ἐπ' αὐτῷ παρὰ τὰ κοινωνίαν
- 111 ἔχοντα.² πρῶτον μὲν τόδε· τὰς ἀλλοτριωθείσας
 κτήσεις οἶεται δεῖν ἀποδίδοσθαι τοῖς ἐξ ἀρχῆς
 κυρίοις, ἢν' αἱ κληρουχίαι τοῖς γένεσι διαφυλάτ-
 [290] τῶνται | καὶ μηδεὶς τῶν λῆξιν εἰληχότων εἰς ἅπαν
- 112 στερῆται τῆς δώρεᾶς. ἐπειδὴ γὰρ καιροὶ πολλάκις
 προσπίπτουσιν ἀβούλητοι, δι' οὓς ἀναγκάζονται
 τινες πιπράσκειν τὰ ἴδια, καὶ τῆς ἐν δέοντι χρείας
 τούτων προὐνόησε καὶ τοὺς ὠνουμένους ἐκώλυσεν
 ἀπατᾶσθαι, τοῖς μὲν πιπράσκειν ἐφεῖς, τοὺς δ' ἐφ'

¹ So Cohn for ἀπαντὰ ταῖς of M and ἐκ τῶν δεσποτῶν ἀπαντὰ of F. (The latter he rejects on account of the harsh hiatus before ἅτε, but see on i. 90 (App.).)

² According to Cohn and Heinemann corrupt; see note b.

^a For the year of Jubile (§§ 110-123) see Lev. xxv. 8-end.

^b Cohn pronounces these words to be incurably corrupt and supposes them to express something like "confirming the sense of fellow-feeling." I do not think the meaning I have given to them, "those which have a nature common to the others" (and are not ἐξαίρετα), is impossible, though the nearest example I can find, iii. 182 *μηδεμίαν ἔχοντα κοινωνίαν*, is not quite analogous. For *παρά* cf. *παρὰ ταύτας* § 216, and for the antithesis *ἐξαίρετον*—*κοινός* § 190. Mangey's trans-

indeed all stock-breeders feel at liberty to take out their own cattle in search of pasturage and to select meadow-land of good herbage and particularly suitable for grazing their beasts. Thus they take full advantage of the immunity secured by the time of freedom. And this is not opposed by any grudging on the master's side. They are under the sway of a very ancient custom, which through long familiarity has won its way to the standing of nature.

XXII. While laying down this first foundation of 110 moderation and humanity, he built on it by adding years to the number of seven times seven and consecrated the whole of the fiftieth year.^a This he made the subject of many special enactments, all of remarkable excellence, apart from those which are common to other seventh years.^b The first of these 111 enactments is as follows. He considers that alienated estates ought to be restored to their original possessors in order that the apportionments should be secured to the families and that no one to whom they had been allotted should be altogether deprived of the grant.^c For since times of adversity often arise 112 which make it necessary for some persons to sell their property, he made provision for the just needs of such persons and at the same time took steps to prevent the purchasers being deceived, by accompanying the permission to the vendors to sell with very clear instructions to the purchasers as to the

lation, "supra ea quae ad vulgares annos pertinent," is not unlike mine except that he takes *παρα* = "beyond," and seems to see in *κοινωνίαν* the idea of ordinariness. If my view is right, the reference may be to Lev. xxv. 11, where the rules for the Sabbatical year are repeated, also to the liberation of slaves and remission of debts (*cf.* § 122).

^a Lev. xxv. 14-16.

- 113 οἷς ὠνήσονται μάλα σαφῶς ἀναδιδάξας. μὴ γὰρ δίδοτε, φησί, τὰς ἐπὶ παγκτησίᾳ τιμάς, ἀλλὰ τὰς πρὸς ἐνιαυτῶν ὠρισμένον ἀριθμόν, οἱ ἐντὸς εἰσι πεντηκονταετίας. οὐ γὰρ κτημάτων αἱ πράξεις ἀλλὰ καρπῶν ὀφείλουσιν εἶναι, διὰ δύο τὰναγκαιότατα· ἐν μὲν ὅτι σύμπασα ἡ χώρα κτῆμα κέκληται θεοῦ, τῶν δὲ θεοῦ κτημάτων οὐχ ὅσιον ἄλλους ἐπιγράφεσθαι δεσπότας· ἕτερον δὲ <ὅτι> λῆξις ἀπονενέμῃται ἐκάστῳ τῶν κληρούχων, ἧς στέρει-
- 114 σθαι τὸν λαχόντα οὐκ ἐδικαίωσεν ὁ νόμος. τὸν μὲν οὖν ἐντὸς τῆς πεντηκονταετίας δυνάμενον ἀναλαβεῖν τὰ οἰκεῖα ἢ τινα τῶν ἐγγυτάτῳ γένους ἀγγιστέων προκαλεῖται πάσῃ μηχανῇ κατατιθέναι ἣν ἔλαβε τιμὴν καὶ μὴ τῷ πριαμένῳ καθ' ὃν ἔδει
- 115 καιρὸν ὠφελήσαντι ζημίας αἷτιον γενέσθαι· τῷ δὲ ἀπόρως ἔχοντι συνεπάθησε καὶ μετέδωκεν ἑλέου τὴν ἀρχαίαν δωρησάμενος αὐτῷ περιουσίαν, δίχα τῶν κατ' εὐχὴν ἀφιερωθέντων ἀγρῶν ἐν τῇ τάξει τῶν ἀναθημάτων· ἀνάθημα δ' οὐχ ὅσιον ἀκυροῦσθαι χρόνῳ· διὸ προστέτακται τὴν ἀξίαν τιμὴν τούτων ἐκλέγειν μηδὲν καταχαρισσάμενος τῷ ποιησαμένῳ τὸ ἀνάθημα.
- 116 XXIII. Ταῦτα μὲν ἐπὶ ταῖς τῆς χώρας διανομαῖς καὶ κληρουχίαις διατέτακται· ἕτερα δ' ἐπὶ ταῖς οἰκίαις. ἐπεὶ δὲ [καὶ] τούτων αἱ μὲν κατὰ πόλεις ἐντὸς τειχῶν εἰσιν, αἱ δ' ἐν ἀγροῖς¹ ἔξω τείχους ἐπαύλεις, τὰς μὲν ἐν τοῖς χωρίοις ἐπέτρεψεν ὁ νόμος αἰεὶ λυτρωῦσθαι, τὰς δὲ μὴ λυτρωθείσας ἄχρι τοῦ

¹ MSS. ἀγρῶ.^a Lev. xxv. 23.^b Lev. xxvii. 16-21.^c Lev. xxv. 29-31.

THE SPECIAL LAWS, II. 113-116

terms of the transaction. "Do not pay the price," 113 he says, "of complete ownership, but only for a fixed number of years and a lower limit than fifty." For the sale should represent not real property but fruits, and this for two most convincing reasons. One is that the whole country is called God's property,^a and it is against religion to have anything that is God's property registered under other masters. Another reason is that each of the holders has a portion assigned to him by lot, and that this should be taken from him is contrary to the law's conception of justice. Anyone, therefore, who before the fifty years are 114 completed has the means to recover his own property, or anyone else very closely related to him, is urged by the lawgiver to take every step to recover the land at the price which he got for it, and not to occasion loss to the purchaser who helped him at the time when he needed it. On the other hand he sympathized with 115 the poor man and shewed him pity by restoring to him the additional wealth which he originally possessed, excepting fields which had been dedicated by a vow, and therefore rank with votive offerings.^b Religion forbids that time should affect the validity of a votive offering, and therefore it is ordained that the proper price for such estates should be demanded and that no concessions should be made to the votary.

XXIII. These are the rules for cases where the 116 apportionments and holdings consist of land. There are different regulations as to houses.^c Houses in some cases belong to cities and are inside the walls, and others are farm-buildings in the country outside the walls. Consequently the law allows the latter to be redeemable at any time, and prescribes that any that have not been ransomed by the fiftieth year

- πεντηκοστοῦ ἔτους ἀποδίδοσθαι προῖκα τοῖς πάλαι
κυρίοις, καθάπερ καὶ τὰ κτήματα· μοῖρα γὰρ αἱ
117 ἐπαύλεις κτημάτων. ὅσαι δὲ τειχῶν ἐντός εἰσι,
μέχρι μὲν ἐνιαυτοῦ τὴν ἀναπομπὴν ἐπὶ τοὺς πεπρα-
κότας ἔχουσι, μετὰ δὲ τὸν ἐνιαυτὸν εἰς ἅπαν τοῖς
ὠνησαμένοις βεβαιοῦνται, μηδὲν τῆς τοῦ πεντη-
κοστοῦ ἔτους ἐκεχειρίας βλαπτούσης τοὺς πρια-
118 μένους. αἴτιον δὲ τὸ βούλεσθαι καὶ ἐπηλύταις
ιδρύσεως τῆς ἐνταῦθα βεβαίου παρασχεῖν ἀφορμὴν·
ἐπειδὴ γὰρ μετουσίαν γῆς οὐκ ἔχουσιν, ἅτε μὴ
καταριθμηθέντες ἐν ταῖς κληρουχίαις, οἰκιῶν αὐτοῖς
[291] κτήσιν ὁ νόμος ἀπένειμε, φροντίσας τοῦ μὴ | μετ-
ανάστας γενέσθαι τοὺς τῶν νόμων ἰκέτας καὶ πρόσ-
119 φυγας. αἱ γὰρ πόλεις, ὅτε ἐκληροδοτεῖτο ἡ χώρα
κατὰ φυλάς, οὐ διενεμήθησαν, ἀλλ' οὐδὲ τὴν ἀρχὴν
ἦσαν συνωκοδομημέναι, κατὰ τὰς ἐν ἀγροῖς ἐπ-
αύλεις τῶν οἰκητόρων ποιουμένων τὰς διατριβάς·
ἐξ ὧν ὕστερον ἀναστάντες καὶ συνελθόντες, ἐπίδοσιν
κοινωνίας καὶ φιλίας, ὥσπερ εἰκός, ἐν χρόνῳ μακρῷ
λαμβανούσης, οἰκίας ἐν ταύτῳ καὶ πόλεις ἔδει-
μαντο, ὧν καὶ ἐπηλύταις, καθάπερ εἶπον, μετ-
έδοσαν, ἵνα μὴ πάντων ἀποροῖεν καὶ τῶν ἐν ἀγροῖς
καὶ τῶν κατὰ πόλεις.
- 120 XXIV. Περὶ δὲ τῆς ἱερωμένης φυλῆς τάδε νομο-
θετεῖται· γῆς ἀποτομὴν οὐκ ἀπένειμε τοῖς νεω-
κόροις ὁ νόμος, ὑπολαβὼν αὐτάρκη πρόσσοδον εἶναι
τούτοις τὰς ἀπαρχάς, ὅκτῳ δὲ καὶ τεσσαράκοντα
πόλεις ἀπεκλήρωσεν εἰς οἴκησιν καὶ δισχιλίους
121 ἐκάστη πῆχεις προάστειον ἐν κύκλῳ. τὰς οὖν ἐν
ταύταις οἰκίας οὐ τὸν αὐτὸν τρόπον ταῖς ἄλλαις,

^a Lev. xxv. 32-34.

THE SPECIAL LAWS, II. 116-121

should be restored without compensation to the former owner as in the case of real property, for farm-buildings are a part of real property. But houses within 117 the walls may be recoverable by the vendors for the space of a year, but after the year are absolutely secured to the purchasers who are not liable to suffer any injury from the general remission in the fiftieth year. His reason is that he wishes to give the 118 newcomers also a basis on which they may feel themselves firmly established in the country. For since they have no apportionment of land as they were not counted when the holdings were distributed, the law assigned to them their houses in fee simple in its anxiety that those who had come as suppliants and refugees to the laws should not be cast adrift. For when the land was apportioned according to the tribes 119 the cities were not distributed, nor indeed built in city form at all, and the inhabitants took for their dwellings the outbuildings in the country. Subsequently when they left these and became concentrated as the feeling of unity and friendship naturally grew stronger in the course of many years, they built houses adjacent to each other, thus forming cities. And of these, as I have said, they assigned a share to the newcomers, to prevent them finding themselves cut off from holding property both in the country and in the cities.

XXIV. The legislation with regard to the conse- 120 crated tribe is as follows.^a The temple-keepers were not allotted a section of land by the law, which considered that they were sufficiently provided for by the first-fruits, but assigned them instead forty-eight cities to dwell in, with a surrounding frontage in each case of two thousand cubits. Houses within 121 these were not, like the others within the walls,

ὅσαι τειχῶν εἴσω τυγχάνουσιν, ἐβεβαίωσε τοῖς πριαμένοις, ἐντὸς ἐνιαυτοῦ τῶν ἀποδιδομένων κομίσασθαι μὴ δυναμένων, ἀλλ' εἰς ἅπαν ἐφῆκεν αὐτὰς λυτροῦσθαι, καθάπερ καὶ τοῖς ἀπὸ τοῦ ἔθνους τὰς ἐπαύλεις αἷς ἰσοδυναμοῦσιν, ἐπειδὴ μόνας ἐκ τοσαύτης χώρας διεκκληρώσαντο τὰς οἰκίας, ὧν οὐκ ᾔετο δεῖν στέρεσθαι τοὺς λαβόντας, καθάπερ οὐδὲ τοὺς κληρούχους τῶν ἐπαύλεων. οἰκιῶν μὲν δὴ περί τοσαῦτα.

- 122 XXV. Τὰ δὲ πρὸς χρεώστας δανειστῶν καὶ πρὸς θεράποντας δεσποτῶν ὅμοια τοῖς πρόσθεν νομοθετεῖται, ὅπως οἱ μὲν δανεισταὶ μὴ ἐκλέγωσι τόκους παρὰ τῶν ὁμοεθνῶν ἀλλ' ὅσον προήκαντο μόνον ἄσμενοι κομίζωνται, οἱ δὲ δεσπότες τοῖς ἀργυρωνήτοις μὴ ὡς φύσει δούλοις ἀλλ' ὡς μισθωτοῖς προσφέρωνται, παρέχοντες ἄδειαν ἐλευθερίας, εὐθὺς μὲν τοῖς ὑπὲρ αὐτῶν λύτρα κατατιθέναι δυναμένοις, αὐθις δὲ τοῖς ἀπόροις ἢ ὅταν ἐπιγένηται ὁ ἀπ' ἀρχῆς δουλείας ἔβδομος ἐνιαυτὸς ἢ ὅταν ὁ πεντηκοστός, κἂν πρὸ μιᾶς ἡμέρας τύχη τις εἰς δουλείαν ὑπαχθεῖς· ἄφεςις γὰρ ὁ χρόνος ἐκεῖνός ἐστι καὶ νενόμισται, πάντων ἐπὶ τὰς ἀρχαίας διαυλο-
- 123 δρομούντων καὶ ἀνακαμπτόντων εὐπραγίας. ἐπιτρέπει δ' ἐκ τῶν μὴ ὁμοφύλων [οἷτινες ἐξ ἐτέρων ἔθνων εἰσιν] οἰκέτας κτᾶσθαι, βουλόμενος πρῶτον μὲν διαφορὰν οἰκείων τε καὶ ἀλλοτρίων εἶναι, ἔπειτα δὲ μὴ κατὰ τὸ παντελὲς ἀναγκαιότατον κτῆμα,

^a "Lay population" seems to be the meaning required for τοὺς ἀπὸ τοῦ ἔθνους, but I do not know of any similar use of ἔθνος. The phrase is used of the nation in general in i. 54. Possibly ἄλλου has fallen out. (Heinemann strangely translates it by "members of the other tribes," with no hint as to how it is to be obtained from the Greek.)

secured to the purchasers, if the vendors could not find the means to redeem them within the year, but were liable to be redeemed for an unlimited period just as the lay population^a could redeem the farm buildings, to which the dwelling-houses of the Levites correspond. For these were all that fell to their share in that great territory, and thus he considered that being once received they ought not to be taken back, any more than the farm-buildings in the case of those to whom the holdings were apportioned. So much for the subject of houses.

XXV. Similar rules to those already stated are 122 laid down as to the relations between creditors and debtors and between servants and masters.^b Creditors are not to exact interest from their fellow-nationals but to be content with recovering what they provided. Masters are to treat their purchased slaves as their hired servants, not as their slaves by nature, and give them secure access to liberty on the spot if they can provide their ransom, or in the case of the needy at a later time, when either the seventh year from the beginning of their slavery or the fiftieth arrives, in the latter case even though only a single day has elapsed since the man was reduced to that condition. For that time is accepted as the remission and actually is such, when all reverse their course and turn back to the prosperity of the past. But the law does permit the acquisition of slaves 123 from other nations^c for two reasons; first, that a distinction should be made between fellow-countrymen and aliens; secondly, that that most indispensable possession, domestic service, should not be absolutely

^b Lev. xxv. 35-41. As Philo observes, the two sections really repeat the substance of §§ 71-85.

^c Lev. xxv. 44.

θεράποντας, ἀνείρξαι τῆς αὐτοῦ πολιτείας· μυρία γὰρ τῶν ἐν τῷ βίῳ πραγμάτων ποθεῖ τὰς ἐκ δούλων ὑπηρεσίας.¹

- 124 Υἱοὶ κληρονόμοι γονέων ἔστωσαν, εἰ δὲ μὴ εἶεν, θυγατέρες. ὥς γὰρ ἐν τῇ φύσει γυναικῶν ἄνδρες πρωτοστατοῦσι, καὶ ταῖς συγγενείαις ἐχέτωσαν προνομίαν διαδεχόμενοι τὰς οὐσίας καὶ τὴν τῶν τετελευτηκότων τάξιν ἐκπληροῦντες ἀνάγκης νόμῳ κατασχεθέντων² οὐδὲν θνητὸν <καὶ> γηγενὲς ἀθανά-
125 τίζοντι. παρθένοι δὲ εἰὰν ἀπολειφθῶσιν ἀνέκδοτοι, προικὸς ὑπὸ ζώντων ἔτι τῶν γονέων μὴ διωρισμένης, ἰσομοιρεῖτωσαν τοῖς ἄρρεσιν. ἐπιμελείσθω δ' ἡ προεστῶσα ἀρχὴ φυλακῆς τε τῶν ἀπολειφθεισῶν³ καὶ αὐξήσεως καὶ τῶν εἰς δίαιταν καὶ παιδείαν τὴν ἀρμόττουσαν κόραις ἀναλωμάτων καί, ὅποτε γένοιτο ὥρα, [καὶ] γάμου τοῦ πρέποντος, ἀνδρῶν ἐν⁴ ἅπασι δοκίμων ἀριστίνδην ἐπικριθέντων.
126 ἔστωσαν δ' οὗτοι μάλιστα μὲν συγγενεῖς, εἰ δὲ μή, πάντως γοῦν δημόται καὶ φυλέται, χάριν τοῦ μὴ τοὺς κλήρους τοὺς προικιδίους⁵ ἐπιγαμίαις ἄλλο-

¹ Here F comes to an end as far as this treatise is concerned, and we are left dependent upon M and the occasional excerpts of Nicetas. As there are no such excerpts from the sections on the law of inheritance which follow down to § 139, they did not appear in Hoeschel's edition, and consequently are also absent in Mangey's, whose p. 291 ends with ὑπηρεσίας and p. 292 begins with ἐπόμενοι καὶ τῇ τάξει, § 140. On a probable lacuna in M at this point see note a.

² MS. κατασχεθέντες.

³ MS. ἀπολειφθέντων.

⁴ MS. μὲν.

⁵ MS. πρὸς ἰδίους.

^a The sections which follow down to § 139 seem entirely out of place here and have nothing to do with the sequence of thought, which has hitherto carried him on from the
380

THE SPECIAL LAWS, II. 123-126

excluded from his commonwealth. For the course of life contains a vast number of circumstances which demand the ministrations of slaves.

^a The heirs of parents are to be sons,^b or failing sons 124 daughters. For just as in nature men take precedence of women, so too in the scale of relationships they should take the first place in succeeding to the property and filling the position of the departed which they have ceased to hold, debarred by an inevitable law which admits to immortality nothing that is mortal or earth-born. But if virgins are left 125 without a dower, nothing of the kind having been settled on them by the parents while still alive, they should share equally with the males. The charge of protecting the girls left thus desolate and superintending their development, and the expenses of providing anything required for their maintenance and education as befits maidens should fall upon the head magistrate^c; also when the time comes, the duty of arranging a suitable marriage and choosing husbands who are selected on their merits and approved in all respects. And these should be, if 126 possible, of the same family as the girls, or if that cannot be, at any rate of the same ward and tribe, in order that the portions assigned as dowry should not

Sabbath day to the Sabbatical year, and thence to the fiftieth year and the regulations connected with the last two. Cohn thinks that a connexion is to be found in Lev. xxv. 46, where after permitting the purchase of foreign slaves it continues "ye shall make them an inheritance" (Λxx καταμεριεῖτε, "ye shall distribute") "to your children." If this is right, it can hardly be doubted, as Cohn says, that some words have fallen out which would shew the connexion.

^b See Num. xxvii. 8-11, *cf.* Mos. ii. 243 ff.

^c Or "the chief civil authority." See App. p. 626.

- τριοῦσθαι, μένειν δ' ἐν ταῖς ἐξ ἀρχῆς τεταγμέναις
 127 κατὰ φυλὰς λήξουσιν. ἐὰν δὲ γενεᾶς ἔρημος ὦν
 τυγχάνῃ, παρίτωσαν ἐπὶ τὴν διαδοχὴν ἀδελφοὶ τοῦ
 τετελευτηκότος¹. ἡ γὰρ μεθ' υἱοὺς καὶ θυγατέρας ἐν
 συγγενείαις τάξις ἀδελφῶν ἐστίν. εἰ δὲ ἀνάδελφός
 τις εἴη τελευτῶν, θεῖοι πρὸς πατρός διαδεχέσθωσαν
 τὴν οὐσίαν, θεῖων δὲ μὴ ὄντων, θεῖαι,² <εἴτα> τῶν
 ἄλλων οἰκείων καὶ συγγενῶν <οἱ> ἐγγυτάτω.³
 128 σπάνις δ' εἰ καταλάβοι τῆς συγγενείας, ὥς μηδένα
 τῶν ἀφ' αἵματος ἀπολειφθῆναι, ἡ φυλὴ κληρονόμος
 ἔστω· συγγένεια γὰρ τίς ἐστὶ καὶ ἡ φυλὴ κατὰ
 περιγραφὴν μείζονα καὶ τελειοτέραν.
 129 ἄξιον μέντοι τὸ διαπορηθὲν ὑπ' ἐνίων <μὴ> ἡσυχασ-
 θῆναι· διὰ τί, γὰρ φασί, πάντων συγγενῶν καὶ
 δημοτῶν καὶ φυλετῶν ἐπιμνησθεῖς ὁ νόμος ἐν ταῖς
 τῶν κλήρων διαδοχαῖς γονεῖς μόνους παρεσιώπησεν,
 οὓς εἰκὸς ἦν, ὥσπερ κληρονομοῦνται, κληρονομεῖν
 τὰ παίδων; ὅτι, ὦ γενναῖε, θεῖος ὦν καὶ τὴν τῆς
 φύσεως ἀκολουθίαν αἰεὶ σκοπῶν οὐδὲν ᾤκη-
 χῆναι παλίμψημον εἰσηγεῖσθαι· γονέων μὲν γὰρ
 εὐχαί, ζῶντας ἀπολιπεῖν οὓς ἐγέννησαν, διαδεξο-
 μένους⁴ ὀνομά τε αὐτῶν καὶ γένος καὶ οὐσίαν,
 ἐχθρῶν δὲ ἀμειλίκτων ἀραὶ τὰναντία, προαποθνή-
 130 σκειν υἱοὺς καὶ θυγατέρας τῶν φυσάντων. ὅπως

¹ MS. τῶν τετελευτηκότων.

² As aunts are not mentioned in Num. xxvii. nor in the parallel passage in Philo (*Mos.* ii. 245), θεῖαι might perhaps be expunged. In that case there would be no need for Cohn's insertion of εἴτα.

³ MS. ἐγγυτέρω.

⁴ MS. διαδεξαμένους.

^a See Num. xxxvi. 6 ff. The point that they should, if possible, marry into the same family is not there expressly stated, but might be fairly inferred from v. 11, where it is
 382

THE SPECIAL LAWS, II. 126-130

be alienated by inter-marriage with other tribes, but should retain the place given to them in the allotments originally made on the basis of tribes.^a But if 127 the deceased has no descendants, the brothers must proceed to the succession, for brothers rank next in tables of relationship with sons and daughters. If the dead man has no brother, the succession must pass to the uncles on the father's side, and if there are no uncles, to the aunts, and then to the next nearest among their other connexions or kinsfolk. But if 128 kinsfolk are so scarce that no blood-relation remains, then the tribe shall be the heir.^b For the tribe is in a sense a kinship with a wider and more all-embracing compass.

^cOne question, however, which 129 is raised by some inquirers should not be passed over in silence. Why, they ask, does the Law when dealing with the regulations of inheritance mention kinsmen of every degree and fellow-wardsmen and fellow-tribesmen, but leaves parents alone unmentioned who would naturally inherit from the children as the children do from them? The answer, good sir, is that the law, God-given as it is, and ever desirous to follow the course of nature, held that no sinister thought should be introduced. Parents pray that they may leave behind them alive the children they have begotten to succeed to their name, race and property, and the imprecations of their implacable enemies are just the opposite, that the sons and daughters may die before their parents. Now he did not 130

said that the daughters of Zelophehad married their first cousins. For "ward and tribe" see on § 82.

^b Not stated in Num. xxvii. Probably (as Cohn and Heinemann) deduced from the intention of the law to prevent the inheritance passing from one tribe to another (xxxvi. 9).

^c For §§ 129-132 cf. *Mos.* ii. 244, 245.

- οὖν μηδὲν ἀνάρμοστον καὶ ἀσύμφωνον ἐν ἁρμονίᾳ καὶ συμφωνίᾳ, καθ' ἣν διοικεῖται σύμπας ὁ κόσμος, διαγορεύῃ, παιδων μὲν ἀποθησκόντων, γονέων δ' ἐπιβιούντων, ἀναγκαίως ἅμα καὶ πρεπόντως οὐ προσέταξε μητέρας [ἅμα] καὶ πατέρας τὰ νύων καὶ θυγατέρων κληρονομεῖν, εἰδὼς μὴ συνᾶδον τὸ
- 131 πρᾶγμα βίω τε καὶ φύσει. φυλαξάμενος οὖν γυμνοῖς ὀνόμασι καλέσαι γονεῖς ἐπὶ παιδων τετελευτηκότων κληρονομίαν,¹ ὑπὲρ τοῦ μὴ δοκεῖν ἀπευκτὴν ὠφέλειαν προσνέμων ὀνειδίζειν πενθοῦσιν ἢ ὑπομιμνήσκειν κακοπραγιῶν, ἑτέρω τρόπῳ τὰς οὐσίας ἀπένειμεν αὐτοῖς, βραχὺ παρηγόρημα με-
- 132 γάλου κακοῦ. τίς οὖν ὁ τρόπος; ἀδελφὸν πατρὸς γράφει κληρονόμον ἀδελφιδῶν, ἢ που διὰ τὸν πατέρα τὸν θεῖον γεραίρων· εἰ μὴ τις οὕτως ἡλίθιος ἐστίν, ὥς ὑπολαμβάνειν ὅτι ἕτερον τιμῶν ἑτέρου χάριν ἀτιμοῦν ἐκείνον προαιρεῖται· μὴ καὶ τοὺς τῶν φίλων γνωρίμους οἱ περιέποντες ἀμελεῖς τῶν ἐταίρων² εἰσίν; ἢ <οὐ> πάντων εὐνοϊκώτατοι κηδεμόνες τῶν ἐπὶ τιμῇ καὶ ἐταίρους² ἀποδέχονται; τὸν αὐτὸν δὴ τρόπον καὶ ὁ νόμος διὰ πατέρα καλέσας ἀδελφὸν πατρὸς ἐπὶ μετουσίαν κλήρου πολὺ πρότερον πατέρα καλεῖ, φωνῇ μὲν οὐ, διὰ τὰ λεχθέντα, γνωριμωτέρα

¹ MS. κληρον.² MS. ἐτέρων . . . ἐτέρους.

^a Cf. Mos. ii. 245 καὶ τοῦ πρέποντος καὶ τοῦ μὴ τὴν οὐσίαν ἀλλοτριωθῆναι, which suggests that the "necessity" here is to keep the property in the family.

^b After τιμῇ sc. τῶν γνωρίμων. But the whole sentence is very awkward and may contain some corruption besides the omission of οὐ. Heinemann's translation, "lassen sie nicht

THE SPECIAL LAWS, II. 130-132

wish to speak plainly of anything so out of tune with and discordant to the harmony and concord which prevails throughout the cosmic order as the death of children while the parents survive, and therefore he complied both with necessity and decency^a in not ordaining that mothers and fathers should inherit from their sons and daughters. He knew that such an event was not in accordance with the ordinary course of life or with nature. So while he avoided 131 appointing the parents in undisguised terms as heirs to the property of their dead children, lest by assigning to them an acquisition of so undesirable a kind he should seem to be casting a slur upon their mourning or reminding them of their misfortunes, he adopted another way of conveying the ownership to them, a simple specific for a great mischief. What 132 was this way? He declares the father's brothers to be the heirs of their nephews, a privilege doubtless given to the uncle for the sake of the father, unless anyone is foolish enough to suppose that a person who honours A for the sake of B is deliberately dishonouring B. Is it the case that those who pay court to the acquaintances of their friends are neglecting those friends? Is it not rather the truth that their affectionate care for all that might honour these acquaintances^b shews regard for the friends also? On the same principle the law, when it nominates the father's brother to share in the inheritance because of his relationship to the father, much more nominates the father, not in actual words it is true for reasons already stated, but with a force more

die Ehrung ihrer Freunde in jeder Weise mit grösster Aufmerksamkeit angelegen sein," does not seem to represent the Greek as it stands.

δὲ φωνῆς δυνάμει τρανούσῃ τὸ βούλημα τοῦ νομοθέτου.

- 133 Παίδων ὁ πρεσβύτατος οὐκ ἰσομοιρεῖ τοῖς μετ' αὐτόν, ἀλλὰ διπλασίῳ ἀξιοῦται, διότι τε ἀνὴρ καὶ γυνὴ πρότερον ὑπάρχοντες αὐθις ἐγένοντο πατὴρ καὶ μήτηρ διὰ τὸν φύντα πρῶτον καὶ ἐπειδὴ ὁ <πρῶτος> γενόμενος τούτοις ἀνακαλεῖν ἤρξατο τοῖς ὀνόμασι τοὺς σπείραντας καὶ—τὸ ἀναγκαιότατον—ὅτι ὁ πρὸ τοῦ γενεᾶς ἔρημος οἶκος εὖπαις ἐγένετο πρὸς τὴν τοῦ γένους τῶν ἀνθρώπων διαμονήν, ἥς¹ σπορὰ μὲν γάμος, καρποὶ δὲ τέκνων γενέσεις, ὧν ὁ
- 134 πρεσβύτατος ἀρχή. διὰ ταύτην γ' οἶμαι τὴν αἰτίαν οἱ πρωτότοκοι τῶν μὲν ἄσπονδα εἰργασμένων ἐχθρῶν, ὡς αἱ ἱεραὶ γραφαὶ δηλοῦσι, μιᾷ νυκτὶ πάντες ἡβηδὸν ἀνηρέθησαν, τῶν δ' ἀπὸ τοῦ ἔθνους χαριστήριον ἀνετέθησαν θεῷ καθιερωθέντες· ἔδει γὰρ τοὺς μὲν βαρυτάτῳ καὶ ἀπαρηγορήτῳ πένθει βαρῦναι, φθορᾷ τῶν πρωτοστατούντων, γεραίρειν δὲ τὸν σωτῆρα θεὸν ἀπαρχαῖς, αἱ τὴν ἐν τέκνοις
- 135 ἡγεμονίαν ἔλαχον. ἐπεὶ δ' εἰσὶ τινες οἱ μετὰ γάμον καὶ παιδοποιίαν ὀψὲ σωφροσύνην ἀπομαθόντες ἐξώκειλαν εἰς ἀκρασίαν καὶ ἐπιμανέντες γυναιξὶν ἐτέραις τὰς προτέρας ἐκάκωσαν καὶ τοῖς ἐξ ἐκείνων οὐκέθ' ὡς πατέρες ἀλλ' ὡς πατρῷοι προσηνέχθησαν ἀπομιμησάμενοι τὸ μητρικῶν εἰς

¹ Cohn in a note to Heinemann's translation would correct to εἰ σπορὰ, but with no improvement of the sense that I can see.

^a This statement is founded on Deut. xxi. 15-17. See App. pp. 626-627.

^b Cf. Mos. i. 135.

^c ἐπεὶ, which has no logical apodosis, is omitted in the translation.

recognizable than words, leaving no doubt of the intention of the lawgiver.

The eldest son does not share equally with his 133 juniors, but is adjudged a double portion,^a one reason being that his parents who before were but man and wife, owe to the first-born the fact that they have later become father and mother. Another is that it is their first-born who began to use these names in addressing his parents.^b The third reason is the most important, that what was before their birth a house of barren stock has become fruitful for the preservation of the human race, a preservation which is sown in marriage and fructified in the birth of children, starting with the eldest. This was the 134 reason, I suppose, that the first-born sons of the enemies who had shewn themselves so merciless in action, were cut off in wholesale massacre in a single night, as the Holy Scriptures tell us, while the first-born of our nation were dedicated by consecration as a thank-offering to God. For it was just that on the enemy should fall the weight of a blow for which no consolation was possible, namely, the destruction of their foremost rank, while God Who wrought the salvation was honoured by the dedication as first-fruits of those who headed the line of children.

^cBut there 135 are some who after marrying and begetting children unlearn in their later days what they knew of self-restraint and are wrecked on the reef of incontinence. Seized with a mad passion for other women, they maltreat those who hitherto belonged to them and behave to the children they have begotten by them as though they were uncles rather than fathers, copy the unrighteousness shewn

- προγονοὺς δυσσεβῆς καὶ ὅλως ἑαυτοὺς καὶ τὰ ἑαυ-
τῶν ἐξέδωκαν ταῖς δευτέραις καὶ παισὶ τοῖς τούτων
ἡδονῆς, αἰσχίστου πάθους, ἡττους γενόμενοι,
χαλινὸν μὲν εἶ πως οἶόν τε ἦν ἐμβαλεῖν ταῖς ἐπι-
θυμίαις ὑπὲρ τοῦ μὴ ἀνασκιρτᾶν ἐπὶ πλεον οὐκ ἂν
136 ἐμέλλησεν ὁ νόμος. ἐπεὶ δὲ μανίαν ἐξηγριωμένην
οἷστρω χαλεπὸν μᾶλλον δ' ἀδύνατον ἰάσασθαι, τὸν
μὲν ὡς ἀθεραπεύτῳ νόσῳ κατεσχημένον ἀπέλιπε,
τὸν δ' ἐκ τῆς διὰ τοὺς νέους ἔρωτας κακωθείσης
υἱὸν οὐχ ὑπερεῖδε κελεύσας αὐτὸν λαμβάνειν δι-
πλάσια τὰ ἐκ τῆς πρὸς τοὺς ἀδελφοὺς διανομῆς.
137 αἷτια δὲ τούτου πολλά· πρῶτον μὲν γὰρ κολάζει
τὸν ὑπαίτιον ἀνάγκην ἐπιθεῖς αὐτῷ ποιεῖν εὖ ὃν
κακῶς διατιθέναι προαιρεῖται, καὶ τῆς ἀγνώμονος
γνώμης ἄκυρον ἀποφαίνει δι' ὧν ὠφελεῖ τὸν κινδυ-
νεύσαντα πρὸς ἐκείνου¹ ζημιωθῆναι τάττων αὐτὸν
ἐν τῇ τάξει τοῦ γεγεννηκότος, ἣν ὁ φύσει πατὴρ ἐπὶ
138 πρεσβυτάτου παιδὸς ἔλιπε. δευτέρον δὲ
ἔλεον καὶ οἶκτον λαμβάνει τῶν ἡδίκημένων, οὓς
βαρυτάτης ἀνίας ἐπελαφρίζει μετουσία χάριτος καὶ
δωρεᾶς· οὐδὲν γὰρ ἦττον τοῦ κληρονομοῦντος υἱοῦ
τὴν διπλασίαν μοῖραν εἰκὸς ἦν ἡδεσθαι τὴν μητέρα,
φιλανθρωπία νόμου παρηγορηθεῖσαν, ὃς οὐκ εἶασεν
αὐτήν τε καὶ γενεὰν εἰς ἅπαν ἐχθρῶν ἐλαττοῦσθαι.
139 τρίτον δέ· βραβευτῆς ὢν τῶν δικαίων
ἀγαθὸς ἐλογίσαστο παρ' ἑαυτῷ, ὅτι τοῖς μὲν ἐκ τῆς
στεργομένης ἐπεδαψιλεύσατο τὰς χορηγίας ὁ πατὴρ

¹ MS. ἐκείνο.

^a For the allegorizing of this law (Deut. xxi. 15-17) cf. *De Sac.* 20, *De Sob.* 21 ff.

THE SPECIAL LAWS, II. 135-139

by stepmothers to the first family and altogether devote themselves and all they have to the second wives and their children, overcome by the vilest of passions, voluptuousness. Such lusts the law would not have hesitated to bridle if it were possible, and prevent them from frisking and plunging still more. But since it is difficult, or rather impossible, to heal 136 the frenzy goaded into savagery, it left the father to his fate as one in the grip of an incurable disease but did not disregard the son of the wife who was wronged through his passion for another, but bade him take the double portion in the distribution between the brothers.^a There are several reasons for this. In 137 the first place, it punishes the culprit by forcing him to give good treatment to the person to whom he intended to give the reverse and renders him incapable of carrying out his ill-judged judgement. This it effects by conferring benefits on the person who was likely to suffer loss at his hands, and by taking upon itself the parental position which had been abandoned by the natural father in so far as the eldest child was concerned. Secondly, 138 it shews mercy and pity for the victims of injustice whom it relieves of a very grievous trouble by enabling them to share in the boon thus bestowed. For naturally we may suppose that the gratification felt by the son at obtaining the double portion is shared by the mother, encouraged as she is by the humanity of the law which refuses to allow her and her family to lie entirely at the mercy of her enemies. And there was a third reason. 139 Being gifted with a power to judge justly, it reflected that the father had bestowed his bounties generously on the children of the beloved wife

διὰ τὸν πόθον τῆς γυναικός, τοὺς δ' ἐκ τῆς συγ-
 γηθείσης οὐδενὸς [ἤ] παντάπασιν ἤξιωσε διὰ τὸ
 τῆς μητρὸς ἔχθος, ὡς ἐκείνους μὲν ἔτι ζῶντος¹ προ-
 κекληρονομηκέναι πλείω τῆς ἰσομοιρίας, τούτους
 δὲ κινδυνεῦσαι καὶ τελευτήσαντος ἀπάντων ἀφ-
 αιρεθῆναι τῶν πατρῶων. ἵν' οὖν ἐπανισώσῃ τὴν
 διανομὴν τοῖς ἐξ ἀμφοτέρων τῶν γυναικῶν, ὥρισε
 διμοιρίαν τὰ πρεσβεῖα τῷ τῆς ἀπηλλαγμένης παιδί.

[292] τούτων μὲν δὴ ἅλις.

140 XXVI. | Ἐπόμενοι δὲ τῇ τάξει τρίτον εἶδος
 ἀναγράφομεν ἑορτῆς, ὃ σηματοῦμεν. ἔστι δὲ
 νομηνία κατὰ σελήνην, χρόνος² ὁ ἀπὸ συνόδου ἐπὶ
 σύνοδον, ὃν μαθηματικῶν παῖδες εὖ μάλα διηριθμή-
 σαντο. τὴν δ' ἐν ἑορταῖς ἔλαχε τάξιν νομηνία
 διὰ πολλά· πρῶτον μὲν ὅτι ἀρχὴ μηνός, ἀρχὴ δὲ
 καὶ ἀριθμοῦ καὶ χρόνου τίμιον· ἔπειτα δὲ ὅτι κατ'
 αὐτὴν οὐδὲν ἀφώτιστον ἐν οὐρανῷ· συνόδῳ μὲν
 γὰρ ὑποδραμούσης ἡλιον σελήνης τὸ πρὸς γῆν
 μέρος ἐξόφωται, νομηνία δὲ πέφυκεν ἀναλάμπειν.
 141 τρίτον δὲ ὅτι τῷ ἐλάττονι καὶ ἀσθενεστέρῳ κατ'
 ἐκείνον τὸν χρόνον τὸ κρεῖττον καὶ δυνατώτερον
 ὠφελείας ἀναγκαίως μεταδίδωσι· νομηνία γὰρ
 ἄρχεται φωτίζειν αἰσθητῷ φέγγει σελήνην ὃ ἡλιος,

¹ MS. ζῶντας.

² On the text here see note b.

^a i.e. in asserting the rights of the eldest son it asserts those of the first family as a whole.

^b For the New Moon see i. 177. Lit. "it, the new-month-day, according to the moon, the time" etc. i.e. the new moon is the time between the conjunctions. This, though unnoticed by Cohn and Heinemann, cannot, as it seems to me, have been stated by Philo. I suggest some such insertion as ἔστι γὰρ ὁ μὴν κατὰ σελήνην, which might

THE SPECIAL LAWS, II. 139-141

because of his affection for her, but left the children of the hated wife entirely out of consideration owing to his hostility to their mother, so that the former even in his lifetime inherited more than their equal share, and the latter might expect at his death to find themselves robbed of the whole patrimony. And therefore it decreed that the son of the discarded wife should have the eldest son's privilege of the double share, in order to equalize the partition between both families.^a Enough on these matters.

XXVI. Following the order stated above, we record 140 the third type of feast which we will proceed to explain. This is the New Moon, or beginning of the lunar month,^b namely the period between one conjunction and the next, the length of which has been accurately calculated in the astronomical schools. The new moon holds its place among the feasts for many reasons. First, because it is the beginning of the month, and the beginning, both in number and in time, deserves honour. Secondly, because when it arrives, nothing in heaven is left without light, for while at the conjunction, when the moon is lost to sight under the sun, the side which faces earth is darkened, when the new month begins it resumes its natural brightness. The third reason is, that the 141 stronger or more powerful element at that time supplies the help which is needed to the smaller and weaker. For it is just then that the sun begins to illumine the moon with the light which we perceive

easily have fallen out after the preceding *κατὰ σελήνην*. Nicetas, who resumes his excerpts here, has *τρίτην ἑορτὴν ἀναγράφομεν τὴν κατὰ σελήνην νομηνίαν. πρῶτον μὲν ὅτι κτλ.* Of course in a country where non-lunar months are observed such an explanation is perfectly natural.

ἡ δὲ τὸ ἴδιον κάλλος ἀναφαίνει τοῖς ὁρώσι. τοῦτο δ' ἐναργής ἐστιν, ὡς ἔοικε, διδασκαλία χρηστότητος καὶ φιλανθρωπίας, ἵνα μηδέποτε τῶν ἰδίων ἀγαθῶν ἀνθρωποι φθονῶσιν, ἀλλὰ μιμούμενοι τὰς ἐν οὐρανῷ μακαρίας καὶ εὐδαίμονας φύσεις ὑπερόριον τῆς ψυχῆς βασκανίαν ἐλαύνωσι καὶ προφέροντες εἰς μέσον τὰ οἰκεῖα κοινοπραγῶσι καὶ χαρίζονται

142 τοῖς ἀξίοις. τέταρτον δὲ ὅτι τῶν κατ' οὐρανὸν ἀπάντων ἐν ἐλάττονι προθεσμία σελήνη τὸν ζωοφόρον περιπολεῖ· μηνιαίῳ γὰρ διαστήματι τὸν κύκλον ἀνύτει. διὸ καὶ τὸ συμπέρασμα τῆς περιόδου, τελευτώσης ἐπὶ τὴν ἀρχὴν ἀφ' ἧς ἤρξατο φέρεσθαι σελήνης,¹ τετίμηκεν ὁ νόμος προσειπὼν ἐκείνην τὴν ἡμέραν ἑορτήν, ὑπὲρ τοῦ πάλιν ἡμᾶς ἀναδιδάξαι μάθημα κάλλιστον, ἵν' ἐν ταῖς τοῦ βίου πράξεσι τὰ τέλη συνωδὰ ταῖς ἀρχαῖς ἀποφαίνωμεν· γενήσεται δὲ τοῦτ', ἐὰν λογισμῷ τὰς πρώτας ἡνιοχῶμεν ὁρμὰς μὴ ἐπιτρέποντες αὐταῖς ἀφηνιάζειν καὶ ἀνασκιρτᾶν τρόπον θρεμμάτων ἀγελάρχην

143 οὐκ ἐχόντων. αἷς δὲ παρέχεται τοῖς ἐπὶ γῆς² ἅπασιν ὠφελείας σελήνη, τί χρὴ διεξιόντα μηκύνειν; ἐμφανεῖς γὰρ αἱ πίστεις. ἢ οὐχὶ ταῖς αὐξήσεσιν αὐτῆς ἀναχέονται ποταμοὶ καὶ πηγαὶ καὶ μειοῦνται πάλιν μειώσεις, καὶ πελάγη τοτὲ μὲν ἐξαναχωρεῖ καὶ ἀμπωτίζοντα ὑποσύρεται τοτὲ δ' ἐξαπιναίως ἐπιτρέχει κατὰ παλίσροϊαν, ὃ τε ἀῆρ αἰθρίαις καὶ νεφώσεσι καὶ ταῖς ἄλλαις μεταβολαῖς παντοίας ἐνδέχεται τροπὰς, καρποὶ τε οἱ σπαρτῶν³ καὶ δένδρων αὖξονται καὶ τελεσφοροῦνται σελήνης περιόδοις τιθηνουμένης ἕκαστα τῶν φυομένων καὶ πεπαινούσης ἐνδρόσοις καὶ μαλακω-

¹ MS. τελευτῶντος . . . σελήνη (ἀφ' οὗ for ἀφ' ἧς).

THE SPECIAL LAWS, II. 141-143

and the moon reveals its own beauty to the eye. And this is surely an obvious lesson inculcating kindness and humanity and bidding men never grudge their own good things, but imitating the blessed and happy beings in heaven banish jealousy from the confines of the soul, producing what they have for all to see, treat it as common property, and give freely to the deserving. The fourth reason ¹⁴² is, that the moon traverses the zodiac in a shorter fixed period than any other heavenly body. For it accomplishes that revolution in the span of a single month, and therefore the conclusion of its circuit, when the moon ends its course at the starting-point at which it began, is honoured by the law, which declares that day a feast, again to teach us an admirable lesson, that in the conduct of life we should make the ends correspond with the beginnings. And this will be effected if we keep our primitive appetites under the control of reason and do not permit them to rebel and riot like cattle that have no herdsman.

As for the services that the moon ¹⁴³ renders to everything on earth, there is no need to dilate upon them. The proofs are perfectly clear. As the moon increases, the rivers and fountains rise, and again diminish as it diminishes. Its phases cause the seas to withdraw and dwindle at the ebb-tide, then suddenly rush back with the returning flood, and the air to undergo all manner of changes as the sky becomes clear or cloudy and alters in other ways. The fruits, both of the sown crops and orchard-trees, grow to their maturity according to the revolutions of the moon, which fosters and ripens everything that grows with the dewy and very gentle breezes

² MS. ἐπὶ γῆν.

³ MS. σπαρτοί.

- 144 τάταις αὔραις; ἀλλ' οὐχὶ καιρός, ὅπερ ἔφην, μακρηγορεῖν ἔπαινον σελήνης διεξιόντα καὶ καταριθμούμενον ὥς παρέχεται ζώοις καὶ τοῖς ἐπὶ γῆς ἅπασιν ὠφελείας. διὰ μὲν δὴ ταῦτα καὶ τὰ τούτοις παραπλήσια νομηνία τετίμῃται καὶ τάξιν ἔλαχε τὴν ἐν ταῖς ἑορταῖς.
- 145 XXVII. Μετὰ δὲ τὴν νομηνίαν ἐστὶν ἑορτὴ τετάρτη, τὰ διαβατήρια, ἣν Ἑβραῖοι Πάσχα πατρίῳ γλώττῃ καλοῦσιν, ἐν ᾗ θύουσι πανδημεὶ πολλὰς μυριάδας ἱερείων ἀρξάμενοι ἀπὸ μεσημβρίας ἄχρι ἑσπέρας, ὃ λεῶς ἅπας, πρεσβύται καὶ νέοι, κατ' ἐκείνην τὴν ἡμέραν ἱερωσύνης ἀξιώματι τετιμημένοι· τὸν γὰρ ἄλλον χρόνον οἱ ἱερεῖς τὰς τε κοινὰς θυσίας καὶ τὰς ἰδίας ἐκάστου προστάξει νόμων ἐπιτελοῦσι, τότε δὲ σύμπαν τὸ ἔθνος μετὰ πάσης ἀδείας ἀγναῖς χερσὶν ἱερουργεῖ¹ καὶ ἱεράται.
- 146 αἴτιον δὲ τόδε· τῆς μεγίστης ἀποικίας ὑπόμνημά ἐστιν ἡ ἑορτὴ καὶ χαριστήριον, ἣν ἀπ' Αἰγύπτου μυριάσιν ὑπὲρ διακοσίας ἀνδρῶν ὁμοῦ καὶ γυναικῶν ἐστεύλαντο κατὰ τὰ χρησθέντα λόγια. τότε οὖν, ὥς εἰκός, ἀπολελοιπότες χώραν γέμουσαν ἀπανθρωπίας καὶ ξενηλασίας ἐπιτηδεύουσιν καὶ—τὸ χαλεπώτατον—τὰς τοῦ θεοῦ τιμὰς ἀλόγοις ζώοις οὐχ ἡμέροις μόνον ἀλλὰ καὶ ἀγρίοις προσνέμουναν

¹ MS. ἱερουργεῖται.

^a Philo consistently uses διαβατήρια or διάβασις=πάσχα, and several times, *e.g.* *Leg. All.* iii. 94, allegorizes it as in § 147, shewing that he traces the name not to the passing over of the Israelites by the destroying angel (Ex. xii. 23 and 27), but to the crossing of Israel itself from Egypt, the type of the body, and no doubt also the crossing of the Red Sea. In classical Greek διαβατήρια are offerings made before crossing a boundary, and also (Plut. *Lucullus*, 24) before

THE SPECIAL LAWS, II. 144-146

which it brings. But, as I have said, this is not the 144 time to dwell at length on the praises of the moon and record and catalogue the services which it renders to living creatures and everything on earth. It is for these or similar reasons that the New Moon is honoured and obtains its place among the feasts.

XXVII. After the New Moon comes the fourth 145 feast, called the Crossing-feast,^a which the Hebrews in their native tongue call Pascha. In this festival many myriads of victims from noon till eventide^b are offered by the whole people, old and young alike, raised for that particular day to the dignity of the priesthood.^c For at other times the priests according to the ordinance of the law carry out both the public sacrifices and those offered by private individuals. But on this occasion the whole nation performs the sacred rites and acts as priest with pure hands and complete immunity. The reason for this is as follows: the 146 festival is a reminder and thank-offering for that great migration from Egypt which was made by more than two millions^d of men and women in obedience to the oracles vouchsafed to them. Now at that time they had left a land brimful of inhumanity which made a practice of expelling strangers, and what was worst of all, assigned divine honours to irrational creatures, not merely domesticated animals, but even wild

crossing a swollen river; *cf.* § 147 ἐπικλύζει χειμάρρου ποταμοῦ τρόπον. See also App. p. 627.

^b See App. p. 627.

^c *Cf.* Mos. ii. 224.

^d See Ex. xii. 37, "about six hundred thousand on foot that were men besides children" (LXX "besides the baggage"). So too, Num. xi. 21. "600,000 men implies a total including women and children of at least 2,000,000 souls" (Driver, *ad loc.*).

- ὑπὸ τῆς ἄγαν περιχαρείας ἔθνον αὐτοὶ διὰ προθυμίαν ἄλεκτον καὶ τάχος ἐσπευσμένον τοὺς ἱερεῖς οὐκ ἀναμένοντες. τοῦτο δὴ τότε πραχθὲν αὐτοκελεύστω καὶ ἐθελουργῶ πάθει δρᾶν ἐφῆκεν ὁ νόμος ἅπαξ κατ' ἐνιαυτὸν ἕκαστον εἰς εὐχαριστίας ὑπόμνησιν. ταῦτα μὲν κατὰ παλαιὰν ἀρχαιολογίαν
- 147 ἱστορεῖται. οἷς δὲ τὰ ῥήτὰ τρέπειν πρὸς ἀλληγορίαν ἔθος ψυχῆς κάθαρσιν αἰνίττεται τὰ διαβατήρια· φασὶ γὰρ τὸν σοφίας ἐραστὴν οὐδὲν ἕτερον ἐπιτηδεύειν ἢ τὴν ἀπὸ τοῦ σώματος καὶ τῶν παθῶν διάβασιν, ὧν ἕκαστον ἐπικλύζει χειμάρρου ποταμοῦ τρόπον, εἰ μὴ τις τοῖς ἀρετῆς δόγμασιν ἀνακόπτοι καὶ ἀναχαιτίζει τὴν φορᾶν.
- 148 ἐκάστη δὲ οἰκία κατ' ἐκείνους τὸν χρόνον σχῆμα ἱεροῦ καὶ σεμνότητα περιβέβληται, τοῦ σφαγιασθέντος ἱερείου πρὸς τὴν ἀρμόττουσαν εὐωχίαν εὐτρεπιζομένου καὶ τῶν ἐπὶ τὰ συσσίτια συνειλεγμένων ἀγενετικοῖς περιρραντηρίοις κεκαθαρμένων, οἱ παραγεγόνασιν οὐχ ὥς εἰς τὰ ἄλλα συμπόσια χαριούμενοι γαστρὶ δι' οἴνου καὶ ἐδεσμάτων, ἀλλὰ πάτριον ἔθος ἐκπληρώσοντες μετ'
- 149 εὐχῶν τε καὶ ὕμνων. ἄξιον μέντοι καὶ τὴν ἡμέραν παρασημήνασθαι τῆς πανδήμου εὐωχίας· ἄγεται γὰρ τεσσαρεσκαideκάτῃ τοῦ μηνός, ἥτις ἐκ δυεῖν ἑβδομάδων συνέστηκεν, ἵνα μηδὲν ἀμοιρῇ τῶν ἀξίων τιμῆς ἑβδομάδος, ἀλλ' αὕτη κατάρχῃ πᾶσιν ἐπιφανείας καὶ σεμνότητος.
- [293] XXVIII. | Συνάπτει δὲ τοῖς διαβατηρίοις ἑορτὴν
150 διάφορον ἔχουσαν καὶ οὐ συνήθη τροφῆς χρῆσιν,

^a The suggestion that the feast was instituted after the departure is, of course, quite opposed to Ex. xii., where the
396

THE SPECIAL LAWS, II. 146-150

beasts. So exceedingly joyful were they that in their vast enthusiasm and impatient eagerness, they naturally enough sacrificed without waiting for their priest.^a This practice which on that occasion was the result of a spontaneous and instinctive emotion, was sanctioned by the law once in every year to remind them of their duty of thanksgiving. These are the facts as discovered by the study of ancient history.

But to those who are accustomed to turn literal facts 147 into allegory, the Crossing-festival suggests the purification of the soul. They say that the lover of wisdom is occupied solely in crossing from the body and the passions, each of which overwhelms him like a torrent, unless the rushing current be dammed and held back by the principles of virtue. On 148

this day every dwelling-house is invested with the outward semblance and dignity of a temple. The victim is then slaughtered and dressed for the festal meal which befits the occasion. The guests assembled for the banquet have been cleansed by purificatory lustrations, and are there not as in other festive gatherings, to indulge the belly with wine and viands, but to fulfil with prayers and hymns the custom handed down by their fathers. The day on which 149 this national festivity occurs may very properly be noted. It is the 14th of the month, a number formed of the sum of two sevens, thus bringing out the fact that seven never fails to appear in anything worthy of honour but everywhere takes the lead in conferring prestige and dignity.

XXVIII. With the Crossing-feast he combines one 150 in which the food consumed is of a different and un-

blood of the victim is to be smeared on the doorposts to avert the destroying angel.

ἄζυμα, ἀφ' οὗ καὶ ὠνόμασται. διττὸς δὲ ὁ περὶ
 αὐτῆς λόγος, ὁ μὲν ἴδιος τοῦ ἔθνους ἕνεκα τῆς
 λεχθείσης ἀποικίας, ὁ δὲ κοινὸς κατὰ φύσεως
 ἀκολουθίαν καὶ τὴν τοῦ κόσμου παντὸς ἁρμονίαν.
 ὥς δ' ἀψευδῆς ἡ ὑπόσχεσις, ἐπισκεπτέον. ἑβδομος
 ὦν ὁ μὴν οὗτος ἀριθμῶ τε καὶ τάξει κατὰ τὸν
 ἡλιακὸν κύκλον δυνάμει πρῶτός ἐστι, διό¹ καὶ
 πρῶτος ἐν ταῖς ἱεραῖς βίβλοις ἀναγράφεται.
 151 αἴτιον δὲ ὥς γε οἶμαι τόδε· τὴν ἑαρινὴν ἰσημερίαν
 ἀπεικόνισμά τι καὶ μίμημα συμβέβηκεν εἶναι τῆς
 ἀρχῆς ἐκείνης, καθ' ἣν ὅδε ὁ κόσμος ἐδημιουργεῖτο·
 τότε γὰρ διακρινομένων τῶν στοιχείων καὶ τὴν
 ἐναρμόνιον τάξιν λαμβανόντων πρὸς τε αὐτὰ καὶ
 πρὸς ἄλληλα, διεκοσμεῖτο μὲν ὁ οὐρανὸς ἡλίῳ καὶ
 σελήνῃ καὶ ταῖς τῶν ἄλλων πλανήτων καὶ ἀπλανῶν
 ἀστέρων χορείαις καὶ περιόδοις, διεκοσμεῖτο δὲ
 καὶ ἡ γῆ παντοίαις φυτῶν ἰδέαις καὶ ὄσῃ τῆς
 ὀρεινῆς καὶ πεδιάδος ἀγαθῇ καὶ βαθεῖα πᾶσα
 152 ἐτεθήλει καὶ ἐχλοηφόρει. καθ' ἕκαστον οὖν ἐνι-
 αὐτὸν ὑπομιμνήσκων ὁ θεὸς τῆς τοῦ κόσμου
 γενέσεως ἀνέφηνε τὸ ἔαρ, ἐν ᾧ πάντα ἀνθεῖ καὶ
 βλαστάνει. διόπερ οὐκ ἀπὸ σκοποῦ πρῶτος ἀνα-
 γέγραπται μὴν ἐν τοῖς νόμοις, ἐπειδὴ τρόπον τινὰ
 τῆς πρώτης ἀρχῆς ἐκμαγεῖόν ἐστιν, ἀπ' ἐκείνης
 153 ὥσπερ ἀρχετύπου σφραγίδος τυπωθεῖς. ὁ δὲ κατὰ²
 τὴν μετοπωρινὴν ἰσημερίαν τῇ τάξει [πρώτῃ]
 πρῶτος ὦν ἐν ταῖς ἡλιακαῖς περιόδοις οὐ λέγεται

¹ ms. and Nicetas διότι.

² ms. and Nicetas μετὰ.

^a The feast of Unleavened Bread is regularly distinguished from the Passover, though following immediately after it.

THE SPECIAL LAWS, II. 150-153

familiar kind, namely, unleavened bread, which also gives its name to the feast.^a This may be regarded from two points of view, one peculiar to the nation, referring to the migration just mentioned, the other universal, following the lead of nature, and in agreement with the general cosmic order. To show that this affirmation is absolutely true, will require some examination. This month comes seventh in order and number as judged by the cycle of the sun, but in importance it is first, and therefore is described as first in the sacred books.^b The reason for this I 151 believe to be as follows. In the spring equinox we have a kind of likeness and portraiture of that first epoch in which this world was created. The elements were then separated and placed in harmonious order with reference to themselves and each other. The heaven was adorned with sun and moon and the rhythmic movements and circlings of the other stars, both fixed and planetary. So too the earth was adorned with every manner of plants, and the uplands and lowlands, wherever the soil had depth and goodness, became luxuriant and verdant. So every year God reminds us of the creation of the 152 world by setting before our eyes the spring when everything blooms and flowers. And therefore there is good reason for describing it in the laws as the first month because in a sense it is an image of the primal origin reproduced from it like the imprint from an archetypal seal. But the month of the 153 autumnal equinox, though first in order as measured by the course of the sun, is not called first in the law,

See Lev. xxiii. 5 ff., and also for the details mentioned below *cf.* i. 181 f.

^b See Ex. xii. 2, and note (App.) on i. 180.

- παρὰ τῷ νόμῳ πρῶτος, ὅτι κατ' ἐκείνον τὸν χρόνον συγκεκομισμένων τῶν καρπῶν ἀπάντων τὰ δένδρα φυλλορροεῖ καὶ ὅσα ἀκμάζον τὸ ἔαρ ἤνεγκε πάντα [ξηραίνεται] ἀφαναίνεται ξηροῖς πνεύμασι τοῦ αἵματος ἀχμῶδη καταστάντα τοῖς ἀφ' ἡλίου φλογ-
 154 μοῖς. πρῶτον μὲν οὖν ἐπιφημίσαι μῆνα, καθ' ὃν ἐστείρωται καὶ ἀγονεῖ ἢ τε ὀρεινὴ καὶ ἡ πεδιάς, παντάπασιν ὑπέλαβεν¹ ἀνάρμοστον καὶ ἀνοίκειον εἶναι· δεῖ γὰρ τοῖς πρῶτοις καὶ ἡγεμονίδα τάξιν εἰληχόσι προσεῖναι τὰ κάλλιστα καὶ εὐκταϊότατα, δι' ὧν αἱ ζώων καὶ καρπῶν καὶ φυτῶν γενέσεις καὶ αὐξήσεις εἰσὶν, ἀλλ' οὐχ αἱ παλίμφοι
 155 φθοραί. τῆς δὲ ἐορτῆς ἀρχὴ διχόμηνος, ἡ πεντεκαιδεκάτη, καθ' ἣν σελήνη πλησιφαῆς γίνεται, προνοία τοῦ μηδὲν εἶναι σκότος κατ' ἐκείνην τὴν ἡμέραν, ἀλλὰ φωτὸς ἀνάπλεα πάντα διὰ πάντων, ἡλίου μὲν ἔωθεν εἰς ἐσπέραν ἐπιλάμποντος, σελήνης δὲ ἀφ' ἐσπέρας ἄχρι τῆς ἔω τὰς αὐτὰς² . . . , τῶν <δ'> ἀστέρων ἀλλήλοις ἀντιπαραχωρούντων
 156 ἀσκήσις φέγγεσιν. ἡ δὲ ἐορτὴ πάλιν ἐφ' ἡμέρας ἑπτὰ ἄγεται δι' ἣν ἔλαχεν ἐν κόσμῳ ὁ ἀριθμὸς προνομίαν τε καὶ τιμὴν, ἵνα μηδὲν τῶν εἰς εὐθυμίαν καὶ πάνδημον εὐφροσύνην καὶ εὐχαριστίαν τὴν πρὸς τὸν θεὸν ἀπολείπηται τῆς ἱερᾶς ἐβδομάδος, ἣν ἀρχὴν καὶ πηγὴν ἀνθρώποις

¹ MS. παντάπασι κατέλαβε.

² I have reproduced Cohn's text, though it might be as well to omit the signs of a lacuna, as it is quite possible that the corruption may lie in τὰς αὐτὰς itself. Cohn suggests τὰς αὐγὰς <πεμπούσης>, Wendland τὰς αὐτὰς <ἐπιτελούσης χρείας>. I think the simple correction to ὡσαύτως might be worth considering.

^a Apart from the obvious faultiness of the text, the sentence

THE SPECIAL LAWS, II. 153-156

because at that time all the fruits have been gathered in and the trees are shedding their leaves and all the bloom which the spring brought in its prime already scorched by the heat of the summer sun is wilting under the dry currents of air. And so to give the name of "first" to a month in which both uplands and lowlands are sterilized and unfruitful seemed to him altogether unsuitable and incongruous. For things which come first and head the list should be associated with all the fairest and most desirable things which are the sources of birth and increase to animals and fruits and plants, not with the processes of destruction and the dark thoughts which it suggests. The feast begins at the middle of the month, on the fifteenth day, when the moon is full, a day purposely chosen because then there is no darkness, but everything is continuously lighted up as the sun shines from morning to evening and the moon from evening to morning and while the stars give place to each other no shadow is cast upon their brightness.^a

Again, the feast is held for seven days to mark the precedence and honour which the number holds in the universe, indicating that nothing which tends to cheerfulness and public mirth and thankfulness to God should fail to be accompanied with memories of the sacred seven which He intended to be the source and fountain to is difficult. The stars, as Heinemann says, do not give place to each other on a night of full moon. He thinks that *τῶν ἀστέρων* refers to the sun and moon. I hardly think this is possible. Though we find the sun and moon coupled with the "other stars," and included in the "seven stars," there would be no point here in speaking of them as "the stars." Presumably *ἀλλήλοις ἀντιπαραχωρούντων* is loosely used for "as one gives way to another," and they are mentioned as reinforcing the light of the moon.

- 157 ἀγαθῶν ἀπάντων εἶναι διανοήθη. τῶν δὲ ἑπτὰ ἡμερῶν δύο, τὴν πρώτην καὶ τὴν ὑστάτην, “ἀγίας” προσεῖπεν, ἀρχῇ καὶ τέλει προνομίαν, ὡς εἰκός, διδούς καὶ ἅμα βουλόμενος καθάπερ ἐν ὀργάνῳ μουσικῷ συμφωνία¹ τῶν ἄκρων. τὰς μεθορίους συναρμόσασθαι, τάχα μέντοι καὶ ὑπὲρ τοῦ τόν τε παρελθόντα καὶ μέλλοντα χρόνον συνωδὸν ἀποφῆναι τῇ ἑορτῇ, τὸν μὲν παρεληλυθότα συνάπτοντα <τῇ πρώτῃ, τὸν δὲ μέλλοντα> τῇ τελευταίᾳ, ὣν ἑκατέρα τὴν ἑαυτῆς καὶ τῆς ἐτέρας δύναμιν εἴληχεν· ἥ τε γὰρ πρώτη τῆς μὲν ἑορτῆς ἐστὶν ἀρχή, τέλος δὲ τοῦ παρεληλυθότος χρόνου, ἥ τε ἑβδόμη τέλος μὲν τῆς ἑορτῆς, ἀρχή δὲ τοῦ μέλλοντος, ἔν, ὃ καὶ πρόσθεν εἶπον, ἅπας ὁ τοῦ σπουδαίου βίος ἰσότημος ἑορτῇ νομίζεται λύπην καὶ φόβον καὶ ἐπιθυμίαν καὶ τᾶλλα πάθη καὶ νοσήματα τῆς ψυχῆς ἐληλα-
 158 κότος. ὁ δ’ ἄρτος ἄζυμος, ἥτοι διὰ τὸ τοὺς προγόνους, ἡνίκα θεία πομπῇ τὴν ἀποικίαν ἐστέλλοντο, χρωμένους ἀνυπερβλήτῳ τάχει τὰ φυράματα τοῦ σταιτὸς ἄζυμα ἐπενέγκασθαι ἢ ἐπειδὴ κατὰ τὸν καιρὸν ἐκείνον (λέγω δὲ τὴν ἑαρινὴν ὥραν, ἐν ᾗ συμβαίνει τὴν ἑορτὴν ἄγεσθαι) ὁ τοῦ σίτου καρπὸς ἀτελής ἐστι, τῶν πεδίων σταχυηφορούντων καὶ μήπω καιρὸν ἐχόντων εἰς ἄμητον. ἀτελεῖ δὴ τῷ μέλλοντι καρπῷ τελειω-
 θησομένῳ δὲ μικρὸν ὕστερον ἐδικαίωσεν ἐξομοιωσαι τὴν ἄζυμον τροφήν—ἀτελής γάρ ἐστι καὶ αὕτη—
 πρὸς ἐλπίδος χρηστῆς ὑπόμνησιν, ὡς ἤδη τῆς φύσεως τὰς ἐτησίους εὐτρεπιζομένης ἀνθρώπων γένει δωρεὰς ἐν τῇ τῶν ἐπιτηδείων ἀφθονίᾳ καὶ

¹ ms. and Nicetas συμφωνίαν.

THE SPECIAL LAWS, II. 157-158

men of all good things. Two days out of the seven, 157
the first and the last, are declared holy. In this way
he gave a natural precedence to the beginning and
the end; but he also wished to create a harmony
as on a musical instrument between the intermediates
and the extremes. Perhaps too he wished to
harmonize the feast with a past which adjoins the
first day and a future which adjoins the last. These
two, the first and the last, have each the other's
properties in addition to their own. The first is the
beginning of the feast and the end of the preceding
past, the seventh is the end of the feast and the be-
ginning of the coming future. Thus, as I have said
before,^a the whole life of the man of worth may be
regarded as equivalent to a feast held by one who
has expelled grief and fear and desire and the other
passions and distempers of the soul. The 158

bread is unleavened either because our forefathers,
when under divine guidance they were starting on
their migration, were so intensely hurried that they
brought the lumps of dough unleavened,^b or else
because at that season, namely, the springtime, when
the feast is held, the fruit of the corn has not reached
its perfection, for the fields are in the ear stage and
not yet mature for harvest. It was the imperfection
of this fruit which belonged to the future, though it
was to reach its perfection very shortly, that he con-
sidered might be paralleled by the unleavened food,
which is also imperfect, and serves to remind us of
the comforting hope that nature, possessing as she
does a superabundant wealth of things needful, is
already preparing her yearly gifts to the human

^a In § 48.

^b So Ex. xii. 34, 39, and Deut. xvi. 3.

- 159 περιουσία. λέγεται δὲ καὶ κείνο τοῖς ἐξηγηταῖς τῶν
 ἱερῶν γραμμάτων, ὅτι ἡ μὲν ἄζυμος τροφή δώρημα
 φύσεώς ἐστιν, ἡ δ' ἐζυμωμένη τέχνης ἔργον·
 ἐπιτηδεύσει γὰρ ἄνθρωποι τὰ ἡδέα τοῖς ἀναγ-
 καίοις¹ ἀναμιγνύναι σπεύδοντες τὸ αὐστηρὸν τῇ
 160 φύσει προσηνὲς τέχνη κατεσκεύασαν. ἐπεὶ οὖν
 ἐστιν ἡ ἑαρινὴ ἑορτή, καθάπερ ἐδίδαξα, τῆς τοῦ
 κόσμου γενέσεως ὑπόμνημα, τοὺς δὲ παλαιτάτους
 γηγενεῖς τε καὶ ἐκ γηγενῶν ἀναγκαῖον ἦν χρήσασθαι
 [294] ταῖς | τοῦ κόσμου δωρεαῖς ἀδιαστροφῶς, μήπω
 τῆς ἡδονῆς παρενημερούσης, οἰκειοτάτην τροφήν
 ἐνομοθέτησε τῷ καιρῷ, βουλόμενος ἀνὰ πᾶν ἔτος
 τὰ τῆς σεμνῆς καὶ αὐστηρᾶς διαίτης ἐμπυρεύματα
 ζωπυρεῖν καὶ ἅμα τὸν ἀρχαῖον βίον τῆς ὀλιγοδείας
 καὶ εὐτελείας θαυμάσαι τε καὶ τιμῆσαι πανηγύρεως
 ἐκεχειρίᾳ καὶ τὸν ἡμῶν καθ' ὅσον οἶόν τε ἦν
 161 ἐξομοιωσαὶ τῷ παλαιῷ. τὰ λεχθέντα πιστοῦται
 μάλιστα ἡ τῶν ἰσαριθμῶν ταῖς φυλαῖς ἐπὶ τῆς
 ἱερᾶς τραπέζης ἄρτων δώδεκα πρόθεσις· εἰσὶ γὰρ
 πάντες ἄζυμοι, δεῖγμα σαφέστατον ἀμιγοῦς τροφῆς
 οὐ τέχνη πρὸς ἡδονὴν ἀλλὰ φύσει πρὸς τὸ τῆς
 χρήσεως ἀναγκαῖον εὐτρεπισθείσης. ταῦτα μὲν
 ἐπὶ τοσοῦτον.
- 162 XXIX. Ἑορτὴ δέ ἐστιν ἐν ἑορτῇ ἡ μετὰ τὴν
 πρώτην εὐθὺς ἡμέραν, ἥτις ἀπὸ τοῦ συμβεβηκότος
 ὀνομάζεται δράγμα· τοῦτο γὰρ ἀπαρχὴ προσάγεται
 τῷ βωμῷ καὶ τῆς χώρας, ἣν ἔλαχε τὸ ἔθνος οἰκεῖν,

¹ MS. δικαίοις.

^a See Lev. xxiv. 5 ff.

^b See Lev. xxiii. 10 ff.; for "directly after the first day"

THE SPECIAL LAWS, II. 159-162

race. Another suggestion made by the interpreters 159 of the holy scriptures is that food, when unleavened, is a gift of nature, when leavened is a work of art. For men in their eagerness to temper the barely necessary with the pleasant, have learned through practice to soften by art what nature has made hard. Since, then, the spring-time feast, as I have laid down, 160 is a reminder of the creation of the world, and its earliest inhabitants, children of earth in the first or second generation, must have used the gifts of the universe in their unperturbed state before pleasure had got the mastery, he ordained for use on this occasion the food most fully in accordance with the season. He wished every year to rekindle the embers of the serious and ascetic mode of faring, and to employ the leisure of a festal assembly to confer admiration and honour on the old-time life of frugality and economy, and as far as possible to assimilate our present-day life to that of the distant past. These 161 statements are especially guaranteed by the exposure of the twelve loaves corresponding in number to the tribes, on the holy table.^a They are all unleavened, the clearest possible example of a food free from admixture, in the preparation of which art for the sake of pleasure has no place, but only nature, providing nothing save what is indispensable for its use. So much for this.

XXIX. But within the feast there is another feast 162 following directly after the first day. This is called the "Sheaf,"^b a name given to it from the ceremony which consists in bringing to the altar a sheaf as a first-fruit, both of the land which has been given to

ibid. 11; LXX "on the morrow of the first day"; Hebrew "on the morrow after the sabbath." See App. p. 627.

καὶ τῆς συμπάσης γῆς, ὡς εἶναι τὴν ἀπαρχὴν καὶ τοῦ ἔθνους ἰδίαν καὶ ὑπὲρ ἅπαντος ἀνθρώπων
 163 γένους κοινὴν. τὸ δ' αἴτιον, ὅτι ὃν λόγον ἔχει πρὸς πόλιν ἱερεὺς, τοῦτον πρὸς ἅπασαν τὴν οἰκουμένην τὸ Ἰουδαίων ἔθνος. ἱεράται γάρ, εἰ δεῖ τὰ ληθὲς εἰπεῖν, ἅπασιν τοῖς ἀγνευτικοῖς καθαρσίοις χρώμενον καὶ κατὰ σῶμα καὶ κατὰ ψυχὴν ὑφ-ηγήσεσι νόμων θείων, οἱ τὰς τε γαστροὺς ἡδονὰς καὶ ὑπογαστρίους ἔστειλαν καὶ τὸν ὄχλον * * *¹
 ταῖς αἰσθήσεσιν ἡνίοχον ἀλόγοις λόγον ἐπιστήσαντες, ἔτι δὲ καὶ τὰς τῆς ψυχῆς ἀκρίτους καὶ πλεοναζούσας ὁρμὰς ἀνέκοψαν καὶ ἀνεχαίτισαν, τὰ μὲν μαλακωτέραις ὑφ-ηγήσεσι καὶ φιλοσόφοις προτροπαῖς, τὰ δ' ἐμβριθεστέροις καὶ εὐτονωτέροις ἐλέγχοις καὶ φόβῳ κολάσεως, ὃν ἐπανατείνονται.

164 χωρὶς δὲ τοῦ τὴν νομοθεσίαν τρόπον τινὰ διδασκαλίαν ἱερωσύνης εἶναι καὶ τὸν βιοῦντα κατὰ τοὺς νόμους εὐθὺς ἱερέα, μᾶλλον δ' ἀρχιερέα, παρ' ἀληθεία δικαζούσῃ νομίζεσθαι κακεῖνο πρόσ-εστιν ἐξαίρετον· ἀπερίγραφον καὶ ἀπερίληπτον συμβέβηκεν εἶναι θεῶν πλῆθος τῶν κατὰ πόλεις² τιμωμένων ἀρρένων τε καὶ θηλειῶν, οὓς τό τε

¹ Cohn prints here καὶ τὸν ὄχλον <τῆς ψυχῆς ἐχαλίνωσαν, νοῦν> ταῖς αἰσθήσεσι κτλ. I have not followed him, since the insertion is, as he says, only "exempli gratia," and does not seem particularly happy. Philo is amplifying κατὰ σῶμα καὶ κατὰ ψυχὴν, and as we take up ψυχὴ in ἔτι δὲ καὶ κτλ. it seems out of place here. Something is certainly needed after ὄχλον, but αὐτῶν would be in itself enough, or αὐτῶν ἐχαλίνωσαν since ὄχλον contains the notion of turbulence as well as crowd.

² MS. πόλιν.

^a Or "This follows from the fact that," etc. For the following sections cf. i. 97, though there it is the high priest, and not the Jewish nation, who prays for the world. Heine-406

THE SPECIAL LAWS, II. 162-164

the nation to dwell in and of the whole earth, so that it serves that purpose both to the nation in particular and for the whole human race in general. The 163 reason of this is^a that the Jewish nation is to the whole inhabited world what the priest is to the State. For the holy office in very truth belongs to the nation because it carries out all the rites of purification and both in body and soul obeys the injunctions of the divine laws, which restrict the pleasures of the belly and the parts below it and the horde . . . setting reason to guide the irrational senses, and also check and rein in the wild and extravagant impulses of the soul, sometimes through gentler remonstrances and philosophical admonitions, sometimes through severer and more forcible condemnations and the fear of punishment which they hold over it as a deterrent.

But not only is the legislation in a sense 164 a lesson on the sacred office, not only does a life led in conformity with the laws necessarily confer priesthood or rather high priesthood in the judgement of truth, but there is another point of special importance. There is no bound or limit to the number of deities, male and female, honoured in different cities, the vain inven-

mann notes that it is curious that the sections which follow emphasizing the world-priesthood of the Jewish race should be connected with the comparatively insignificant rite of the Sheaf, particularly as Philo in *De Som.* ii. 75 has laid down that the sheaf must be taken from the holy land. But the sheaf is actually the first-fruit of the whole harvest, the accomplishment of which is celebrated in the feasts of Weeks and Tabernacles. Philo does not argue the world-priesthood from the rite, but asserts it as a fact shewn by (1) the obedience of Israel to the divine law; (2) its unique monotheism, and argues from it that the Sheaf, and by implication the other thank-offerings, are world-extensive. That he should attach this argument to the first example is not unnatural.

- ποιητικὸν γένος ἐμύθευσε καὶ <ὁ> πολὺς ὄμιλος ἀνθρώπων, οἷς ἄπορος¹ καὶ ἀδιερεύνητος ἡ ζήτησις τῆς ἀληθείας ἐστίν· οὐ μὴν τοὺς αὐτοὺς ἅπαντες ἀλλὰ ἑτέρους ἕτεροι σεμνοποιοῦσι καὶ γεραίρουσιν, ὡς μηδὲ θεοὺς τοὺς ἐπὶ τῆς ἀλλοδαπῆς νομίζουσιν, ἀλλὰ γέλωτα καὶ χλεύην θέσθαι² τὰς ἐκείνων ἀποδοχὰς³ καὶ καταγινώσκειν τῶν τιμῶντων πολλὴν ἡλιθιότητα ὡς ὑγιоὺς διαμαρτανόντων δόξης.
- 165 εἰ δ' ἔστιν, ὃν μιᾷ γνώμῃ πάντες ὁμολογοῦσιν Ἕλληνες ὁμοῦ καὶ βάρβαροι, ὁ ἀνωτάτω πατὴρ θεῶν τε καὶ ἀνθρώπων καὶ τοῦ σύμπαντος κόσμου δημιουργός, οὗ τὴν φύσιν ἀόρατον καὶ δυστόπαστον οὖσαν οὐ μόνον ὁραθῆναι ἀλλὰ καὶ νοηθῆναι πάντες οἱ περὶ τὰ μαθήματα καὶ τὴν ἄλλην φιλοσοφίαν διατρίβοντες ἀναζητεῖν γλίσχονται μηδὲν παρέντες τῶν εἰς εὖρεσιν καὶ [τούτου] θεραπείαν, ἔδει μὲν πάντας ἀνθρώπους ἀνῆλθαι <τούτου> καὶ μὴ καθάπερ ἀπὸ μηχανῆς εἰσποιεῖν ἑτέρους ἐπὶ
- 166 μετουσίᾳ τῶν ἴσων τιμῶν. ἐπεὶ δὲ περὶ τὸ ἀναγκαιότατον ὥλισθον μέρος, τὸ σφάλμα τῶν ἄλλων ἐπληρωρθώσατο, κυριώτατα φάναι, τὸ Ἰουδαίων ἔθνος, ὅσα μὲν εἰς γένεσιν ἦλθε πάνθ' ὑπερκύψαν ὡς γενητὰ καὶ τῇ φύσει φθαρτά, τοῦ δ' ἀγενήτου

¹ MS. ἄπονος.² MS. ὑποθέσθαι.³ MS. ὑποδοχὰς.

^a This is a remarkable statement, and can hardly mean more than that all acknowledge a creator of some sort. In such a general statement he may perhaps ignore atheists, but the words are not easy to reconcile with what he says elsewhere of polytheists. Or does he think that all the theologies like the Greek and Roman acknowledged one God as above the rest?

^b Heinemann translates by "Naturforschung." But

THE SPECIAL LAWS, II. 164-166

tions of the tribe of poets and of the great multitude of men to whom the quest for truth is a task of difficulty and beyond their powers of research. Yet instead of all peoples having the same gods, we find different nations venerating and honouring different gods. The gods of the foreigner they do not regard as gods at all. They treat their acceptance by the others as a jest and a laughing-stock and denounce the extreme folly of those who honour them and the failure to think soundly shewn thereby. But if He 165 exists Whom all Greeks and barbarians unanimously acknowledge,^a the supreme Father of gods and men and the Maker of the whole universe, whose nature is invisible and inscrutable not only by the eye, but by the mind, yet is a matter into which every student of astronomical science ^b and other philosophy desires to make research and leaves nothing untried which would help him to discern it and do it service—then it was the duty of all men to cleave to Him and not introduce new gods staged as by machinery^c to receive the same honours. When they went 166 wrong in what was the most vital matter of all, it is the literal truth that the error which the rest committed was corrected by the Jewish nation which passed over all created objects because they were created and naturally liable to destruction and chose

μαθήματα, where it is not used quite generally, seems regularly to indicate either mathematics as in § 177 below, or what was regarded as a branch of mathematics, astronomy or astrology. For the latter cf. *De Praem.* 58 τῆς ἐν τοῖς μαθήμασι Χαλδαικῆς τερθρείας and *De Virt.* 212 ἀστρονομικοῦ τῶν περὶ τὰ μαθήματα διατριβόντων. So too μαθηματικός (-ή), § 140 above and *De Mut.* 71 πραγματευόμενον τὰ περὶ φύσεως οὐρανοῦ ὃν μαθηματικὸν ἔνιοι προσαγορεύουσι.

^a See on i. 28.

- καὶ αἰδίου μόνον τὴν θεραπείαν ἐλόμενον· πρῶτον μὲν ὅτι καλόν, ἔπειτα δ' ὅτι καὶ ὠφέλιμον πρεσβυτέρῳ πρὸ νεωτέρων καὶ ἄρχοντι πρὸ ἀρχομένων καὶ ποιητῇ πρὸ γεγονότων ἀνακείσθαι τε καὶ προσ-
 167 τίθεσθαι.¹ διὸ καὶ θαυμάζειν ἐπέρχεται μοι, πῶς τολμῶσί τινες ἀπανθρωπίαν τοῦ ἔθνους κατηγορεῖν, ὃ τοσαύτῃ κέχρηται κοινωνίας καὶ εὐνοίας τῆς² πρὸς <τοὺς> πανταχοῦ πάντας ὑπερβολῇ, ὡς τὰς τε εὐχὰς καὶ ἐορτὰς καὶ ἀπαρχὰς ὑπὲρ τοῦ κοινοῦ γένους τῶν ἀνθρώπων ἐπιτελεῖν καὶ τὸν ὄντως ὄντα θεὸν θεραπεύειν ὑπὲρ τε ἑαυτοῦ καὶ τῶν ἄλλων, οἳ τὰς ὀφειλομένας λατρείας ἀποδεδράκασι.
- 168 Καὶ ταῦτα μὲν ὑπὲρ τοῦ σύμπαντος ἀνθρώπων γένους. ἰδίᾳ δὲ πάλιν εὐχαριστοῦσι <διὰ> πολλά· πρῶτον μὲν <ὅτι> οὐκ αἰεὶ σποράδην ἀλώμενοι κατὰ τε νήσους καὶ ἡπείρους διατελοῦσι καὶ ὡς ὀθνεῖοι καὶ ἀνίδρυτοι τὰς ἐτέρων ἐπωκηκότες καὶ ἀλλοτρίοις ἐφεδρεύοντες ἀγαθοῖς ὀνειδίζονται μηδεμίαν γῆς³ τοσαύτης ἀποτομὴν τῷ μειονεκτεῖσθαι⁴ δανεισάμενοι, χώραν δὲ καὶ πόλεις κτησάμενοι κλῆρον ἴδιον ἐκ πολλοῦ νέμονται, ἀφ' οὗ⁵ τὰς
 169 ἀπαρχὰς ὅσιόν ἐστι ποιεῖσθαι. δεύτερον δ' ὅτι οὔτε ἀπόβλητον καὶ τὴν ἐπιτυχοῦσαν⁶ ἀλλ' ἀγαθὴν καὶ πάμφορον γῆν ἔλαχον πρὸς τε ζώων ἡμέρων

¹ MS. προτίθεσθαι.² MS. τῇ = τῇ.³ MS. τῆς.⁴ Cohn prints <ἐπὶ> τῷ μετοικίζεσθαι; see note a.⁵ MS. ἀφ' ὧν.⁶ MS. ἀποτυχοῦσαν.

^a Cohn in *Hermes*, 1908, p. 200, argues in justification of his correction (see note 4), that it fits in very well with the last words of § 170. This is true, but I cannot follow his

THE SPECIAL LAWS, II. 166-169

the service only of the Uncreated and Eternal, first because of its excellence, secondly because it is profitable to dedicate and attach ourselves to the elder rather than to the younger, to the ruler rather than to the subject, to the maker rather than to the thing created. And therefore it astonishes me to 167 see that some people venture to accuse of inhumanity the nation which has shewn so profound a sense of fellowship and goodwill to all men everywhere, by using its prayers and festivals and first-fruit offerings as a means of supplication for the human race in general and of making its homage to the truly existent God in the name of those who have evaded the service which it was their duty to give, as well as of itself.

So much for this feast as a thanksgiving for the 168 whole human race. But the nation in particular also gives thanks for many reasons. First, because they do not continue for ever wandering broadcast over islands and continents and occupying the homelands of others as strangers and vagrants, open to the reproach of waiting to seize the goods of others. Nor have they just borrowed a section of this great country for lack of means to purchase,^a but have acquired the land and cities for their own property, a heritage in which they live as long established citizens and therefore offer first-fruits from it as a sacred duty. Secondly, the land which has fallen 169 to their lot is not derelict nor indifferent soil, but good land, well fitted for breeding domestic animals

dictum that *μειοεκτεῖσθαι* makes no sense. The nation was not like people who borrow or hire a piece of ground because they have not enough to buy it. *μειοεκτεῖν* is common enough, though I have not found an example of the middle. Heinemann translates *μειοεκτεῖσθαι*, though he calls the word corrupt.

- εὐγονίας καὶ καρπῶν ἀμυθήτων ἀφθονίαν· ἐν αὐτῇ γὰρ οὐδέν ἐστι λυπρόγεων, ἀλλὰ καὶ ὅσα λιθώδη καὶ ἀπόκροτα εἶναι δοκεῖ φλεψὶ μαλακαῖς διέζωσται καὶ σφόδρα βαθείαις, αἱ διὰ πιότητα ζωοφυτεῖν
- 170 εἰσιν ἀγαθαί. πρὸς δὲ τούτοις οὐκ ἔρημον χώραν ἔλαβον, ἀλλ' ἐν ἣ πολυάνθρωπον ἔθνος ἦν καὶ εὐανδροῦσαι μεγάλαι πόλεις· ἀλλ' αἱ μὲν ἐκενώθησαν οἰκητόρων, τὸ δὲ σύμπαν ἔθνος ἔξω μέρους βραχέος ἠφανίσθη, τὰ μὲν πολέμοις, τὰ δὲ καὶ θεηλάτοις προσβολαῖς, διὰ καινὰς¹ καὶ ἐκτόπους ἐπιτηδεύσεις ἀδικημάτων καὶ ὅσα μεγαλουργοῦντες ἐπὶ καθαιρέσει τῶν τῆς φύσεως θεσμῶν ἡσέβουν, ἵνα οἱ ἀντὶ τούτων εἰσοικιζόμενοι τοῖς ἐτέρων σωφρονισθῶσι κακοῖς, ἀναδιδασκόμενοι ἔργοις ὅτι ζηλωταὶ μὲν τῶν <κακίας>² ἔργων γενόμενοι ταῦτα πείσονται, τιμήσαντες δ' ἀρετῆς βίον ἔξουσιν τὸν ἀπονεμηθέντα κλῆρον, οὐκ ἐν μετοίκοις ἀλλ' ἐν
- 171 αὐτόχθοσιν ἐξετασθέντες. ὥς μὲν τοίνυν ἀπαρχὴ τὸ δράγμα τῆς τε οἰκείας καὶ τῆς συμπάσης γῆς ἐστὶν ἐπ' εὐχαριστία γινόμενον εὐθηνίας καὶ εὐετηρίας, ἣ τό τε³ ἔθνος καὶ τὸ σύμπαν ἀνθρώπων γένος ἐπόθει χρῆσθαι, δεδήλωται. προσήκει δὲ μὴ ἀγνοεῖν, ὅτι πολλὰ διὰ τῆς ἀπαρχῆς καὶ ὠφελιμώτατα παρίσταται· πρῶτον μὲν θεοῦ μνήμη, ἥς οὐκ ἔστιν εὐρεῖν ἀγαθὸν⁴ τελειότερον, ἔπειτα δὲ τῷ πρὸς ἀλήθειαν αἰτίῳ τῆς εὐκαρπίας ἀμοιβῇ
- 172 δικαιοτάτῃ. τὰ μὲν γὰρ ἀπὸ τέχνης γεωργικῆς

¹ MS. κενὰς.² On Cohn's insertion of <κακίας> see note a.³ MS. περὶ τε.⁴ MS. ἀγαθὸν.

^a The insertion of *κακίας* is very doubtful, and perhaps weakens the sense. I suspect that there is a play, not reproducible in English, on two different meanings of *ἔργα*: (a)

THE SPECIAL LAWS, II. 169-172

and bearing fruits in vast abundance. For in it there is no poverty of soil and even such parts as seem to be stony or stubborn are intersected by soft veins of very great depth, the richness of which adapts them for producing life. But besides this it 170 was no uninhabited land which they received, but one which contained a populous nation and great cities filled with stalwart citizens. Yet these cities have been stripped of their inhabitants and the whole nation, except for a small fraction, has disappeared, partly through wars, partly through heaven-sent visitations, a consequence of their strange and monstrous practices of iniquity and all their heinous acts of impiety aimed at the subversion of the statutes of nature. Thus should those who took their place as inhabitants gain instruction from the evil fate of others and learn from their history the lesson that if they emulate deeds of vice^a they will suffer the same doom, but if they pay honour to a life of virtue they will possess the heritage appointed to them and be ranked not as settlers but as native-born.

We have shewn, then, that the Sheaf was an offering 171 both of the nation's own land and of the whole earth, given in thanks for the fertility and abundance which the nation and the whole human race desired to enjoy. But we must not fail to note that there are many things of great advantage represented by the offering. First, that we remember God, and what thing more perfectly good can we find than this? Secondly, that we make a requital, as is most fully due, to Him Who is the true cause of the good harvest. For the 172 results due to the husbandman's art are few or as good

taught by actual facts, *cf.* *Mos.* ii. 268 τοῦτ' ἀπέβαινεν ἔργοις,
(b) emulate their actions.

- ὀλίγα καὶ τὸ μηδέν, αὐλακας ἀναστείλαι ἢ περι-
 σκάψαι καὶ γυρῶσαι φυτὸν ἢ βαθύναι τάφρον ἢ τὰς
 περιττὰς ἐπιφύσεις ἀποτεμεῖν ἢ τι τῶν ὁμοιοτρόπων
 ἐργάσασθαι, τὰ δ' ἐκ φύσεως ἀναγκαῖα πάντα καὶ
 χρήσιμα, γονιμώτατον ἔδαφος, εὐνδρα χωρία
 πηγαῖς καὶ ποταμοῖς αὐθιγενέσι καὶ χειμάρροις
 καὶ ἔτησίοις ὄμβροις καταρδόμενα, ἀέρος εὐκρασίαι
 ζωτικωτάταις αὔραις ἐπιπνέοντος, αἱ σπαρτῶν καὶ
 φυτῶν ιδέαι μυρία· τί γὰρ τούτων ἄνθρωπος ἢ
 173 εὗρεν ἢ ἐγέννησεν; ἡ μὲν οὖν γεννήσασα φύσις
 τῶν ιδίων ἀγαθῶν οὐκ ἐφθόνησεν ἀνθρώπῳ, ζῶων
 δὲ τῶν θνητῶν ἡγεμονικώτατον αὐτὸν εἶναι
 ὑπολαβοῦσα, διότι λόγου καὶ φρονήσεως κεκοινώ-
 νηκεν, ἀριστίνδην εἵλετο καὶ πρὸς μετουσίαν τῶν
 ιδίων ἐκάλεσεν· ὑπὲρ ὧν ἄξιον ἐπαινέσθαι τε καὶ
 θαυμάζεσθαι τὸν ἐστιάτορα θεὸν τὴν ὡς ἀληθῶς
 ἐστίαν γῆν ἅπασαν αἰεὶ πλήρη παρέχοντα τῶν οὐκ
 ἀναγκαίων μόνον ἀλλὰ καὶ <τῶν πρὸς> τὸν ἄβρο-
 174 δίαιτον βίον. πρὸς δὲ τούτοις τὸ μὴ δεῖν εὐ-
 εργετῶν ἀλογεῖν· ὁ γὰρ πρὸς τὸν ἀνεπιδεᾶ καὶ
 ἑαυτοῦ <πλήρη>¹ θεὸν εὐχάριστος γένοιτ' ἂν καὶ
 πρὸς ἀνθρώπους ἐξεθισθείς, οἱ μυρίων ὅσων ἐνδεεῖς
 175 εἰσιν. κρίθινον δὲ τὸ τῆς ἀπαρχῆς
 δράγμα, πρὸς τὴν τῶν ὑποβεβηκότων ἀνυπαίτιον
 χρήσιν· ἐπειδὴ γὰρ οὐτ' εὐαγές ἦν ἐκ πάντων
 ἀπάρχεσθαι, τῶν πλείστων πρὸς ἡδονὴν μᾶλλον ἢ
 τὴν ἀναγκαίαν χρήσιν γεγονότων, οὐθ' ὅσιον
 ἀπολαῦσαι καὶ μετασχεῖν τινος τῶν πρὸς ἔδωδὴν

¹ On Cohn's insertion of *πλήρη* see note *a*.

THE SPECIAL LAWS, II. 172-175

as nothing, furrows drawn, a plant dug or ringed around, a trench deepened, excessive overgrowth lopped, or other similar operations. But what we owe to nature is all indispensable and useful, a soil of great fruitfulness, fields irrigated by fountains or rivers, spring-fed or winter torrents, and watered by seasonable rains, happily tempered states of the air which sends us the breath of its truly life-giving breezes, numberless varieties of crops and plants. For which of these has man for its inventor or parent? No, it is nature, their parent, who has not grudged to 173 man a share in the goods which are her very own, but judging him to be the chiefest of mortal animals because he has obtained a portion of reason and good sense, chose him as the worthiest and invited him to share what was hers to give. For all this it is meet and right that the hospitality of God should be praised and revered, God Who provides for His guests the whole earth as a truly hospitable home ever filled not merely with necessities, but with the means of 174 luxurious living. Further, we learn not to neglect benefactors, for he who is grateful to God, Who needs nothing and is His own fullness,^a will thus become accustomed to be grateful to men whose needs are numberless. The sheaf thus offered is 175 of barley, shewing that the use of the inferior grains is not open to censure. It would be irreverent to give first-fruits of them all, as most of them are made to give pleasure rather than to be used as necessities, and equally unlawful to enjoy and partake of any

^a Cohn supports his insertion of *πλήρη* from *Leg. All.* i. 44 *αὐτὸς ἑαυτοῦ πλήρης ὁ θεός*, cf. *De Mut.* 27. Without it the text "having no need of Himself" might not be impossible, but would give a conception for which I know no parallel in Philo.

μη ἐν οἷς εὐπρεπὲς καὶ θέμις εὐχαριστήσαντας, τὸ δευτερείοις τροφῆς τετιμημένον εἶδος, κριθήν, ἀπάρχεσθαι προσέταξεν ὁ νόμος· ὁ γὰρ τοῦ σίτου <καρπὸς> τὰ πρεσβεῖα ἔλαχεν, οὐδὲ πάλιν τὴν ἀπαρχὴν ἐπιφανεστέραν οὖσαν εἰς ἐπιτηδειότερον ἀνατίθεται καιρόν, οὐ προεκφοιτῶν ἀλλ' ἐν τῷ παρόντι ταμιευόμενος ὑπὲρ τοῦ καὶ τὰς εὐχαριστίας ἡρμόσθαι χρόνων τεταγμέναις περιόδοις.

- 176 XXX. Τοσαύτας ἔχουσα προνομίας, ὅποσας ἔδειξεν ὁ νόμος, ἢ ἐπὶ τῷ δράγματι πανήγυρις προέορτός ἐστιν, εἰ δεῖ τάληθές εἰπεῖν, ἑτέρας ἐορτῆς μείζονος· ἀπὸ γὰρ ἐκείνης ἡμέρα πεντηκοστή καταριθμεῖται ἑπτὰ ἑβδομάσιν, [ἐφ' αἷς]¹ ἱερὸν ἀριθμὸν ἐπισφραγιζομένης μονάδος, ἣτις ἐστὶν ἀσώματος θεοῦ εἰκὼν, ᾧ κατὰ τὴν μόνωσιν ἑξομοιοῦται. τοῦτο μὲν δὴ πρῶτον κάλλος ἐπι-
177 δείκνυται πεντηκοντάς. ἕτερον δὲ μηνυτέον· θαυμαστὴ καὶ περιμάχητός ἐστιν ἡ φύσις <αὐτῆς> διὰ τε τᾶλλα καὶ ἐπειδὴ συνέστηκεν ἐκ τοῦ στοιχειωδεστάτου καὶ πρεσβυτάτου τῶν ἐν οὐσίαις περιλαμβανομένων,² ὥς φασιν οἱ ἀπὸ τῶν μαθημάτων, ὀρθογωνίου τριγώνου· μήκει μὲν γὰρ αἱ

¹ MS. ἐβδόμη ἑβδομάς: Nicetas ἑπτὰ ἑβδομάδες. ἐφ' αἷς is omitted in Nicetas, Cohn substitutes for it ἀφέσεως. For a discussion of the text as a whole see App. pp. 627-628.

² MS. παραλαμβανομένων.

^a There is no mention of barley in Lev. xxiii. As Josephus, *Ant.* iii. 250, says the same, the use of barley had probably become a general practice, which Philo by a slip of memory ascribes to the law.

^b Or "privileges." If note *b* on § 162 is right, the προνομία consist in this, that the Sheaf is the first to exhibit all the virtues which accompany thanksgiving and have been enumerated in the preceding sections. Certainly in no other

form of food for which thanks had not been offered in the proper and rightful manner. And therefore the law ordained^a that the first-fruit offerings should be made of barley, a species of grain regarded as holding the second place in value as food. For wheat holds the first place and as the first-fruit of this has greater distinction, the law postponed it to a more suitable season in the future. It does not anticipate matters, but puts it in storage for the time being, so that the various thank-offerings may be adjusted to their appointed dates as they recur.

XXX. The festival of the Sheaf, which has all 176 these grounds of precedence,^b indicated in the law, is also in fact anticipatory of another greater feast. For it is from it that the fiftieth day is reckoned, by counting seven sevens, which are then crowned with the sacred number by the monad,^c which is an incorporeal image of God, Whom it resembles because it also stands alone. This is the primary excellence exhibited by fifty, but there is another which should be mentioned. One reason among others which 177 makes its nature so marvellous and admirable is that it is formed by what the mathematicians tell us is the most elemental and venerable of existing things,^d namely, the right-angled triangle. In length its sense does the law give *προνομία* to a rite which is disposed of in a few verses in Leviticus and not mentioned elsewhere in the Pentateuch.

^c *i.e.* the addition of 1 turns 49 into the sacred number 50. The use of *ἐπισφραγίζεται* in § 211 is exactly similar.

^d Lit. "of what is included in existences." The same view of 50 as the sum of the squares of the sides of the primary right-angled triangle appears in *De Vit. Cont.* 65, where it is called the *ἀγώτατος καὶ φυσικώτατος* of numbers. See also *Mos.* ii. 80 and note. For other references see Zeller, *Presocratic Philosophy* (Eng. Trans.), i. 429 f.

- τοῦδε πλευραὶ τριῶν οὔσαι καὶ τεσσάρων καὶ πέντε συμπληροῦσιν ἀριθμὸν τὸν δώδεκα, τοῦ ζωοφόρου κύκλου παράδειγμα, διπλασιασθείσης ἐξάδος τῆς γονιμωτάτης, ἣτις ἐστὶν ἀρχὴ τελειότητος, ἐκ τῶν ἰδίων συμπληρουμένη μερῶν, οἷς¹ ἐξισοῦται· δυνάμει δ', ὡς ἔοικεν, ἀπογεννώσι τὸν πεντηκοστὸν διὰ τοῦ τρὶς τρία καὶ τετράκις τέσσαρα καὶ πεντάκις πέντε, ὥστε ἀναγκαῖον εἶναι λέγειν τοσούτῳ <κρείττω> δωδεκάδος² εἶναι πεντηκοντάδα
- 178 ὅσῳ καὶ τὸ δυνάμει τοῦ μήκει.³ εἰ δὲ τοῦ ἐλάττονος εἰκὼν ἐστὶν ἡ καλλιστεύουσα τῶν ἐν οὐρανῷ σφαῖρα ἡ ζωοφόρος, τίνος ἂν εἴη παράδειγμα τὸ κρείττον, ἡ πεντηκοντάς, ἡ πάντως ἀμείνων φύσεως; περὶ ἧς οὐ καιρὸς λέγειν· αὐτάρκες⁴ γὰρ ἐν τῷ παρόντι σεσημειώσθαι τὴν διαφορὰν ὑπὲρ τοῦ μὴ ἐν παρέργῳ προηγούμενον ἔργον τίθεσθαι.
- 179 Πρόσρησιν δ' ἔλαχεν ἡ κατὰ τὸν πεντηκοστὸν ἀριθμὸν ἐνισταμένη ἐορτὴ πρωτογεννημάτων, ἐν ἣ ἡ δύο ἐξυμωμένους ἄρτους ἐκ πυροῦ γεγονότας ἔθος προσφέρειν ἀπαρχὴν σίτου, τῆς ἀρίστης τροφῆς. ὠνομάσθη δὲ πρωτογεννημάτων ἡ διότι, πρὶν εἰς τὴν ἀνθρώπων χρῆσιν ἐλθεῖν τὸν ἐπέτειον καρπὸν, τοῦ νέου σίτου τὸ πρῶτον γέννημα καὶ ὁ πρῶτος παραφανεὶς καρπὸς ἀπαρχὴ προσάγεται—
- 180 δίκαιον γὰρ καὶ ὅσιον τὴν μεγίστην λαβόντας παρὰ θεοῦ δωρεὰν ἀφθονίαν ἀναγκαιοτάτης ὁμοῦ καὶ ὠφελιμωτάτης ἔτι δὲ καὶ ἡδίστης τροφῆς μήτε ἀπολαῦσαι μήτε συνόλως σπάσαι, πρὶν ἀπάρξασθαι τῷ χορηγῷ, διδόντας μὲν οὐδέν, αὐτοῦ γὰρ τὰ πάντα καὶ κτήματα καὶ δωρεαί, διὰ <δὲ> βραχέος

¹ MS. ἡμερῶν αἰς.³ MS. τοῦ δυνάμει τὸ μήκος.² MS. δεκάδος.⁴ MS. αὐτάρκως.

THE SPECIAL LAWS, II. 177-180

sides are 5, 3, 4, of which the sum is twelve, the pattern of the zodiac cycle, the duplication of the highly prolific six, which is the starting-point of perfection since it is the sum of the factors which produce it through multiplication. But we find that the sides when raised to the second power, *i.e.* $3 \times 3 + 4 \times 4 + 5 \times 5$, make 50, so that we must say that 50 is superior to 12 in the same degree as the second power is superior to the first. And if the 178 lesser of these is represented by the most excellent of the heavenly spheres, the zodiac, the greater, namely 50, must be the pattern of some quite superior form of existence. But a discussion of this would be out of place at this point. It is quite enough for the present to call attention to the difference, so as to avoid treating a prominent fact as of secondary importance.

The feast which is held when the number 50 is 179 reached has acquired the title of "first-products."^a On it it is the custom to bring two leavened loaves of wheaten bread for a sample offering of that kind of grain as the best form of food. One explanation of the name, "Feast of First-products," is that the first produce of the young wheat and the earliest fruit to appear is brought as a sample offering before the year's harvest comes to be used by men. It is 180 no doubt just and a religious duty that those who have received freely a generous supply of sustenance so necessary and wholesome and also palatable in the highest degree should not enjoy or taste it at all until they have brought a sample offering to the Donor, not indeed as a gift, for all things and possessions and gifts are His, but as a token, however small,

^a See on i. 183.

συμβόλου παραφαίνοντας εὐχάριστον καὶ θεοφιλὲς
 ἦθος πρὸς τὸν χαρίτων μὲν ἀνεπιδεᾶ συνεχεῖς δὲ
 181 καὶ ἀενάους χάριτας ἄρδοντα—ἡ διότι κατ' ἐξοχὴν
 πρῶτον καὶ ἄριστον γέννημα ὁ τοῦ σίτου καρπὸς
 ἐστίν, ἐν δευτέρᾳ τάξει τῶν ἄλλων καταριθμου-
 μένων ὅσα σπαρτά· καθάπερ γὰρ ἄρχων <μὲν> ἐν
 πόλει, κυβερνήτης δ' ἐν νηὶ πρῶτος εἶναι λέγεται,
 τῷ τὸν μὲν κατὰ πόλιν, τὸν δὲ κατὰ ναῦν ἀφ-
 ηγείσθαι τε καὶ προφέρειν, τὸν αὐτὸν τρόπον καὶ ὁ
 τοῦ σίτου καρπὸς ὀνόματι συνθέτω πρωτογέννημα
 ὠνομάσθη διὰ τὸ πάντων ἄριστος εἶναι τῶν
 σπειρομένων· ἔδει γὰρ αὐτὸν καὶ τοῦ ζῶων ἀρίστου
 182 τροφὴν εἶναι. ἐξυμωμένοι δ' εἰσὶν οἱ ἄρτοι, τοῦ
 [295] νόμου ζύμην ἐπὶ τὸν βωμὸν ἀναφέρειν ἀπειπόντος,
 οὐχ ἵνα διαμάχη τις ᾗ ἐν τοῖς προσταττομένοις,
 ἀλλ' ὑπὲρ τοῦ τρόπου τινὰ δι' ἐνὸς εἶδους λαβεῖν
 τε καὶ δοῦναι, λαβεῖν μὲν τὴν ἀπὸ τῶν προσ-
 φερόντων εὐχαριστίαν, δοῦναι δὲ εὐθὺς ἀνυπερθέτως
 τὰ κομιζόμενα τοῖς προσφέρουσιν, οὐ μὴν ὥστε
 183 χρῆσθαι· χρήσονται γὰρ τοῖς ἅπαξ καθιερωθεῖσιν
 οἷς ἔξεστί τε καὶ ἐφίεται, ἔξεστι δὲ τοῖς ἱερωμένοις,
 οἱ τῶν προσαγομένων τῷ βωμῷ ὅσα μὴ ὑπὸ τοῦ
 ἀσβέστου πυρὸς ἀναλίσκεται τὴν μετουσίαν ἔλαβον
 φιλανθρωπία νόμου δοθεῖσαν ἢ μισθὸν ὑπηρεσιῶν¹
 ἢ γέρας ἀγώνων, οὓς ὑπὲρ εὐσεβείας ἀθλοῦσιν, ἢ
 κλήρον ἱερόν, τοῦ κατὰ τὴν χώραν μὴ τὸν αὐτὸν

¹ MS. μισθῶν ἢ ὑπηρεσιῶν.

^a This is the only sense I can give to ἔδει γάρ ("it had to be"). Heinemann "bestimmt," but would not this be ἐμελλε?

^b Lev. ii. 11, cf. above i. 291. The meaning of what follows seems to be that the prohibition is waived in this case, because the loaves, though given to the Lord (Lev. xxiii. 20),

THE SPECIAL LAWS, II. 180-183

by which they show a disposition of thankfulness and loyalty to Him Who, while He needs no favours, sends the showers of His favours in never-failing constancy. Another reason for the name may be that wheaten 181 grain is pre-eminent as the first and best product, all the other sown crops ranking in the second class in comparison ; for as an archon in a city or a pilot in a ship are said to be the first because they regulate the course of the city or the ship, as the case may be, so wheaten grain has received the compound name of " first-product " because it is the best of all the cereals, which it would not be,^a unless it were also the food used by the best of living creatures. The 182 loaves are leavened in spite of the prohibition^b against bringing leaven to the altar, not to produce any contradiction in the ordinances, but to ensure that so to speak there shall be a single kind, both for receiving and giving. By receiving I mean the thanksgiving of the offerers, by giving the immediate return without any delay to the offerers of what they bring, though not for their own use. For food that has 183 once been consecrated will be used by those who have the right and authority, and that right belongs to those who act as priests who through the beneficence of the law have the right to partake of any thing brought to the altar which is not consumed by the undying fire—a privilege granted either as a payment for officiating or as a prize for the contests which they endure in the cause of piety, or a sacred allotment in lieu of land, in the apportionment of are also received back from Him (" they shall be holy to the Lord for the priest that offers them "). It seems to be assumed that therefore they must be brought in the most palatable form, *cf.* § 184, presumably because it is a festal occasion, as the unleavened shew-bread was also eaten by the priests.

- τρόπον ταῖς ἄλλαις φυλαῖς τὸ ἐπιβάλλον μέρος
 184 διανειμάμενοι.¹ σύμβολον δ' ἐστὶ καὶ
 ἄλλων ἢ ζύμη δυεῖν· ἐνὸς μὲν ἐντελεστάτης καὶ
 ὁλοκλήρου τροφῆς, ἧς οὐκ ἔστιν εὐρεῖν ἐν τῇ καθ'
 ἡμέραν χρήσει κρείττονα καὶ λυσιτελεστέραν·
 κράτιστος δὲ καὶ ὁ τοῦ σίτου καρπὸς ἐν σπαρτοῖς,
 ὡς ἀρμόττειν ὑπὲρ τοῦ ἀρίστου ποιεῖσθαι τὴν
 185 ἀρίστην ἀπαρχήν. ἕτερον δὲ συμβολικώτερον· πᾶν
 τὸ ἐζυμωμένον ἐπαίρεται· χαρὰ δὲ ψυχῆς ἔστιν
 εὐλογος ἔπαρσις· ἐπ' οὐδενὶ δὲ τῶν ὄντων μᾶλλον
 χαίρειν πέφυκεν ἄνθρωπος ἢ εὐπορία καὶ ἀφθονία
 τῶν ἀναγκαίων· ἐφ' οἷς ἄξιον γεγηθότας εὐ-
 χαριστεῖν, ποιουμένους ἀοράτου τῆς περὶ τὴν
 διάνοιαν εὐπαθείας αἰσθητὴν διὰ τῶν ἐζυμωμένων
 186 ἄρτων εὐχαριστίαν. ἄρτοι δ' εἰσὶν ἀλλ'
 οὐ σῖτος² ἢ ἀπαρχή, διὰ τὸ μηδὲν ἔτι ἐνδεῖν τῶν εἰς
 ἀπόλαυσιν τροφῆς, σίτου γεγονότος· λέγεται γὰρ
 ὅτι τῶν σπαρτῶν ἀπάντων τελευταῖος ὁ πυρὸς
 γεννᾶσθαι πέφυκε καὶ πρὸς ἄμνητον παρίστασθαι.
 187 δύο δ' εἰσὶν ἄριστα δυοῖν χρόνων χαριστήρια, τοῦ
 τε παρεληλυθότος, ἐν ᾧ τῶν ἐξ ἐνδείας καὶ λιμοῦ
 κακῶν οὐκ ἐπειράθημεν ἐν εὐετηρία διάγοντες,
 καὶ τοῦ μέλλοντος, διότι τὰς εἰς αὐτὸν χορηγίας
 καὶ παρασκευὰς εὐτρεπισάμεθα καὶ γέμοντες χρη-

¹ MS. δανεισάμενοι, which Cohn retains, holding that it can bear the sense of acquiring (*Hermes*, 1908, p. 200). It may be objected to the correction (Tischendorf's) that no example is given of the middle in this sense, but it is a natural extension.

² Cohn brackets ἀλλ' οὐ σῖτος. See note b.

^a See App. p. 628.

^b Cohn's rejection of ἀλλ' οὐ σῖτος as "a foolish insertion"

THE SPECIAL LAWS, II. 183-187

which they had not received their proper share like the other tribes. But leaven is also a 184 symbol for two other things : in one way it stands for food in its most complete and perfect form, such that in our daily usage none is found to be superior or more nourishing, and as wheat-meal is superior to that of the other seed crops, its excellence demands that the offering made in recognition of it should be of the same high quality. The other point 185 is more symbolical. Everything that is leavened rises, and joy is the rational elevation or rising of the soul.^a And there is nothing that exists which more naturally gives a man joy than the possession in generous abundance of necessities. Such rightly call forth gladness and thanksgiving in those who by the leavened loaves give outward expression to the invisible sense of well-being in their hearts.

The offering takes the form of loaves 186 instead of wheaten meal,^b because when the wheat has come there is nothing still missing in the way of appetizing food. For we are told that of all the seed crops, wheat is the last to spring up and be ready for harvesting. And these thank-offerings of 187 the best kind are two in number for the two kinds of time, the past and the future ; for the past, because our days have been spent in abundance, free from the experience of the evils of want and famine ; for the future, because we have laid by and prepared resources to meet it, and are full of bright

rests on the ground that the antithesis is between the wheaten loaves and other kinds of grain. I think he misapprehends the point, which is that when the harvest is completed by the reaping of the wheat, the offering naturally takes the form in which it is actually consumed. I suspect that Philo connects *ἄπρος* and *ἄπριος*.

στῶν ἐλπίδων ταμιεύομεθα τὰς τοῦ θεοῦ δωρεὰς εἰς τὴν καθ' ἡμέραν προφέροντες¹ αἰεὶ δίαιταν, ὅσων ἂν <ἡ> χρεία κατὰ νόμους τῆς οἰκονομικῆς ἀρετῆς.

- 188 XXXI. Ἐξῆς ἐστὶν ἱερομηνία, καθ' ἣν ἅμα ταῖς ἀναγομέναις θυσίαις ἐν τῷ ἱερῷ σαλπίζειν ἔθος· ἀφ' οὗ καὶ “σαλπίγγων” ἐτύμως ἐορτὴ προσ-
αγορεύεται, διττὸν λόγον ἔχουσα, τὸν μὲν ἴδιον τοῦ ἔθνους, τὸν δὲ κοινὸν ἀνθρώπων ἀπάντων· ἴδιον μὲν ὑπόμνησιν τεραστίου καὶ μεγαλουργηθέντος ἔργου, καθ' ὃν χρόνον τὰ λόγια τῶν νόμων ἐθεσπί-
189 ζετο· τότε γὰρ ἀπ' οὐρανοῦ φωνὴ σάλπιγγος ἐξήχησεν, ἣν εἰκὸς ἄχρι τῶν τοῦ παντὸς φθάσαι περάτων, ἵνα καὶ τοὺς μὴ παρόντας καὶ μόνον οὐκ ἐν ἐσχατιαῖς κατοικοῦντας διὰ τοῦ συμβεβηκότος ἢ πτοία ἐπιστρέψῃ λογισαμένους, ὅπερ εἰκός, ὅτι τὰ οὕτως μεγάλα μεγάλων ἀποτελεσμάτων ἐστὶ σημεῖα· τί δὲ μείζον ἢ ὠφελιμώτερον εἰς ἀνθρώπους ἐλθεῖν ἐδύνατο τῶν γενικῶν νόμων, οὓς προ-
εφήτευσεν ὁ θεός, οὐ δι' ἐρμηνέως καθάπερ τὰ ἐν
190 εἶδει νόμιμα; τοῦτο μὲν ἐξαίρετον τοῦ ἔθνους· κοινὸν δὲ πρὸς πάντας ἀνθρώπους ἐκείνο· ἡ σάλπιγξ ὄργανόν ἐστι πολέμου καὶ πρὸς τὴν κατ'

[296] ἐχθρῶν | ἐφόρμησιν, ὁπότε καιρὸς εἴη συμπλέκεσθαι καὶ πρὸς ἀνάκλησιν, ὁπότε διακρίνεσθαι δέοι πρὸς τὰ οἰκεία ἐπανελυσομένους στρατόπεδα. ἔστι δὲ καὶ ἕτερος θεήλατος πόλεμος, ὅταν ἡ φύσις ἐν ἑαυτῇ στασιάσῃ, τῶν μερῶν ἀντεπιτιθεμένων ἀλλήλοις, ἰσότητος εὐνομωτάτης πλεονεξία τοῦ

¹ MS. προσφέροντες.

THE SPECIAL LAWS, II. 187-190

hopes while we dispense and bring out for daily use the gifts of God as they are needed by the rules of good economy.^a

XXXI. Next comes the opening of the sacred month,^b when it is customary to sound the trumpet in the temple at the same time that the sacrifices are brought there, and its name of "trumpet feast" is derived from this. It has a twofold significance, partly to the nation in particular, partly to all mankind in general. In the former sense it is a reminder of a mighty and marvellous event which came to pass when the oracles of the law were given from above. ^c For then the sound of the trumpet pealed from heaven and reached, we may suppose, the ends of the universe, so that the event might strike terror even into those who were far from the spot and dwelling well nigh at the extremities of the earth, who would come to the natural conclusion that such mighty signs portended mighty consequences. And indeed what could men receive mightier or more profitable than the general laws which came from the mouth of God, not like the particular laws, through an interpreter?

This is a significance peculiar to the nation. What follows is common to all mankind. The trumpet is the instrument used in war, both to sound the advance against the enemy when the moment comes for engaging battle and also for recalling the troops when they have to separate and return to their respective camps. And there is another war not of human agency when nature is at strife in herself, when her parts make onslaught one on another and her law-abiding sense of equality

^a See App. p. 628.

^b See on *De Dec.* 159, and *cf.* i. 186. ^c See Ex. xix. 16.

- 191 ἀνίσου κρατηθείσης. ὑπ' ἀμφοτέρων δὲ τῶν πολέμων φθείρεται τὰ ἐπίγεια, πρὸς μὲν ἐχθρῶν δενδροτομίαις, δηώσεσιν, ἐμπρήσεσι τροφῶν καὶ πεδίων σταχυηφορούντων, ὑπὸ δὲ τῶν κατὰ φύσιν αὐχοῖς, ἐπομβρίαις, νοτίων βίαις πνευμάτων, φλογώσεσι ταῖς ἀφ' ἡλίου, χιονώδει περιψύξει, τῆς ἁρμονίας τῶν ἐτησίων ὥρων περιηκούσης εἰς ἀναρμοστίαν, ἔνεκά μοι δοκῶ τῆς οὐ κατὰ μικρὸν ἐπιπολαζούσης ἀλλ' ἀθρόω φορᾷ κεχυμένης ἀ-
- 192 σεβείας, παρ' οἷς ἂν ταῦτα γίνηται. διὰ τοῦτο καθάπερ¹ ἐπώνυμον ἑορτὴν ὄργάνου πολεμικοῦ σάλπιγγος ἀπέφηνεν ὁ νόμος, ἐπ' εὐχαριστία τοῦ εἰρηνοποιοῦ θεοῦ καὶ εἰρηνοφύλακος, ὃς καὶ τὰς ἐν ταῖς πόλεσι καὶ τὰς ἐν τοῖς μέρεσι τοῦ παντὸς στάσεις ἀνελὼν εὐθηνίας καὶ εὐετηρίας καὶ τῶν ἄλλων ἀγαθῶν ἀφθονίαν ἀπειργάσατο, μηδὲν ἐμπύρευμα καρπῶν φθορᾶς ἐάσας ζωπυρηθῆναι.
- 193 XXXII. Μετὰ δὲ τὴν τῶν σαλπίγγων ἄγεται νηστεία ἑορτή. τάχα ἂν τις εἴποι τῶν ἑτεροδόξων καὶ ψέγειν τὰ καλὰ μὴ αἰδουμένων· ἑορτὴ δ' ἐστὶ τίς, ἐν ᾗ μὴ συμπόσια καὶ συσσίτια καὶ ἐστιατόρων καὶ ἐστιωμένων θίασος καὶ πολλὸς ἄκρατος καὶ τράπεζαι πολυτελεῖς καὶ χορηγίαι καὶ παρασκευαὶ τῶν ἐν δημοθουσίᾳ πάντων εὐφροσύναι τε καὶ κῶμοι σὺν ἀθύρμασι καὶ τωθασμοῖς καὶ παιδιὰ μετ' αὐλοῦ καὶ κιθάρας καὶ τυμπάνων τε καὶ κυμβάλων καὶ τῶν ἄλλων ὅσα <κατὰ> τὸ παραλελυμένον καὶ ἐκτεθλυμμένον εἶδος μουσικῆς δι'
- 194 ὧτων ἐγείρει τὰς ἀκαθέκτους ἐπιθυμίας; ἐν γὰρ

¹ Perhaps, as Tischendorf, καθάπερ <εἶπον>.

THE SPECIAL LAWS, II. 191-194

is vanquished by the greed for inequality. Both 191
these wars work destruction on the face of the earth.
The enemy cut down the fruit-trees, ravage the
country, set fire to the foodstuffs and the ripening ears
of corn in the open fields, while the forces of nature
use drought, rainstorms, violent moisture-laden winds,
scorching sun-rays, intense cold accompanied by
snow, with the regular harmonious alternations of
the yearly seasons turned into disharmony, a state
of things in my opinion due to the impiety which does
not gain a gradual hold but comes rushing with the
force of a torrent among those whom these things
befall. And therefore the law instituted this feast 192
figured by that instrument of war the trumpet, which
gives it its name, to be as a thank-offering to God the
peace-maker and peace-keeper, Who destroys faction
both in cities and in the various parts of the universe
and creates plenty and fertility and abundance of
other good things and leaves the havoc of fruits with-
out a single spark to be rekindled.

XXXII. The next feast held after the "Trumpets" 193
is the Fast.^a Perhaps some of the perversely minded
who are not ashamed to censure things excellent will
say, What sort of a feast is this in which there are no
gatherings to eat and drink, no company of enter-
tainers or entertained, no copious supply of strong
drink nor tables sumptuously furnished, nor a gener-
ous display of all the accompaniments of a public
banquet, nor again the merriment and revelry with
frolic and drollery, nor dancing to the sound of flute
and harp and timbrels and cymbals, and the other
instruments of the debilitated and invertebrate kind
of music which through the channel of the ears
awaken the unruly lusts? For it is in these and 194

τούτοις καὶ διὰ τούτων, ὡς ἔοικε, τὸ εὐφραίνεισθαι τίθενται ἀγνοία τῆς πρὸς ἀλήθειαν εὐφροσύνης· ἣν ὀξύτερκεστάτοις ὄμμασιν ἰδὼν ὁ πάνσοφος Μωυσῆς τὴν νηστείαν ἐορτὴν ἀνείπε καὶ ἐορτῶν τὴν μεγίστην πατρίῳ γλώττῃ “σάββατα σαββάτων” αὐτὴν ὀνομάσας, ὡς δ’ ἂν Ἑλληνες εἴποιεν, ἑβδομάδα ἑβδομάδων καὶ ἀγίων ἀγιωτέραν, διὰ πολλά·

- 195 πρῶτον μὲν <δι’> ἐγκράτειαν, ἣν αἰεὶ καὶ πανταχοῦ παραγγέλλων ἐν ᾧασι τοῖς κατὰ βίον ἐπιδείκνυσθαι πράγμασι διὰ τε γλώττης καὶ γαστρὸς καὶ τῶν μετὰ γαστέρα νυνὶ δὲ διαφερόντως κελεύει περιέπειν, ἐξαίρετον ἡμέραν ἀναθεὶς αὐτῇ· σιτιῶν γάρ τις καὶ ποτῶν μαθὼν ἀλογεῖν τῶν οὕτως ἀναγκαίων τίνος οὐκ ἂν ὑπερίδοι τῶν περιττῶν, ἃ γέγονεν οὐ διαμονῆς καὶ σωτηρίας ἔνεκα
196 μᾶλλον ἢ βλαβερωτάτης ἡδονῆς; δευτερον δὲ ἐπειδὴ πᾶσα ἀνάκειται λιταῖς καὶ ἱκεσίαις, περὶ μηδὲν ἕτερον ἄχρις ἐσπέρας ἐξ ἑωθिनοῦ τῶν ἀνθρώπων σχολὴν ἀγόντων ἢ δεητικωτάτας εὐχάς, αἷς σπουδάζουσι τὸν θεὸν ἐξευμενίζεσθαι παραίτησιν ἁμαρτημάτων ἐκουσίων τε καὶ ἀκουσίων αἰτούμενοι καὶ χρηστὰ ἐλπίζοντες, οὐ δι’ ἑαυτοὺς ἀλλὰ διὰ τὴν ἰλεω φύσιν τοῦ συγγνώμην πρὸ κολάσεως
197 ὀρίζοντος. τρίτον δὲ διὰ τὸν καιρὸν, ἐν ᾧ συμβέβηκε τὴν νηστείαν ἄγεσθαι· κατὰ γὰρ τοῦτον ἡδὴ συγκεκόμεναι πάντα ὅσα δι’ ἔτους ἦνεγκεν ἡ γῆ. τὸ μὲν οὖν εὐθὺς ἐμφορεῖσθαι τῶν γεγονότων ἀπληστίας ὑπέλαβεν ἔργον εἶναι, τὸ δὲ νηστεῦσαι καὶ τροφῆς μὴ προσάψασθαι παντελοῦς

“So LXX, in Lev. xvi. 31 and xxiii. 32. In E.V. “a sabbath of solemn rest.”

THE SPECIAL LAWS, II. 194-197

through these that men, in their ignorance of what true merriment is, consider that the merriment of a feast is to be found. This the clear-seeing eyes of Moses the ever wise discerned and therefore he called the fast a feast, the greatest of the feasts, in his native tongue a Sabbath of Sabbaths,^a or as the Greeks would say, a seven of sevens, a holier than the holy. He gave it this name for many reasons.

First, because of the self-restraint which it entails ; 195
always and everywhere indeed he exhorted them to shew this in all the affairs of life, in controlling the tongue and the belly and the organs below the belly, but on this occasion especially he bids them do honour to it by dedicating thereto a particular day. To one who has learnt to disregard food and drink which are absolutely necessary, are there any among the superfluities of life which he can fail to despise, things which exist to promote not so much preservation and permanence of life as pleasure with all its powers of mischief ?

Secondly, because 196
the holy-day is entirely devoted to prayers and supplications, and men from morn to eve employ their leisure in nothing else but offering petitions of humble entreaty in which they seek earnestly to propitiate God and ask for remission of their sins, voluntary and involuntary, and entertain bright hopes looking not to their own merits but to the gracious nature of Him Who sets pardon before chastisement.

Thirdly, because of the time at which the celebration 197
of the fast occurs, namely, that when all the annual fruits of the earth have been gathered in. To eat and drink of these without delay would, he held, shew gluttony, but to fast and refrain from taking them as food shews the perfect piety which teaches

PHILO

εὐσεβείας, ἥτις ἀναδιδάσκει τὴν διάνοιαν μὴ πε-
 ποιθῆναι τοῖς εὐτρεπισθεῖσι καὶ παρεσκευασμένοις
 ὡς ὑγείας ἢ ζωῆς αἰτίοις· ταῦτα γὰρ καὶ παρόντα
 198 πολλάκις ἔβλαψε καὶ μὴ παρόντα ὥνησε. μόνον
 οὐκ ἄντικρυς, κἂν μηδὲν τῇ φωνῇ φθέγγωνται τὸ
 παράπαν, οἱ μετὰ τὴν συγκομιδὴν τῶν καρπῶν
 ἀπεχόμενοι σιτίων καὶ ποτῶν ἐκβοῶσι ταῖς ψυχαῖς
 καὶ φασι ταῦτα· τὰς μὲν τῆς φύσεως χάριτας
 εἰλήφμεν ἄσμενοι καὶ ταμιευόμεθα, φθαρτὸν δὲ
 οὐδὲν ἐπιγραφόμεθά ποτε τῆς ἡμετέρας διαμονῆς
 αἴτιον, ἀλλὰ τὸν γεννητὴν καὶ πατέρα καὶ σωτῆρα
 τοῦ τε κόσμου καὶ τῶν ἐν κόσμῳ θεόν, ᾧ καὶ διὰ
 τούτων καὶ ἄνευ τούτων τρέφειν θέμις καὶ δια-
 199 φυλάττειν. ἰδοὺ γοῦν καὶ τοὺς ἡμετέρους προ-
 γόνους μυριάσι πολλαῖς ἐρήμην ἀτριβῇ καὶ πᾶσαν
 ἄγονον διεξιόντας γενεᾶς βίον ἔτη τεσσαράκοντα
 [297] | διέθρεψεν ὡς ἐν βαθυγειοτάτῃ καὶ εὐφορωτάτῃ
 χώρα, πηγὰς μὲν τότε πρῶτον ἀνατεμὼν εἰς
 ἄφθονον ποτοῦ χρήσιν, ὕων δὲ τροφήν ἐξ οὐρανοῦ
 μήτε πλείονα μήτ' ἐλάττονα τῆς διεξαρκούσης εἰς
 ἐκάστην ἡμέραν, ἵνα ἀταμιεύτοις χρώμενοι τοῖς
 ἀναγκαίοις μὴ πωλῶσιν ἀψύχων, ὧν ἂν ἐθησαυρί-
 σαντο, τὰς ἀγαθὰς ἐλπίδας, ἀλλὰ μικρὰ φροντί-
 ζοντες τῶν χορηγουμένων τὸν χορηγὸν θαυμάζωσι
 καὶ προσκυνῶσι καὶ τοῖς ἀρμόττουσιν ὕμνοις καὶ
 200 εὐδαιμονισμοῖς γεραίρωσιν. ἡ δὲ ἡμέρα
 τῆς νηστείας ἄγεται νόμου προστάξει δεκάτῃ
 μηνὸς αἰεί. διὰ τί δὲ ἐν τῇ δεκάτῃ; ὡς ἐν τοῖς
 περὶ αὐτῆς λόγοις ἠκριβώσαμεν, ὀνομάζεται μὲν

^a By θέμις is meant, perhaps, that it is in accordance with the law of His being. But the application of the word to

THE SPECIAL LAWS, II. 197-200

the mind not to put trust in what stands ready prepared before us as though it were the source of health and life. For often its presence proves injurious and its absence beneficial. Those who abstain from food 198 and drink after the ingathering of the fruits cry aloud to us with their souls, and though their voices utter no sound, their language could hardly be plainer. They say, "We have gladly received and are storing the boons of nature, yet we do not ascribe our preservation to any corruptible thing, but to God the Parent and Father and Saviour of the world and all that is therein, Who has the power and the right^a to nourish and sustain us by means of these or without these. See, for example, how the many thousands 199 of our forefathers as they traversed the trackless and all-barren desert, were for forty years, the life of a generation, nourished by Him as in a land of richest and most fertile soil; how He opened fountains unknown before to give them abundance of drink for their use; how He rained food from heaven, neither more nor less than what sufficed for each day, that they might consume what they needed without hoarding, nor barter for the prospect of soulless stores^b their hopes of His goodness, but taking little thought of the bounties received rather reverence and worship the bountiful Giver and honour Him with the hymns and benedictions that are His due." By order of the law the 200 fast is held on the tenth day. Why on the tenth? As has been shewn in our detailed discussion of that

God is strange, and I do not know of any exact parallel. οὐ θεός, as in Plato, *Ap.* 21 B οὐ γὰρ δήπου ψεύδεταί γε· οὐ γὰρ θεός αὐτῶ, is not quite the same.

^b Lit. "the lifeless things which they would have stored."

- ὕπὸ σοφῶν ἀνδρῶν παντέλεια, περιέχει δ' ἐν αὐτῇ τὰς ἀναλογίας πάσας, τὴν τε ἀριθμητικὴν καὶ τὴν ἀρμονικὴν καὶ τὴν γεωμετρικὴν, καὶ προσέτι τὰς ἀρμονίας, ἐπίτритον τὴν διὰ τεσσάρων καὶ ἡμιόλιον τὴν διὰ πέντε καὶ διπλασίαν τὴν διὰ πασῶν καὶ τετραπλασίαν τὴν δις διὰ πασῶν, ἔχει δὲ καὶ τὸν ἐπόγδοον λόγον, ὥς εἶναι πλήρωμα τῶν κατὰ μουσικὴν θεωρημάτων τελειότατον, ἀφ' οὗ καὶ
- 201 ὠνόμασται παντέλεια. τὴν οὖν σιτίων καὶ ποτῶν ἔνδειαν προστέταχε κατ' ἀριθμὸν τέλειον καὶ πλήρη γίνεσθαι τῆς δεκάδος διὰ τὰς τοῦ ἀρίστου τῶν ἐν ἡμῖν ἀρίστας τροφάς, ἵνα μηδεὶς ὑπολάβῃ λιμὸν τὸ πάντων ἀφορητότατον κακῶν εἰσηγεῖσθαι τὸν ἱεροφάντην, ἀλλὰ τῆς εἰς τὰς τοῦ σώματος δεξαμενὰς φερομένης ἐπιρροῆς ἀνακοπὴν βραχείαν.
- 202 οὕτως γὰρ ἔμελλε διαυγὲς καὶ καθαρὸν τὸ ἀπὸ τῆς λογικῆς πηγῆς [εἰς καθαρὸν] ἐπὶ ψυχὴν φέρεσθαι νῆμα λείως, ἐπειδήπερ αἱ συνεχεῖς καὶ ἐπάλληλοι τροφαὶ κατακλύζουσιν τὸ σῶμα καὶ τὸν λογισμὸν προσεπισύρουσιν, εἰ δ' ἐπισχεθεῖεν, εὖ μάλα στηριχθεὶς ὥς ἐπὶ ξηρᾷ ἀτραποῦ καὶ λεωφόρου τὴν πορείαν ἄπταιστον δυνήσεται ποιεῖσθαι τῶν
- 203 θεάς καὶ ἀκοῆς ἀξίων ἐφιέμενος. ἄλλως τε ἀρμόττον ἦν, τῶν εἰς εὐθηνίαν ἀπάντων κατὰ νοῦν κεχωρηκότων ἐπὶ τελείοις καὶ πλήρεσιν ἀγαθοῖς, ἐν εὐετηρίᾳ καὶ χορηγιῶν ἀφθονίᾳ λαβεῖν ἔνδειας ὑπόμνησιν ἀποχῇ σιτίων καὶ ποτῶν καὶ λιτὰς καὶ ἱκεσίας ποιεῖσθαι, ἅμα μὲν ὑπὲρ τοῦ μὴ εἰς ἀληθῆ πείραν ἔλθεῖν ἀπορίας τῶν ἀναγκαίων, ἅμα δὲ καὶ

^a Cf. *De Dec.* 20, 21. But the "detailed discussion" probably refers to a lost treatise on numbers. Cf. *Mos.* ii. 115 τῇ περὶ ἀριθμῶν πραγματείᾳ, and *De Op.* 52.

number,^a it is called by the learned the all-perfect, and embraces all the progressions, arithmetical, harmonic and geometrical, and further the harmonies, the fourth, the fifth, the octave and the double octave, representing respectively the ratios 4 : 3, 3 : 2, 2 : 1 and 4 : 1, and it also contains the ratio of 9 : 8, so that it sums up fully and perfectly the leading truths of musical science, and for this reason it has received its name of the all-perfect. In ordaining 201 that this privation of food and drink should be based on the full and perfect number 10, he intended to prescribe the best possible form of nourishment for the best part of us. He did not wish anyone to suppose that as their instructor in the mysteries he was advocating starvation, the most intolerable of sufferings, but only a brief stoppage in the influx which passes into the receptacles of the body. For this 202 would ensure that the stream from the fountain of reason should flow pure and crystal-clear with smooth course into the soul, because the constantly repeated administrations of food which submerge the body sweep the reason away as well, whereas if they are checked, that same reason stoutly fortified can in pursuit of all that is worth seeing and hearing make its way without stumbling as upon a dry firm causeway. Besides, it was meet and right when every- 203 thing has shewn abundance as they would have it, and they enjoy a full and perfect measure of goodness, that amid this prosperity and lavish supply of boons, they should by abstaining from food and drink remind themselves of what it is to want, and offer prayers and supplications, on the one hand to ask that they may never really experience the lack of necessities, on the other to express their thankfulness

εὐχαριστοῦντας, ὅτι ἐν ἀγαθῶν περιουσίᾳ μέμνηται κακῶν οὐ γενομένων. τούτων μὲν δὴ ἅλως.

- 204 XXXIII. Τελευταία δ' ἐστὶν ἑορτὴ τῶν ἐνιαυσίων
προσαγορευομένη σκηναί, καιρὸν ἔχουσα τὸν μετ-
οπωρινῆς ἰσημερίας· ἐξ οὗ δύο παρίσταται, τό τε
δεῖν ἰσότητα τιμᾶν ἀνισότητα ἐχθραίνοντας—ἡ μὲν
γὰρ δικαιοσύνης ἐστίν, ἡ δὲ ἀδικίας ἀρχή τε καὶ
πηγή, καὶ ἡ μὲν ἀσκίου φωτός, ἡ δὲ σκότους
συγγενής—καὶ τὸ προσήκειν μετὰ τὴν ἀπάντων
καρπῶν τελείωσιν εὐχαριστεῖν τῷ τελεσφόρῳ θεῷ
- 205 καὶ πάντων τῶν ἀγαθῶν αἰτίῳ. τὸ γὰρ μετ-
όπωρον, ὡς καὶ αὐτὸ δῆπου δηλοῖ τοῦνομα, καιρὸς
ὁ μετὰ τὴν ὀπώραν ἐστὶν ἤδη συγκεκομισμένην,
καὶ φόρους τοὺς ἐτησίους καὶ δασμοὺς τοὺς ἀναγ-
καίους εἰσενηνοχότων <τῶν> σπαρτῶν τε καὶ
τῶν δένδρων καὶ τῆς γῆς ὅσας¹ τροφὰς ἐγέννησε
ταῖς τῶν ἀμυθῆτων ζώων ἰδέαις ἡμέρων τε καὶ
ἀγρίων ἀφθόνως παρεσχημένης, οὐ μόνον εἰς τὴν
ἐν χερσὶ καὶ πρόσκαιρον ἀπόλαυσιν ἀλλὰ καὶ τὴν
ὑστερον διὰ τὸ προμηθὲς τῆς φιλοζώου φύσεως.
- 206 καὶ μὴν ἐν σκηναῖς προστέτακται διαιτᾶσθαι τὸν
χρόνον τῆς ἑορτῆς, ἥτοι διὰ τὸ μηκέτι εἶναι χρεῖαν
ἐν ὑπαίθρῳ διάγειν τὰ περὶ γεωργίαν ἐκπονοῦντας,
οὐδενὸς μὲν ὑπολειφθέντος ἔξω, πάντων δὲ καρπῶν
ἐναποκειμένων σιροῖς καὶ τοιουτοτρόποις χωρίοις
διὰ τὰς εἰωθυίας βλάβας παρακολουθεῖν ἔκ τε
- 207 φλογώσεως ἡλιακῆς καὶ φορᾶς ὑετῶν—ὅτε μὲν
γὰρ ἐν πεδίοις ἐστὶ τὰ τρέφοντα, μὴ συγκλεισά-

¹ MS. ὅσα.

THE SPECIAL LAWS, II. 203-207

because in such wealth of blessings they remember the ills they have been spared. Enough on this matter.

XXXIII. The last of the annual feasts, called 204
Tabernacles, recurs at the autumn equinox.^a From
this we may draw two morals. The first is, that we
should honour equality and hate inequality, for the
former is the source and fountain of justice, the latter
of injustice. The former is akin to open sunlight,
the latter to darkness. The second moral is, that
after all the fruits are made perfect, it is our duty to
thank God Who brought them to perfection and is
the source of all good things. For autumn, or after- 205
fruitage, is, as also the name clearly implies, the
season after the ripe fruit has been gathered in, when
the sown crops and the fruit-trees have paid their
annual toll and bounden tribute, and the land has
richly provided all that it yields for the sustenance of
the various kinds of animals without number, both
tame and wild, sustenance not only to be enjoyed on
the spot and for the moment, but also in the future,
through the foresight of nature, the friend of all that
lives. Further, the people are commanded, during 206
the time of the feast, to dwell in tents.^b The reason
of this may be that the labour of the husbandmen no
longer requires that they should live in the open air,
as nothing is now left unprotected but all the fruits
are stored in silos or similar places to escape the
damage which often ensues through the blazing sun-
shine or storms of rain. For when the crops which 207
feed us are standing in the open field, you can only
watch and guard the food so necessary to you, by

^a Cf. i. 189.

^b See Lev. xxiii. 40-43.

μενος θαλαμαίου γυναικὸς τρόπον ἀλλὰ προελθὼν ἐπιμελητῆς καὶ φύλαξ εἰ σὺ τῶν ἀναγκαίων· κἂν ὑπαιθρίῳ διατελοῦντί σοι προσπίπτῃ κρυμὸς καὶ θάλπος, εἰσὶν ἔφεδροι <καὶ> σκιαὶ τὰ λάσια τῶν δένδρων, οἷς ὑποστείλας τὴν ἀφ' ἑκατέρου δυνήσῃ βλάβην εὐμαρῶς ἐκφυγεῖν· ὅταν δ' οἱ καρποὶ πάντες εἰσκομίζωνται, συνεισέρχου στεγανωτέρας διαίτης ἐφιζόμενος πρὸς ἀνάπαυλαν ἀντὶ καμάτων οὓς γεωπονῶν ὑπέμεινας· ἢ δι' ὑπό-

- μνησιν τῆς τῶν προγόνων μακρᾶς ὁδοιπορίας, ἣν δι' ἐρήμου ποιοῦμενοι βαθείας σκηναῖς πολυετῇ
 208 χρόνον καθ' ἕκαστον σταθμὸν ἐνδιητῶντο. προσ-
 ἡκει δὲ καὶ ἐν πλούτῳ πενίας μεμνήσθαι καὶ
 ἀδοξίας ἐν δόξῃ καὶ ἐν ἡγεμονίαις ἰδιωτικοῦ
 σχήματος καὶ ἐν εἰρήνῃ κινδύνων τῶν ἐν πολέμῳ
 καὶ ἐπὶ γῆς χειμῶνων τῶν κατὰ θάλασσαν καὶ ἐν
 πόλεσιν ἐρημίας· ἡδονὴ γὰρ οὐκ ἔστι μείζων ἢ ἐν
 ταῖς ἄγαν εὐπραγίαις ἔννοιαν ἔχειν παλαιῶν ἀτυχη-
 209 μάτων. πρὸς δὲ τῇ ἡδονῇ καὶ ὄφελος οὐ μικρὸν
 εἰς ἀρετῆς ἄσκησιν ἐγγίνεται· λαβόντες γὰρ πρὸ
 ὀφθαλμῶν τό τε εὖ καὶ τὸ χεῖρον καὶ τὸ μὲν
 ἀπεωσμένοι καρπούμενοι δὲ τὸ ἄμεινον ἐξ ἀνάγκης
 εὐχάριστοι γίνονται τὸ ἦθος καὶ πρὸς εὐσέβειαν
 παρορμῶνται φόβῳ τῆς πρὸς τὰναντία μεταβολῆς.
 ὅθεν καὶ ἐπὶ τοῖς παροῦσιν ἀγαθοῖς τὸν θεὸν ὠδαῖς
 καὶ λόγοις γεραίρουσι καὶ ὑπὲρ τοῦ μηκέτι πει-
 ραθῆναι κακῶν λιπαροῦσι καὶ ἰκεσίαις ἐξευμενί-
 210 ζονται. πάλιν δὲ ἡ ταύτης τῆς ἑορτῆς
 ἀρχὴ πεντεκαδεκάτῃ μηνὸς ἐνίσταται, διὰ τὴν

THE SPECIAL LAWS, II. 207-210

coming out and not shutting yourself up like a woman who never stirs outside her quarters. And if while you remain in the open air you encounter extreme cold or heat, you have the thick growth of the trees waiting to shade you, and sheltered under them you can easily escape injury from either source. But when all the fruits are being gathered in, come in yourself also to seek a more weatherproof mode of life and hope for rest in place of the toils which you endured when labouring on the land.

^a Another reason may be, that it should remind us of the long journeyings of our forefathers in the depths of the desert, when at every halting-place they spent many a year in tents. And indeed it is well in wealth 208 to remember your poverty, in distinction your insignificance, in high offices your position as a commoner, in peace your dangers in war, on land the storms on sea, in cities the life of loneliness. For there is no pleasure greater than in high prosperity to call to mind old misfortunes. But besides giving 209 pleasure, it is a considerable help in the practice of virtue. For people who having had both good and ill before their eyes have rejected the ill and are enjoying the good, necessarily fall into a grateful frame of mind and are urged to piety by the fear of a change to the reverse, and also therefore in thankfulness for their present blessings they honour God with songs and words of praise and beseech Him and propitiate Him with supplications that they may never repeat the experience of such evils. Again, the 210 beginning of this feast comes on the fifteenth day of the month for the same reason as was given when

^a This is the reason assigned in Leviticus, *l.c.*

PHILO

- λεχθεῖσαν καὶ ἐπὶ τῆς ἑαρινῆς ὥρας αἰτίαν, ἵνα
 μὴ μεθ' ἡμέραν μόνον ἀλλὰ καὶ νύκτωρ πλήρης ὁ
 κόσμος ἦ τοῦ φύσει παγκάλου φωτός, ἡλίου καὶ
 σελήνης κατ' ἐκείνην τὴν ἡμέραν ἀλλήλοις ἐπ-
 [298] ανατελλόντων ἀνγαῖς ἀδιαστάτοις, αἵ¹ | μεθόριον οὐ
 211 διακρίνει σκότος. ἐπτα δὲ ἡμέραις ὀγδόην ἐπι-
 σφραγίζεται καλέσας "ἐξόδιον" αὐτήν, οὐκ
 ἐκείνης, ὡς ἔοικε, μόνον τῆς ἑορτῆς, ἀλλὰ καὶ
 πασῶν τῶν ἐτησίων, ὅσας κατηριθμησάμην καὶ
 διεξήλθον· τελευταία γὰρ ἐστὶ τοῦ ἐνιαυτοῦ καὶ
 212 συμπέρασμα. τάχα μέντοι καὶ πρῶτος
 κύβος, ὀγδοάς, ἐπενεμήθη <τῇ> ἑορτῇ διὰ τόδε· τῆς
 μὲν δυνάμει στερεᾶς οὐσίας ἐστὶν ἀρχὴ κατὰ τὴν
 ἀπὸ τῶν ἀσωμάτων μετάβασιν, τῆς δὲ νοητῆς
 συμπέρασμα· τὰ δὲ νοητὰ ταῖς παραυξήσεσι πρὸς
 213 τὴν στερεὰν φύσιν * * *.² καὶ ἡ μετοπωρινὴ
 μέντοι ἑορτῇ, καθάπερ εἶπον, πλήρωμά τι καὶ
 συμπέρασμα τῶν ἐντὸς ἐνιαυτοῦ πασῶν ἔοικεν

¹ ms. and Nicetas αἵς.

² For the missing verb Cohn suggests μεταβαίνει or πληροῦται.

^a i.e. § 155.

^b One would expect ἱσημερίας or the omission of ὥρας, in which case ἑορτῆς would be understood. And so Heinemann, "Frühlingsfest." But ὥρας may be justified perhaps on the ground that §§ 151 f. dealt rather with the spring as a whole than with the equinox in particular.

^c See Lev. xxiii. 36, Num. xxix. 35. This is "the last day, the great day of the feast" in John vii. 37. The word ἐξόδιον is used both in Leviticus and Numbers; E.V. "solemn assembly," but in R.V. marg. "closing festival."

^d For the general idea cf. *De Op.* 98, where plane geometry (γεωμετρία) and solid geometry (στερεομετρία) are identified respectively with things incorporeal and corporeal, though the equation of ἀσώματα to νοητά is something of an extension.

THE SPECIAL LAWS, II. 210-213

we were speaking^a of the season of spring,^b namely that the glorious light which nature gives should fill the universe not only by day but also by night, because on that day the sun and moon rise in succession to each other with no interval between their shining, which is not divided by any borderland of darkness. As a crown to the seven days he adds an eighth,^c 211 which he calls the "closing," not meaning apparently that it is the closing of that feast only, but also of all the yearly feasts which I have enumerated and described. For it is the last in the year and forms its conclusion.

Perhaps also the number 212 eight, the first cubic number, was assigned to the feast for the following reason: it is the beginning of the higher category of solids, marking where we pass from the unsubstantial and bring to its conclusion the category of the conceptual which rises to the solid in the scale of ascending powers.^d And indeed the 213 autumn festival, being as I have said a sort of complement^e and conclusion of all the feasts in the year,

By *δυνάμει*, represented in the translation by "higher," he means, perhaps, that solidity is gained by raising to a higher power in the mathematical sense = *παρανέξῃσει* below. But this technical use is generally, if not always, confined to the second power or square (as in § 177) and the meaning may be less technical = "in nature" or "value." *παρανέξῃσει* is taken by Heinemann to mean the increase from 7 to 8. My preference for the rendering given above rests on the use of the plural (unless this may be accounted for by the plural *νοητά*). As I understand it, 1 = the point, 2 = the line, 4 = the superficies, and 8 = the solid. So in *De Op.* 91, 93 and 94 *παρανέξηθείς* and *παραύξων* are used of the processes by which 1 is raised by multiples of 2 to 64, and 3 to 729. See further App. p. 628.

^e Here the word *πλήρωμα*, used in § 200 in the sense of sum or fullness, = that which fills up. For examples of both these senses see L. & S. revised.

εἶναι σταθερώτερον καὶ παγιώτερον, τὰς ἀπὸ τῆς χώρας προσόδους εἰληφότων ἤδη καὶ μηκέτ' ἐνδοιασμοῖς τοῖς περὶ φορᾶς καὶ ἀφορίας πλαζομένων καὶ δεδιότων· ἀνίδρυτοι γὰρ αἱ γεωπόνων φροντίδες, ἄχρισ ἂν οἱ καρποὶ συγκομισθῶσι, διὰ τὰς ἐφέδρους ἀπὸ μυρίων ὅσων ἀνθρώπων τε καὶ θρεμμάτων ζημίας.

- 214 Ταῦτα ἐπὶ πλέον ἐμήκυνα διὰ τὴν ἱερὰν ἐβδόμην ἐπιδείξασθαι βουλόμενος, ὅτι πάσας τὰς ἐτησίους ἑορτὰς συμβέβηκεν ὥς ἂν ἀπογόνους ἐβδομάδος εἶναι μητρὸς λόγον ἐχούσης¹ * * *
- ἀφροσύνη καὶ εὐφροσύνη, καὶ διότι ἐν πανηγύρεσι καὶ ἰλαρῷ βίῳ τέρψεις ἀμέτοχοι συννοίας καὶ κατηφείας συνίστανται σώματα καὶ ψυχὰς ἀναχέουσai, τὰ μὲν² τῷ ἀβροδιαίτῳ, τὰς δὲ τῷ φιλοσοφεῖν.

- 215 XXXIV. "Ἔστι δέ τις παρὰ ταύτας ἑορτὴ μὲν οὐ, ἑορτώδης δὲ³ πανήγυρις, ἣν καλοῦσι "κάρταλον" ἀπὸ τοῦ συμβεβηκότος, ὥς μικρὸν ὕστερον ἀποδείξομεν. τὸ μὲν οὖν μὴ ἑορτῆς ἔχειν ἀξίωμα καὶ

¹ With λόγον ἐχούσης Nicetas's excerpts come to an end, and the rest of the treatise depends solely on M and does not appear in Mangey at all. For the lacuna Heinemann suggests something like the following: " <but it is prescribed that people should enjoy themselves at the feasts" (Lev. xxiii. 40 and elsewhere) "because > folly and joy <are irreconcilable opposites>." It is certainly quite possible that some lost clause or clauses ended up with <ἐναντία> ἀφροσύνη καὶ εὐφροσύνη (cf. the same antithesis in § 49), but the rest of Heinemann's suggestion does not seem to me suitable. Apart from these three words, which may have intruded through some now inexplicable accident, the whole section reads like a continuous apology for the length at which the fourth commandment is treated compared with the third and fifth, the defence being (1) the sanctity of seven (διὰ τὴν ἱερὰν ἐβδόμην); (2) the intrinsic value of the feasts (καὶ διότι ἐν . . .). If something has really been lost I should rather suppose

THE SPECIAL LAWS, II. 213-215

seems to have more stability and fixity, because the people have now received their returns from the land and are no longer perplexed and terrified by doubts as to its fertility or barrenness. For the anxious thoughts of the husbandman are never settled till the crops are gathered in, so numberless are the men and animals from whom they are liable to suffer harm.

All this long exposition is due to my regard for the 214 sacred seventh day, and my wish to shew that all the yearly feasts prove to be as it were the children of that number which stands as a mother . . . scenes of folly and joy . . . and because the festal assemblies and the cheerful life which they afford bring delights that are free from all anxiety and dejection, and spread exhilaration both in the body and in the soul, in the body by the comfortable way of living, in the soul by the study of philosophy.

XXXIV. ^a But besides these we have what is not a 215 feast, but is a general ceremony of a festal character called the Basket, a name which describes what takes place, as we shall shortly shew.^b That it has not the prestige and standing of a feast is clear for many

^a Here Cohn begins a fresh numeration of chapters. See Gen. Introd. p. xviii.

^b See Deut. xxvi. 1-11. Cf. *De Som.* ii. 272.

that it continued *μητρὸς λόγον ἐχούσης* with "to those who feast" (or "to feasts conducted") "religiously, and not with folly, for folly and joy are incompatible." This certainly presupposes that Nicetas had the same corruption before him as we have, but I know no reason to the contrary.

² MS. τοῖς μὲν.

³ MS. *ἐορτὴ μὲν θεοῦ ἐορτῆς*, which Cohn prints as <οὐχ> *ἐορτὴ μὲν θεοῦ, ἐορτῆς δὲ <συγγενῆς>*. The text adopted here is that suggested by Heinemann (partly from Holwerda). For *ἐορτώδης* cf. § 216.

- τάξιν δῆλον ἐκ πολλῶν· οὔτε γὰρ τοῦ ἔθνους ἐστὶν ὡς πάνδημος, οἷα τῶν ἄλλων ἐκάστη, οὔτε τι τῶν προσαγομένων ἢ προσφερομένων ἐπὶ τὸν βωμὸν καθαγιαζεται παραδιδόμενον τῷ ἀσβέστῳ πυρὶ καὶ ἱερῷ, οὔθ' ἡμερῶν ἀριθμὸς ὃν χρή <ταύτην>
- 216 ἐορτάζειν εἴρηται. XXXV. τὸ δ' ἐορτώδη τύπον ἔχειν καὶ ἐγγὺς ἴστασθαι¹ πανηγυρικῆς ἰδέας² εὐμαρῶς κατίδοι τις ἄν. ἕκαστος γὰρ τῶν ἀγροὺς καὶ κτήσεις ἐχόντων ἀφ' ἐκάστου τῶν ἀκροδρῶν εἰδούς ἀγγεῖα πληρώσας, καθάπερ ἔφην, ἃ προσ-
αγορεύουσι καρτάλους, ἀπαρχὴν τῆς εὐκαρπίας εἰς τὸ ἱερὸν κομίζει γεγηθῶς καὶ στὰς ἀντικρὺ τοῦ βωμοῦ δίδωσι τῷ ἱερεῖ, τὸ πάγκαλον καὶ θαυμάσιον ἄσμα διεξιῶν, εἰ δὲ μὴ τύχοι μεμνη-
μένος, ἀκούων παρὰ τοῦ ἱερέως μετὰ προσοχῆς
- 217 πάσης. ἔστι δὲ τοιόνδε ἄσμα· “ Συρίαν ἀπέβαλον³ οἱ ἀρχηγέται τοῦ γένους ἡμῶν καὶ μετανέστησαν εἰς Αἴγυπτον. ὀλίγος ὄντες ἀριθμὸς ηὐξήθησαν εἰς πλῆθος ἔθνους. οἱ ἀπόγονοι μυρία κακωθέντες ὑπὸ τῶν ἐγχωρίων, οὐδεμιᾶς ἔτι φαινομένης ἐξ ἀνθρώπων ἐπικουρίας, ἐγένοντο θεοῦ ἰκέται κατα-
218 φυγόντες ἐπὶ τὴν ἐξ αὐτοῦ βοήθειαν. προδεξά-
μενος τὴν ἰκεσίαν ὁ πᾶσι τοῖς ἀδικουμένοις εὐμενῆς τοὺς μὲν ἐπιτιθεμένους κατέπληξε σημείοις καὶ τέρασι καὶ φάσμασι καὶ τοῖς ἄλλοις ὅσα κατ' ἐκείνους τὸν χρόνον ἐθαυματοργεῖτο, τοὺς δ' ἐπηρεαζομένους καὶ πάσας ὑπομένοντας ἐπιβουλὰς ἐρρύσατο, οὐ μόνον εἰς ἐλευθερίαν ἐξελόμενος,

¹ MS. ἐστιᾶσθαι.

² MS. ἀδείας, which Cohn retains, though suggesting ἰδέας.

THE SPECIAL LAWS, II. 215-218

reasons. For it does not affect the nation as a united whole like each of the others, nor do we find any victim being brought or led to the altar and then sacrificed and given over to be consumed by the sacred and unquenchable fire, nor is there any specified number of days during which the feast is to last. XXXV. But that it has a festal character and nearly 216 approaches the form of a general ceremony^a can be easily seen. For every person who possesses farms or landed estates takes some of every kind of fruit and fills receptacles which, as I have said, are called baskets, and brings them with joy as a sample offering of his rich fruit-harvest, to the temple, and there standing opposite the altar, gives them to the priest. Meanwhile he recites this beautiful and admirable canticle, or if he does not remember it, he listens with all attention while the priest repeats it. The 217 sense of this canticle is as follows : " The founders of our race abandoned Syria and migrated to Egypt and, though few in number, increased to a populous nation. Their descendants suffered wrongs without number from the inhabitants, and when no further assistance from men appeared forthcoming, became suppliants of God and sought refuge in His help. He 218 Who is kindly to all the wronged accepted their supplication and confounded their assailants with signs and wonders and portents and all the other marvels that were wrought at that time, and saved the victims of outrage who were suffering all that malice could devise, and not only brought them forth

^a Presumably because though there is no general assembly everybody has to do it at some time.

It is difficult to see what ἀδεία can mean in connexion with the ceremony here described. ³ MS. ἀπέβαλλον.

- 219 ἀλλὰ καὶ χώραν πάμφορον δούς. ἀπὸ τῶν ταύτης καρπῶν, εὐεργέτα, σοὶ φέρομεν τὴν ἀπαρχήν, εἰ δὴ θέμις εἰπεῖν ἐστὶ κομίζειν τὸν λαμβάνοντα· σαὶ γάρ, ὦ δέσποτα, χάριτες καὶ δωρεαὶ τὰ πάντα, ὧν ἀξιωθέντες ἐναβρυνόμεθα καὶ ἐνευφραινόμεθα τοῖς ἀπροσδοκήτοις ἀγαθοῖς, ἅπερ οὐκ ἐλπίσασιν
- 220 ἡμῖν ἔδωκας." XXXVI. τὸ ἄσμα τοῦτο σχεδὸν ἀπὸ θέρους ἐνισταμένου μέχρι μετοπώρου λήγοντος ἀδιαστάτως ὑφ' ἐτέρων καὶ ἐτέρων ἄδεται δυσὶ καιροῖς, ὁλοκλήρῳ μέρει ἡμίσει τοῦ ἐνιαυτοῦ, διὰ τὸ μὴ πάντας ἀθρώους κατὰ ῥητὴν προθεσμίαν τὰ ὥραία δύνασθαι κομίζειν, ἀλλ' ἄλλοτε ἄλλους, ἔστι δ' ὅτε καὶ τοὺς αὐτοὺς ἀπὸ τῶν αὐτῶν χωρίων.¹
- 221 ἐπειδὴ γὰρ τῶν καρπῶν οἱ μὲν θάττον οἱ δὲ βραδύτερον πεπαίνονται, καὶ διὰ τὰς τῶν τόπων διαφορὰς ἀλεεινοτέρων ἢ κρυμωδεστέρων ὄντων καὶ διὰ μυρίας ἄλλας αἰτίας, εἰκότως ἀόριστός ἐστι καὶ ἀπερίγραφος ὁ χρόνος τῆς τῶν ἀκροδρύνων ἀπαρχῆς
- 222 ἐπὶ μήκιστον ἐκτεινόμενος. ἡ δὲ τούτων χρήσις ἐπιτέτραπται τοῖς ἱερεῦσιν, ἐπεὶ γῆς μὲν ἀποτομὴν οὐκ ἔλαχον οὐδὲ προσοδομενόμενας κτήσεις, κλήροι δ' εἰσὶν αὐτοῖς αἱ παρὰ τοῦ ἔθνους ἀπαρχαὶ ἀντὶ τῶν λειτουργιῶν, ἃς μεθ' ἡμέραν καὶ νύκτωρ ὑπομένουσι.
- 223 XXXVII. Τοσαῦτα μὲν περὶ ἐβδομάδος καὶ τῶν εἰς αὐτὴν ἀναφερομένων ἐν τε ἡμέραις καὶ μηνσὶ καὶ ἐνιαυτοῖς καὶ περὶ ἐορτῶν, αἱ συγγένειαν ἔχουσι

¹ Cohn, followed by Heinemann, proposes either to strike out αὐτοὺς, or read κατὰ τοὺς αὐτοὺς <χρόνους τοὺς>. See note a.

^a See note 1. The second of these suggestions, which is what Heinemann actually translates, seems to me quite

444

THE SPECIAL LAWS, II. 218-223

into freedom, but gave them a land fertile in every way. Of the fruits of this land we present a sample 219 offering to Thee, our Benefactor, if indeed we may speak of presenting that which we receive. For all these things, good Master, are Thy boons and gifts, and as Thou hast judged us worthy of them, we take pride and delight in the unexpected blessings which Thou hast given us beyond all our hopes." 220 XXXVI. This canticle is used continually by a succession of worshippers from early summer to late autumn, through the two seasons which constitute a complete half of the year. For the whole population cannot in a body bring the fruits of the season at a fixed time, but must do so at different times, and this may even be the case with the same persons coming from the same places.^a For since some of the fruits 221 ripen more quickly than others, both because of the difference of the situation which may be warmer or colder, and for a multitude of other reasons, naturally the time when this sample of the fruits is due cannot be exactly defined or limited, but extends over a very considerable period. These offerings 222 are assigned for the use of the priests, because they have no territory allotted to them, nor property which brings them income, and their heritage consists of the offerings of the nation in return for the religious duties imposed upon them by night and day.

XXXVII. I have now completed the discussion of 223 the number seven and of matters connected with days and months and years that have reference to that number, and also of the feasts which are associ-pointless. I understand the text to mean that the same growers may find their fruits ripening at different times in different years. This of course in itself would prevent a fixed date for the ceremony.

πρὸς ἑβδομάδα, διεξήλθον ἐπόμενος εἰρμῷ τῶν προκειμένων κεφαλαίων κατὰ τὴν ἐν λόγοις ἀκολουθίαν. ἐπισκέψομαι δ' ἐξῆς τὸ ἐπόμενον, ὃ περὶ γονέων ἀναγέγραπται τιμῆς.

- 224 XXXVIII. Τέτταρα εἶδη πρότερον ὑπειπὼν, ἃ καὶ τῇ τάξει καὶ τῇ δυνάμει πρῶτα ἦν ὡς ἀληθῶς, τό τε περὶ μοναρχίας ἣ μοναρχεῖται ὁ κόσμος, καὶ τὸ περὶ τοῦ μηδὲν ἀπεικόνισμα καὶ μίμημα δημιουργεῖν θεοῦ, καὶ τὸ περὶ τοῦ μὴ ψευδορκεῖν ἢ συνόλως μάτην ὀμνύναι, καὶ τὸ περὶ τῆς ἱερᾶς ἐβδόμης, ἅπερ σύμπαντα τείνει πρὸς εὐσέβειαν καὶ ὁσιότητα, μέτειμι ἐπὶ τὸ πέμπτον τὸ περὶ γονέων τιμῆς, ὃ, καθάπερ ἐν τοῖς ἰδίᾳ περὶ αὐτοῦ λόγοις
- 225 ἔδειξα, μεθόριον ἀνθρωπείων τε καὶ θείων. οἱ γὰρ γονεῖς μεταξὺ θείας καὶ ἀνθρωπίνης φύσεώς εἰσι μετέχοντες ἀμφοῖν· ἀνθρωπίνης μὲν, ὡς ἔστι δηλόν, ὅτι καὶ γεγόνασι καὶ φθαρήσονται, θείας δ' ὅτι γεγεννήκασι καὶ τὰ μὴ ὄντα εἰς τὸ εἶναι παρήγαγον· ὅπερ γάρ, οἶμαι, θεὸς πρὸς κόσμον, τοῦτο πρὸς τέκνα γονεῖς, ἐπειδὴ ὡς ἐκεῖνος τῷ μὴ ὑπάρχοντι ὑπαρξιν κατειργάσατο, καὶ οὗτοι μιμούμενοι καθ' ὅσον οἶόν τε τὴν ἐκείνου δύναμιν τὸ γένος ἀθανα-
- 226 τίζουσιν. XXXIX. ἄξιοι δ' οὐ διὰ τοῦτο μόνον τιμῆς πατὴρ τε καὶ μήτηρ, ἀλλὰ καὶ δι' ἕτερα πλείω. παρ' οἷς γὰρ λόγος ἀρετῆς ἐστί, πρεσβύτεροι νεωτέρων προκρίνονται καὶ διδάσκαλοι γνωρίμων καὶ εὐεργέται τῶν εὖ πεπονθότων καὶ ἄρχοντες
- 227 ὑπηκόων καὶ δεσπότες δούλων. ἐν μὲν οὖν τῇ ἀμείνوني τάξει κρίνονται γονεῖς, πρεσβύτεροι γάρ

^a Here begins the fifth commandment. Again a fresh numeration of chapters in Cohn.

^b i.e. *De Dec.* 106-120.

THE SPECIAL LAWS, II. 223-227

ated with it. In this I have followed the order of the principal heads set before us as the sequence of the subjects demanded. I now proceed to the next head, in which we find recorded a statement of the honour due to parents.

XXXVIII. ^aIn my previous remarks I have sketched 224 the four divisions which both in order and importance stand undoubtedly first. They comprise the assertion of the absolute sovereignty by which the universe is governed, the prohibition against making any image or likeness of God and against perjury or vain swearing in general and the doctrine of the sacred seventh day, all of them tending to promote piety and religion. I now proceed to the fifth, which states the duty of honouring parents, a matter which, as I have shewn in the discussion devoted to this in particular, ^b stands on the border-line between the human and the divine. For parents are midway between 225 the natures of God and man, and partake of both ; the human obviously because they have been born and will perish, the divine because they have brought others to the birth and have raised not-being into being. Parents, in my opinion, are to their children what God is to the world, since just as He achieved existence for the non-existent, so they in imitation of His power, as far as they are capable, immortalize the race. XXXIX. And a father and mother de- 226 serve honour, not only on this account, but for many other reasons. For in the judgement of those who take account of virtue, seniors are placed above juniors, teachers above pupils, benefactors above beneficiaries, rulers above subjects, and masters above servants. Now parents are assigned a place 227 in the higher of these two orders, for they are seniors

εἰσι καὶ ὑφηγηταὶ καὶ εὐεργέται καὶ ἄρχοντες καὶ
δεσπόται, ἐν δὲ τῇ ἐλάττονι υἱοὶ καὶ θυγατέρες,
νεώτεροι γὰρ καὶ μαθηταὶ καὶ εὖ πεπονθότες
ὑπήκοοί τε καὶ δοῦλοι. ὥς δ' οὐδὲν

- τούτων κατέψευσται, δῆλον μὲν ἐκ τῆς ἐναργείας¹.
αἱ δ' ἐκ λόγου πίστεις ἔτι μᾶλλον ἐπισφραγιῶνται
228 τὴν ἀλήθειαν. XL. λέγω τοῖνυν, ὅτι τὸ ποιῶν
τοῦ γινομένου καὶ τὸ αἷτιον οὐπὲρ ἔστιν αἷτιον ἀεὶ
πρεσβύτερόν ἐστιν· οἱ δὲ γεννήσαντες αἷτιοι καὶ
δημιουργοὶ τρόπον τινὰ τῶν γεννηθέντων εἰσὶ·
καὶ οἱ μὲν ὑφηγητῶν ἔχουσι τάξιν, ὅσαπερ ἂν
εἰδότες τυγχάνωσι τοὺς παῖδας ἐκ πρώτης ἀνα-
διδάξαντες ἡλικίας, καὶ οὐ μόνον τὰ περὶ τὰς
ἐπιστήμας ἀσκοῦσι καὶ νεάζουσιν ἐναποματ-
τόμενοι λογισμοὺς ἀκμάζουσιν παίδων,² ἀλλὰ καὶ
τὰ ἀναγκαιότατα τῶν πρὸς αἱρέσεις καὶ φυγὰς,
αἱρέσεις μὲν ἀρετῶν, φυγὰς δὲ κακιῶν καὶ τῶν
229 κατ' αὐτὰς ἐνεργειῶν. εὐεργέται μέντοι
τίνες ἂν εἶεν μᾶλλον ἢ παίδων γονεῖς, οἳ καὶ μὴ
ὄντας εἰργάσαντο³ καὶ αὖθις τροφῆς ἡξίωσαν καὶ
μετὰ ταῦτα παιδείας τῆς κατὰ τε σῶμα καὶ ψυχὴν,
230 [καὶ] ἵνα μὴ μόνον ζῶσιν, ἀλλὰ καὶ εὖ ζῶσι; τὸ

¹ MS. ἐνεργείας.

² The text here is well-nigh hopeless, and Cohn's treatment of it in *Hermes*, 1908, p. 202, is unsatisfactory. He places ἀσκοῦσι καὶ νεάζουσιν in brackets (which I have removed) as glosses (surely odd glosses) to ἀκμάζουσιν, and apparently takes the next words as = "impressing thoughts on those of the children who are in their prime" (so also Heinemann). But this use of ἀκμάζουσιν παίδων for τοῖς ἀκμάζουσιν τῶν παίδων, which he himself says is "scarcely correct," seems to me impossible. For a tentative suggestion see App. pp. 628-629.

³ I suggest μὴ ὄντας <ὄντας> εἰργάσαντο. See note b.

THE SPECIAL LAWS, II. 227-230

and instructors and benefactors and rulers and masters : sons and daughters are placed in the lower order, for they are juniors and learners and recipients of benefits and subjects and servants.

That none of these statements is false is self-evident, but logical proofs will ratify their truth still further.

XL. I say, then, that the maker is always senior to the 228 thing made and the cause to its effect, and the begetters are in a sense the causes and the creators of what they beget. They are also in the position of instructors because they impart to their children from their earliest years everything that they themselves may happen to know, and give them instruction not only in the various branches of knowledge which they impress upon their young minds,^a but also on the most essential questions of what to choose and avoid, namely, to choose virtues and avoid vices and the activities to which they lead.

Further, who could be more truly called benefactors 229 than parents in relation to their children ? First, they have brought them out of non-existence;^b then, again, they have held them entitled to nurture and later to education of body and soul, so that they may have not only life, but a good life. They have 230

^a The translation does not do more than give the general sense. See note 2.

^b Or "brought them out of non-existence into existence." See note 3. As the words stand in the text they should mean "made them to be non-existent," for *ἐργάζομαι* does not appear to be used absolutely = "create." On the other hand, *ἐργάζεσθαι τινά τι* = "to render a person something" (adjective) is a known construction used by Philo, e.g. *De Agr.* 58 τὸν λαὸν . . . φιλήδονον . . . ἐργάσεται, cf. *Quod Deus* 43, *De Sac.* 48. If corrected as suggested, the phrase "made non-existent persons existent" is quite parallel to τὰ μὴ ὄντα εἰς τὸ εἶναι παράγον in § 225 and elsewhere.

- μὲν οὖν σῶμα διὰ τῆς γυμναστικῆς καὶ ἀλειπτικῆς ὠφέλησαν εἰς εὐτονίαν τε καὶ εὐεξίαν σχέσεις τε καὶ κινήσεις εὐμαρεῖς, οὐκ ἄνευ ῥυθμοῦ καὶ τοῦ πρέποντος, τὴν δὲ ψυχὴν διὰ τε γραμμάτων καὶ ἀριθμῶν γεωμετρίας τε καὶ μουσικῆς καὶ τῆς συμπάσης φιλοσοφίας, ἥ τὸν νοῦν εἰσωκισμένον θνητῷ σώματι μετέωρον αἴρουσα παραπέμπει μέχρι οὐρανοῦ καὶ τὰς ἐν αὐτῷ μακαρίας καὶ εὐδαίμονας φύσεις ἐπιδείκνυται, ζῆλον ἅμα καὶ πόθον ἐνεργαζομένη τῆς ἀτρέπτου καὶ ἐναρμονίου τάξεως, ἣν οὐδέποτε λείπουνσι πειθόμεναι τῷ
- 231 ταξιάρχῳ. πρὸς δὲ ταῖς εὐεργεσίαις καὶ τὴν ἐφ' οἷς ἐγέννησαν ἀρχὴν ἔλαβον, οὐχ ὥσπερ ἐν ταῖς πόλεσι κατὰ κλῆρον ἢ χειροτονίαν, ὡς αἰτιάσθαι δύνασθαι τὸν μὲν ὀλίσθω τύχης γενόμενον, οὐ σὺν λογισμῷ, τὴν δὲ ὄχλου, πράγματος ἀνεξετάστου καὶ ἀνεπισκέπτου, φορᾶ, γνώμη δὲ ἀρίστη καὶ τελειοτάτῃ τῆς ἄνω φύσεως, ἥ¹ καὶ τὰ θεῖα καὶ τὰ ἀνθρώπινα σὺν δίκῃ πρυτανεύεται.
- 232 XLI. διὰ τοῦτ' ἔξεστι τοῖς πατράσι καὶ κακηγορεῖν² [πρὸς] τοὺς παῖδας καὶ ἐμβριθέστερον νουθετεῖν καί, εἰ μὴ ταῖς δι' ἀκοῶν ἀπειλαῖς ὑπείκουσι, τύπτειν καὶ προπηλακίζειν καὶ καταδεῖν. ἂν μέντοι γε καὶ πρὸς ταῦτα ἀφηνιάζωσι τῇ ῥύμῃ τῆς ἀνιάτου μοχθηρίας ἀπαυχενίζοντες, ἐπέτρεψεν ὁ νόμος καὶ μέχρι θανάτου κολάζειν, ἀλλ' οὐκέτι

¹ MS. ἡ.² MS. κατηγορεῖν.

^a Including the lower instruction in reading and writing and the higher in literature, called respectively γραμματιστική and γραμματική, *De Cong.* 148.

^b i.e. perhaps by setting them to degrading tasks. Heine-

benefited the body by means of the gymnasium and the training there given, through which it gains muscular vigour and good condition and the power to bear itself and move with an ease marked by gracefulness and elegance. They have done the same for the soul by means of letters^a and arithmetic and geometry and music and philosophy as a whole which lifts on high the mind lodged within the mortal body and escorts it to the very heaven and shews it the blessed and happy beings that dwell therein, and creates in it an eager longing for the unswerving ever-harmonious order which they never forsake because they obey their captain and marshal.

But in addition to the benefits they 231 confer, parents have also received authority over their offspring. That authority is not obtained by lot nor voting as it is in the cities, where it may be alleged that the lot is due to a blunder of fortune in which reason has no place, and the voting to the impetuosity of the mob, always so reckless and devoid of circumspection, but is awarded by the most admirable and perfect judgement of nature above us which governs with justice things both human and divine. XLI. And therefore fathers have the 232 right to upbraid their children and admonish them severely and if they do not submit to threats conveyed in words to beat and degrade them^b and put them in bonds. And further if in the face of this they continue to rebel, and carried away by their incorrigible depravity refuse the yoke, the law permits the parents to extend the punishment to death, though here it requires more than the father alone or

mann aptly quotes Plato, *Laws* 866 ε προπηλακισθέντες λόγοις ἢ καὶ ἀτίμοις ἔργοις.

μόνῳ πατρὶ ἢ μόνη μητρί, διὰ τὸ μέγεθος τῆς τιμωρίας, ἣν οὐκ ἄξιον ὑφ' ἐνὸς ἀλλ' ὑπ' ἀμφοῖν δικασθῆναι· συμφρονῆσαι γὰρ οὐκ εἰκὸς ἐπ' ἀναιρέσει τοῦ παιδὸς ἐκάτερον τῶν γονέων, μὴ βαρυνόντων καὶ καθελκόντων τῶν ἀδικημάτων ὀλκῇ τινι βεβαίῳ νικώσῃ τὴν ἐκ φύσεως ἐν-

233 ἰδρυμένην πάγιον εὐνοίαν. ἀλλ' οὐκ ἀρχὴν μόνον καὶ ἡγεμονίαν τὴν ἐπὶ τέκνοις ἀλλὰ καὶ δεσποτείαν γονεῖς ἔλαχον κατ' ἄμφω τὰς ἀνωτάτω θεραπόντων κτήσεως ἰδέας, τὴν τε ἐπ' οἰκότρυφι καὶ ἀργυρωνήτοις· πολυπλασίους τε γὰρ τῆς ἀξίας τιμὰς¹ κατατιθέασιν εἰς τε παῖδας καὶ ὑπὲρ παίδων τιτθαῖς καὶ παιδαγωγοῖς καὶ διδασκάλοις, δίχα τῶν εἰς ἐσθῆτας καὶ τροφὰς καὶ τὴν ἄλλην ἐπιμέλειαν ὑγαινόντων τε καὶ καμνόντων ἐκ πρώτης ἡλικίας μέχρι τελείας· οἰκότριβές τε ἂν εἶεν οἱ μὴ μόνον οἴκοι γεννηθέντες ἀλλὰ καὶ [οἱ] ὑπὸ τῶν τῆς οἰκίας δεσποτῶν συνεισενεγκάντων τὰ πρὸς γένεσιν φύσεως θεσμοῖς εἰσφοράν ἀναγκαίαν.

234 XLII. τοσούτων οὖν ὑπαρχόντων ἄξιον <ἐπαίνου> μὲν οὐδὲν δρῶσιν οἱ τιμῶντες <τούς> γονεῖς, ἐπεὶ καὶ ἔν τι τῶν εἰρημένων αὐταρκέστατον εἰς σεβασμὸν αὐτοὺς προκαλέσασθαι, ψόγου δὲ καὶ κατηγορίας καὶ τῆς ἀνωτάτω δίκης οἱ μὴθ' ὥς πρεσβυτέρους αἰδούμενοι μὴθ' ὥς ὑψηλῆς ἀποδεχόμενοι μὴθ' ὥς εὐεργέτας ἀμοιβῆς ἀξιοῦντες μὴθ' ὥς ἀρχουσι πειθαρχοῦντες μὴθ' ὥς δεσπότας

235 εὐλαβούμενοι. πατέρα, οὖν φησι, μετὰ θεὸν καὶ

¹ MS. τιμῆς.

^a See Deut. xxi. 18-21. Philo's language suggests a more independent action on the part of the parents than Deuteronomy. See App. p. 629.

THE SPECIAL LAWS, II. 232-235

the mother alone.^a So great a penalty should be the sentence, not only of one of them but of both. For it is not to be expected that both the parents would agree to the execution of their son unless the weight of his offences depressed the scale strongly enough to overcome the affection which nature has firmly established in them. But parents have 233 not only been given the right of exercising authority over their children, but the power of a master corresponding to the two primary^b forms under which servants are owned, one when they are home-bred, the other when they are purchased. For parents pay out a sum many times the value of a slave on their children and for them to nurses, tutors and teachers, apart from the cost of their clothes, food and superintendence in sickness and health from their earliest years until they are full grown. "Home-bred" too must they be who are not only born in the house but through the masters of the house, who have made the contribution enforced by the statutes of nature in giving them birth.^c XLII. With 234 all these facts before them, they do not do anything deserving of praise who honour their parents, since any one of the considerations mentioned is in itself quite a sufficient call to shew reverence. And on the contrary, they deserve blame and obloquy and extreme punishment who do not respect them as seniors nor listen to them as instructors nor feel the duty of requiting them as benefactors nor obey them as rulers nor fear them as masters. Honour there- 235 fore, he says, next to God thy father and thy mother,

^b See on § 82.

^c Does this imply that the *οικότριβες* were assessed in determining the *εἰσφορά*, as *ἀργυρώνητοι* naturally would be?

- μητέρα τίμα δευτερείοις τοῖς γέρασιν ἀναδου-
 μένους, ἅπερ ἡ φύσις ἀπένειμεν αὐτοῖς ἀθλο-
 θετοῦσα. τιμήσεις δ' [ἐπ'] οὐδενὶ μᾶλλον ἢ
 πειρώμενος ἀγαθός τε εἶναι καὶ δοκεῖν εἶναι, ὦν
 τὸ μὲν τὴν ἄτυφον καὶ ἄπλαστον ἀρετὴν ἐπιζητεῖ,
 τὸ δὲ τὴν σὺν ὑπολήψει χρηστῇ καὶ τῷ παρὰ τῶν
 236 συνόντων ἐπαίνῳ. μικρὰ γὰρ τῶν ἰδίων φρον-
 τίζοντες ὠφελειῶν τέλος εὐδαιμονίας νομίζουσι
 τὴν τῶν παίδων καλοκαγαθίαν, δι' ἣν καὶ τοῖς
 προσταττομένοις θελήσουσιν ὑπακούειν ἐκεῖνοι καὶ
 ἐν ᾧ αὖσι καταπειθεῖς εἶναι τοῖς δικαίοις καὶ συμ-
 φέρουσιν· οὐδὲν γὰρ ἀλλότριον ἀρετῆς ὁ ταῖς
 ἀληθείαις¹ ὑψηγῆσεται πατὴρ παιδί.
- 237 XLIII. Τεκμηριώσαιο δ' ἂν τις τὴν πρὸς γονεῖς
 εὐσέβειαν οὐ μόνον ἐκ τῶν εἰρημένων, ἀλλὰ καὶ
 τῆς πρὸς τοὺς ἡλικας ἐκείνων ἀποδοχῆς.² ὁ γὰρ
 πρεσβύτην καὶ πρεσβύτιδα οὐδὲν γένει προσήκοντας
 αἰδούμενος ἔοικέ πως ὑπομιμνήσκεσθαι πατρός τε
 καὶ μητρὸς καὶ ἀποβλέπων ὥσπερ εἰς ἀρχέτυπα
 238 τεθηπέναι³ τὰς εἰκόνας ἐκείνων. ὅθεν ἐν τοῖς ἱεροῖς
 γράμμασιν οὐ μόνον προεδρίας ἐξίστασθαι διείρηται
 νέους πρεσβύταις, ἀλλὰ καὶ παριούσιν ὑπανίστα-
 σθαι πολὺν γήρως αἰδουμένους, εἰς ὅπερ ἐλπίς ἀφ-
 239 ἰκέσθαι τοὺς προνομίας τοῦτ' ἀξιοῦντας. παγκάλως
 δέ μοι κακέينو νενομοθετῆσθαι δοκεῖ· φησὶ γάρ·
 “ἐκαστος πατέρα τε ἑαυτοῦ καὶ μητέρα φοβείσθω,”

¹ Cohn suspects the wording and conjectures ὁ τῆς ἀληθείας <ἐρῶν>, but the form has already occurred and been accepted in i. 97 and *De Jos.* 38.

² MS. ἀποχῆς.

³ MS. τεθεικέναι.

^a See Lev. xix. 32, “Thou shalt rise up before the hoary head, and honour the face of the old man.” The LXX has

THE SPECIAL LAWS, II. 235-239

who are crowned with a laurel of the second rank assigned to them by nature, the arbitress of the contest. And in no way wilt thou honour them as well as by trying both to be good and to seem good, to be good by seeking virtue simple and unfeigned, to seem good by seeking it accompanied by a reputation for worth and the praise of those around you. For 236 parents have little thought for their own personal interests and find the consummation of happiness in the high excellence of their children, and to gain this the children will be willing to hearken to their commands and to obey them in everything that is just and profitable ; for the true father will give no instruction to his son that is foreign to virtue.

XLIII. But the proof of filial piety may be given 237 not only in the ways above mentioned, but also by courtesy shewn to persons who share the seniority of the parents. One who pays respect to an aged man or woman who is not of his kin may be regarded as having remembrance of his father and mother. He looks to them as prototypes and stands in awe of those who bear their image. And therefore in the 238 Holy Scriptures the young are commanded not only to yield the chief seats to the aged but also to give place to them as they pass,^a in reverence for the grey hairs that mark the age to which they may hope to attain who judge it worthy of precedence. Admirable 239 too, as it seems to me, is that other ordinance where he says, "Let each fear his father and mother." ^b

ἀπὸ προσώπου πολιοῦ ἐξαναστήσῃ, which Philo might easily take to mean "rise up away from," *i.e.* make room for him. He need not be supposed to be claiming scriptural authority for yielding the chief seats, but mentions it as the universally accepted mark of respect.

^b See Lev. xix. 3.

φόβον πρὸ εὐνοίας τιθείς, οὐχ ὡς πρὸς ἅπαν ἄμεινον, ἀλλ' ὡς πρὸς τὸν παρόντα καιρὸν χρησιμώτερόν τε καὶ λυσιτελέστερον. πρῶτον μὲν γὰρ τοῖς παιδευομένοις καὶ νουθετουμένοις ἄφροσιν εἶναι συμβέβηκεν· ἀφροσύνη δ' οὐκ ἄλλω ἢ φόβῳ θεραπεύεται· δεύτερον δ' ἀρμόττον οὐκ ἦν νομοθέτου παραγγέλμασι τοὺς παῖδας εὖνοιαν διδάσκεισθαι τὴν πρὸς γονεῖς, ἣν αὐτοκέλευστον ἡ φύσις ἐξ ἔτι σπαργάνων [δὲ]¹ ταῖς ψυχαῖς τῶν

240 οὕτως ἡνωμένων κατὰ γένος ἐνιδρύσατο. διὸ φιλίαν μὲν τὴν πρὸς τοὺς γεννήσαντας ὡς αὐτομαθῇ καὶ αὐτοδίδακτον καὶ προστάξεως οὐ δεομένην ἀπέλιπε, φόβον δὲ προστάττει διὰ τοὺς εἰωθότας ῥαθυμεῖν· ἐπειδὴ γὰρ γονεῖς παῖδας ὑπερβαλλούσῃ χρώμενοι φιλοστοργία περιέπουσι καὶ πάντοθεν ἐκπορίζοντες αὐτοῖς τὰγαθὰ χαρίζονται μηδένα πόνον ἢ κίνδυνον ὑπερτιθέμενοι, δυνάμεσιν ὁλοκοῖς εὐνοίας² συνδεδεμένοι, τὸ λίαν φιλόστοργον αὐτῶν οὐ δέχονταί τινες ἐπ' ὠφελείᾳ, τρυφὴν καὶ χλιδὴν ἐξηλωκότες καὶ θαυμάζοντες μὲν τὸν ὑγρὸν βίον, διαρρέοντες δὲ κατὰ τε σῶμα καὶ ψυχὴν, καὶ μηδὲν μέρος ἐὼντες ὀρθοῦσθαι ταῖς οἰκείαις δυνάμεσιν, ἃς ὑποσκελίζοντες καὶ ἐκνευρίζοντες οὐκ ἐρυθριῶσιν ἔνεκα τοῦ μὴ δεδιέναι τοὺς σωφρονιστὰς πατέρας καὶ μητέρας, ἐνδιδόντες καὶ

241 ἐπιχαλῶντες ταῖς ἰδίαις ἐπιθυμίαις. ἀλλὰ καὶ τούτοις ἀναγκαῖον παραινεῖν, ὅπως εὐτονωτέραις καὶ ἐμβριθεστέραις χρώμενοι νουθεσίαις θεραπεύσωσι τὸν τῶν παίδων ῥοῦν, καὶ τοῖς παισίν,

¹ MS. ἐξαιτεῖ σπαργάνων δὲ.² MS. ὄρκους εὐνοίαις.

THE SPECIAL LAWS, II. 239-241

Here he sets fear before affection, not as better in every way, but as more serviceable and profitable for the occasion which he has before him. For in the first place, persons subject to instruction and admonition are in fact wanting in sense, and want of sense is only cured by fear. Secondly, it would not be suitable to include in the enactments of a lawgiver an instruction on the duty of filial affection, for nature has implanted this as an imperative instinct from the very cradle in the souls of those who are thus united by kinship.^a And therefore he omitted any mention 240 of love for parents because it is learned and taught by instinct and requires no injunction, but did enjoin fear for the sake of those who are in the habit of neglecting their duty. For when parents cherish their children with extreme tenderness, providing them with good gifts from every quarter and shunning no toil or danger because they are fast bound to them by the magnetic forces of affection, there are some who do not receive this exceeding tenderheartedness in a way that profits them. They pursue eagerly luxury and voluptuousness, they applaud the dissolute life, they run to waste both in body and soul, and suffer no part of either to be kept erect by its proper faculties which they lay prostrate and paralyzed without a blush because they have never feared the censors they possess in their fathers and mothers but give in to and indulge their own lusts. But these 241 parents also must be exhorted to employ more active and severe admonitions to cure the wastage of their children, and the children also that they may stand

^a See App. p. 629.

ὅπως εὐλαβῶνται τοὺς γειναμένους¹ δεδιότες καὶ ὡς ἄρχοντας καὶ ὡς φύσει δεσπότας· μόλις γὰρ οὕτως ἀδικεῖν ὀκνήσουσι.

- 242 XLIV. Τὰ μὲν δὴ κατὰ τὴν προτέραν δέλτον πέντε κεφάλαια νόμων καὶ ὅσα τῶν κατὰ μέρος εἰς ἕκαστον ἐλάμβανε τὴν ἀναφορὰν διεξῆλθον. χρηὴ δὲ καὶ τὰς ὀρισθείσας ἐπὶ τῇ τούτων παρα-
243 βάσει τιμωρίας δηλῶσαι. κοινὸς μὲν οὖν ἐστὶ κατὰ πάντων θάνατος, δι' ἣν² ἔχει τὰδικήματα πρὸς ἀλλήλα συγγένειαν. αἰτίαι δὲ τῆς δίκης διάφοροι. ἀρκτέον δ' ἀπὸ τοῦ τελευταίου τοῦ πρὸς γονεῖς, ἐπειδὴ καὶ περὶ αὐτοῦ λόγος ἔναυλος. ἐάν, φησί, τις τυπτήσῃ πατέρα ἢ μητέρα, καταλευέσθω· πάνυ δικαίως· οὐ γὰρ θέμις ζῆν τῷ προπηλακίζοντι
244 τοὺς τοῦ ζῆν αἰτίους. ἀλλ' ἔνιοι τῶν εὐπαρύφων καὶ νομοθετῶν πρὸς δόξας ἀπιδόντες μᾶλλον ἢ τὴν ἀλήθειαν ἐκομμεύσαντο κατὰ πατροτυπτῶν ὀρίσαντες χειρῶν ἀποκοπὴν, ὑπὲρ τοῦ παρὰ τοῖς εἰκαιτέροις καὶ ἀνεξετάστοις εὐδοκιμῆσαι νομίζουσιν ἀρμόττον εἶναι τὰ μέρη οἷς ἐτύπτησαν τοὺς
245 γονεῖς ἀκρωτηριάζεσθαι. ἔστι δ' εὐηθες τοῖς ὑψηρετηκόσι πρὸ τῶν αἰτίων δυσχεραίνειν, τὴν γὰρ

¹ So Holwerda for ms. τοὺς γινομένους, for which Cohn conjectured τοὺς <τοῦ ζῆν αἰτίους> γενομένους.

² MS. δι' ὅν.

^a See Ex. xxi. 15, "Let him be surely put to death" (LXX θανάτῳ θανατούσθω). Philo quotes it in *De Fuga* 83 with τελευτάτῳ. As stoning is the common form of execution in the Pentateuch and is definitely mentioned as the method to be used in the case of the disobedient son, the discrepancy is not remarkable.

THE SPECIAL LAWS, II. 241-245

in awe of those who begot them, fearing them both as rulers and masters. For only so, and that hardly, will they shrink from wrongdoing.

XLIV. I have now discussed the five heads of the 242 laws belonging to the first table, and all the particular enactments which may be classed under each of the five. But I must also state the penalties decreed for transgression of them. The result of 243 the close affinity which the offences have to each other is that they all have a common punishment, namely, death, but there are different reasons for this punishment. We should begin with the last commandment, on the behaviour due to parents, since our discussion of it is fresh in our minds. He says "if anyone strikes his father or mother, let him be stoned."^a This is quite just, for justice forbids that he should live who maltreats the authors of his life. But some dignitaries and legislators who had 244 an eye to men's opinions rather than to truth, have decreed that striking a father should be punished by cutting off the hands, a specious refinement^b due to their wish to win the approval of the more careless or thoughtless, who think that the parts with which the offenders have struck their parents should be amputated.^c But it is silly to visit displeasure on the 245 servants rather than on the actual authors, for the

^b The common meaning of *κομψένω* as applied to clever or subtle words and actions (Heinemann, "in spitzfindiger Weise"), *cf. De Mig.* 75, does not fit in well with the next words, which represent the practice as a concession to the thoughtless. The feeling expressed in it may be either that the officials disguise their real feelings or that the course adopted is less coarse and drastic than capital punishment, or perhaps a combination of both these.

^c On the evidence for the existence of this law see App. pp. 629-630.

- ὑβριν οὐ χεῖρες ἀλλὰ διὰ χειρῶν ὑβρίζονται δρώσιν, οὓς ἀναγκαῖον κολάζειν· εἰ μὴ καὶ τοὺς ἀνδροφονήσαντας ξίφει μεθετέον ὑπερόριον τὸ ξίφος ῥύψαντας, καὶ τούναντίον τοῖς ἀριστεύουσιν ἐν πολέμῳ τιμὰς οὐ δοτέον, ἀλλὰ ταῖς ἀψύχοις παν-
 246 τευχίαις, δι' ὧν ἡνδραγαθίσαντο· μὴ καὶ τῶν ἐν γυμνικοῖς ἀγῶσι στάδιον ἢ δίαυλον ἢ δόλιχον νενικηκότων ἢ πυγμῇν ἢ παγκράτιον σκέλη καὶ χεῖρας αὐτὸ μόνον¹ ταινιοῦν ἐπιχειρήσουσιν ὅλα τὰ σώματα τῶν ἀθλητῶν παρέντες; γέλως μέντ' ἂν εἴη τὰ τοιαῦτ' εἰσηγεῖσθαι, <τὰ> ὧν οὐκ ἄνευ κολάζοντας ἢ τιμῶντας, δέον τοὺς αἰτίους· οὐδὲ γὰρ μουσικὴν ἐπιδεικνύμενόν τινα δι' αὐλῶν ἢ λύρας καὶ σφόδρα κατορθοῦντα παραμευψάμενοι τὰ
 247 ὄργανα κηρυγμάτων καὶ τιμῶν ἀξιοῦμεν. τί οὖν ἔδει πατροτύπτας, ὧ γενναῖοι νομοθέται, χειροκοπεῖν; ἢ ἵνα πρὸς τῷ εἶναι μηδὲν χρήσιμοι τὸ παράπαν καὶ δασμὸν οὐκ ἐτήσιον ἀλλ' ἐφήμερον ἀναπράττωσι παρὰ τῶν ἡδικημένων τροφὰς ἀναγκαίας ἅτε πορίζειν ἀδυνατοῦντες; οὐ γὰρ σιδήρειος πατὴρ ἐστὶ τις οὕτως, ὥς λιμῷ περιϋδεῖν θνήσκοντα υἱόν, καὶ ταῦτα χρόνῳ τῆς ὀργῆς ἀμαυρουμένης.
 248 κἂν μὴ ἐπενέγκῃ μέντοι χεῖρας, κακηγορῇ δ' οὓς χρέος ἀναγκαῖον εὐφημεῖν ἢ καὶ τρόπῳ ἑτέρῳ δρᾷ τι τῶν ἐπ' ἀτιμία γονέων, θνησκέτω· κοινὸς γὰρ

¹ MS. αὐτῶν μόνον.

^a See Ex. xxi. 16 (17), Lev. xx. 9, E.V. "curseth," but R.V. margin "or revileth." In the latter half of the sentence he perhaps alludes to Deut. xxvii. 16, "Cursed be he that setteth light by (LXX ἀτιμάζων) his father or his mother."

THE SPECIAL LAWS, II. 245-248

outrage is not committed by the hands but by the persons who used their hands to commit it, and it is these persons who must be punished. Otherwise, when one man has killed another with a sword, we should cast the sword out of the land and let the murderer go free, and conversely, honour should be given, not to those who have distinguished themselves in war, but to the lifeless equipments and weapons which were the instruments of their exploits. In the case of the victors in the athletic contests, 246 whether at the single or the double course or the long race or the boxing or the general contest, will they try to garland the legs and hands only and disregard the bodies of the athletes as a whole? It would surely be ridiculous to introduce such practices and give to the indispensable accompaniments the punishments or honours which should be given to the responsible persons. For similarly, in musical exhibitions, when anyone makes a highly successful performance on the flute or lyre, we do not pass him by and adjudge the laudatory announcements and honours to the instruments. Why then, you 247 grand legislators, should we cut off the hands of those who strike a father? Or is your object that the offenders, besides being quite useless, may levy a tribute not annually, but daily, on those whom they have wronged, because they are unable to provide the sustenance they need. For no father is so iron-hearted as to allow his son to starve to death, particularly as his anger grows faint as time goes on. And even if while making no assault with his hands 248 he uses abusive language to those to whom good words are owed as a bounden duty, or in any other way does anything to dishonour his parents, let him die.^a He

ἐχθρὸς καί, εἰ δεῖ τὰληθὲς εἰπεῖν, δῆμιος ἀπάντων·
ἐπεὶ τίνι γένοιτ' ἂν εὐμενὴς ἄλλω ὁ μηδὲ τοῖς
αἰτίοις τοῦ ζῆν, δι' οὓς εἰς γένεσιν ἦλθεν, ὧν ἐστι
προσθήκη;

- 249 XLV. Πάλιν δ' ὁ τὴν ἱερὰν ἐβδόμην βέβηλον
ἀποφήνας τὸ γ' ἐπ' αὐτὸν ἦκον μέρος ὑπόδικος
ἔστω θανάτου. τοῦναντίον γὰρ τοῖς βεβήλοις καὶ
πράγμασι καὶ σώμασι καθαρσίων εὐπορητέον εἰς τὴν
ἀμείνω μεταβολήν, ἐπειδὴ “φθόνος,” ὡς ἔφη τις,
“ἔξω θείου χοροῦ βαίνει.” τὸ δὲ τολμᾶν τὰ καθ-
ωσιωμένα παρακόπτειν καὶ παραχαράττειν ὑπερ-
250 βάλλουσιν ἀσέβειαν ἐμφαίνει. κατὰ τὴν παλαιὰν
ἐκείνην ἐξ Αἰγύπτου μετανάστασιν ἡνίκα δι'
ἐρήμης ἀτρυβούς ἅπανα ἡ πληθὺς ὠδοιπόρει,
γενομένης ἐβδόμης² αἱ μὲν τοσαῦται μυριάδες, ὅσας
ἐδήλωσα πρότερον, ἐν ταῖς σκηναῖς κατὰ πολλὴν
ἡσυχίαν διέτριβον, εἰς δ' οὐχὶ τῶν ἡμελημένων καὶ
ἀφανῶν ὀλίγα φροντίσας τῶν διατεταγμένων καὶ
χλευάσας τοὺς φυλάττοντας ἐξῆι μὲν ἐπὶ φρυ-
251 γανισμόν, ἔργω δ' εἰς παρανομίας ἐπίδειξιν. καὶ
ὁ μὲν ὑπέστρεφεν ἀγκαλίδας ἀγαγών, οἱ δὲ τῶν

¹ MS. ἐπὶ.

² MS. ἐβδομάδος.

^a See Ex. xxxi. 14, 15.

^b See note on *Quis Rerum* 242.

^c Plato, *Phaedrus* 247 A, a quotation again made in *Quod Omnis Probus* 13, and with many echoes elsewhere, e.g. i. 320. See note on *De Fuga* 62.

^d See Num. xv. 32-36. Cf. *Mos.* ii. 213 ff. ^e § 146.

^f Heinemann, ignoring οὐχί, translates “one of the obscure and little esteemed,” and adds in a note that Philo has inferred his insignificance either from his collecting firewood, or from the absence of any mention of his name. If this is not mere inadvertence, he must have considered that οὐχί should be expunged. But his explanations of the man's

THE SPECIAL LAWS, II. 248-251

is the common and indeed the national enemy of all. For who could find kindness from him who is not kind even to the authors of his life, through whom he has come into existence and to whom he is but a supplement ?

XLV. Again, let him who has turned the sacred 249 seventh day into a profane thing, as far as lies in his power, be sentenced to death.^a For on the contrary we ought to be rich in ways of purifying things profane, both material and immaterial,^b to change them for the better, since, as it has been said, "envy has no place in the divine choir."^c But to dare to debase and deface the stamp of things consecrated shews the utmost height of impiety. There is an incident 250 which occurred during the great migration from Egypt in ancient days while the whole multitude was journeying through the pathless wilderness.^d The seventh day had come, and all those myriads, how numerous I have stated in an earlier place,^e were staying very quietly in their tents, when a single person of a rank by no means mean or insignificant,^f regardless of the orders given and mocking at those who maintained them, went out to gather firewood, but actually succeeded^g in displaying his disobedience to the law. He returned bringing an armful, 251

insignificance are very unconvincing, and, as the mss. of Philo do not shew as much tendency to insert negatives as they do to omit them, the text may stand, though I know of no explanation of Philo's statement that the offender was of high rank.

^a Or "with the result that he displayed." This is perhaps an unusual meaning for *εἰς*. Heinemann gives "with the intention of shewing," but this would need *ἐξῆλει λόγῳ μὲν* rather than *ἐξῆλει μὲν*. He says that the same motive is suggested in § 213 of the parallel account, but misinterprets, I think, the sense of the phrase used there. See my note.

σκηνῶν ἐκχυθέντες,¹ καίτοι παρατεθηγμένοι, νεώτερον οὐδὲν ἔνεκα τοῦ περὶ τὴν ἡμέραν ἱεροπρεποῦς εἰργάσαντο, πρὸς δὲ τὸν ἄρχοντα ἀγαγόντες τὸ ἀσέβημα μηνύουσιν· ὁ δ' εἰς εἰρκτὴν ἀποθέμενος, ἐκπεσόντος λογίου καταλεύειν τὸν ἄνθρωπον, ἐκδίδωσι τοῖς πρῶτον θεασαμένοις εἰς ἀπώλειαν. ὥς γάρ, οἶμαι, πῦρ ἐναύειν² ἐβδόμαις οὐκ ἐπιτέτραπται—δι' ἣν πρόσθεν αἰτίαν εἶπον—, οὕτως οὐδὲ τὰ πυρὸς ἐκκαύματα συλλέγειν.

- 252 XLVI. Τοῖς μάρτυρα καλοῦσιν ἐπὶ μὴ ἀληθεῖ θεὸν ὄρισται δίκη θανάτου· προσηκόντως· οὐδὲ γὰρ ἄνθρωπος τῶν μετρίων ἀνέξεται ποτε παρακληθεὶς συνεπιγράψασθαι ψεύδεσιν, ἀλλ' ἐχθρὸν ἄπιστον ὑπολαβεῖν ἂν μοι δοκεῖ τὸν εἰς ταῦτα
253 προτρέποντα. ὅθεν ῥητέον· τὸν ὀμνύντα μάτην ἐπ' ἀδίκῳ θεὸς ὁ τὴν φύσιν ἴλεως οὔποτε τῆς αἰτίας ἀπαλλάξει δυσκάθαρτον καὶ μιαρὸν ὄντα, καὶ διαφύγῃ τὰς ἀπ' ἀνθρώπων τιμωρίας. διαδράσεται δ' οὐδέποτε· μυριοὶ γὰρ ἔφοροι, ζηλωταὶ νόμων, φύλακες τῶν πατρῶν ἀκριβέστατοι, <τοῖς>

¹ MS. ἐκκαυθέντες.

² MS. ἐν δυοῖν.

^a In the parallel account persons who have gone out to pray in the wilderness catch the Sabbath-breaker in the act. As Heinemann points out, we have in the two accounts two different answers to the question how they discovered the crime when they should have been staying in the tents.

^b In Numbers "all the congregation."

^c i.e. in § 65.

but the others, pouring out from the tents,^a though greatly enraged if repelled from violence on account of the sanctity of the day, took him to the ruler and reported the impious deed. The ruler put him in custody, but when the divine pronouncement had been given out that he should be stoned, he surrendered him to those who had first seen him^b to be done to death. For the prohibition against lighting a fire on the seventh day, the reason for which I have stated earlier,^c applies equally, I presume, to collecting the means for kindling fire.

XLVI. For persons who call God to witness to an 252
untruth, death is the appointed punishment,^d quite rightly. For not even a man, if he is of a decent sort, will tolerate an invitation to join in subscribing to an untruth, but would in my opinion regard anyone who urged him to this course as an enemy unfit to be trusted. And therefore we must declare that God, 253
though His nature is to be merciful, will never free from guilt him who swears falsely^e to an injustice, a miscreant almost beyond possibility of purification, even if he evades the chastisements of men. And these he will never escape; for there are thousands who have their eyes upon him full of zeal for the laws, strictest guardians of the ancestral institutions,

^a Philo has no scriptural authority for death as a punishment for breaking the third commandment, which he here confines to perjury, and indeed this was recognized in § 27. His argument, as appears in § 254, is that the sentence of death for the lighter shews that it must have been intended for the heavier offence.

^b Not, I think, "lightly," "thoughtlessly," as Heinemann ("leichtfertig"). The sense of "falsely" is not uncommon in classical Greek. Philo uses *μάρην* to bring it into connexion with the *ἐπὶ ματαίῳ* of the commandment, and to suggest that perjury is included in "taking in vain."

- ἐπὶ καταλύσει¹ τι δρώσιν ἀμειλίκτως ἔχοντες· εἰ μὴ
 ἄρα ἐπὶ μὲν ἀτιμία πατρὸς ἢ μητρὸς φονᾶν² ἄξιον,
 ἐπὶ δ' ὀνόματι τῷ καὶ αὐτῆς εὐκλεεστέρῳ σεμ-
 νότητος ὑπ' ἀσεβῶν ἀτιμουμένῳ μετριώτερον
 254 οἰστέον. ἀλλ' οὐχ οὕτως ἐστὶ τις ἀνόητος, ὥς
 ἔνεκα τῶν ἐλαττόνων κτείνων τοὺς αἰτίους ἐπὶ
 τοῖς μείζουσιν ἑᾶν· μείζον δ' ἀσέβημα τοῦ πρὸς
 γονεῖς κακηγορουμένους³ καὶ ὑβριζομένους τὸ περὶ
 τὴν ἱερὰν πρόσρησιν θεοῦ γενόμενον ἐκ ψευδορκίας.
 255 Εἰ δὲ ὁ μὴ προσηκόντως ὁμνὺς ὑπαίτιος, πόσης
 ἄξιος τιμωρίας ὁ τὸν ὄντως ὄντα θεὸν ἀρνούμενος
 καὶ τοὺς γεγονότας πρὸ τοῦ πεποιηκότος τιμῶν
 καὶ μὴ μόνον γῆν ἢ ὕδωρ ἢ ἀέρα ἢ πῦρ, τὰ στοιχεῖα
 τοῦ παντός, ἢ πάλιν ἥλιον καὶ σελήνην καὶ πλάνητας
 καὶ ἀπλανεῖς ἀστέρας ἢ τὸν σύμπαντα οὐρανόν
 τε καὶ κόσμον σέβειν ἀξιῶν, ἀλλὰ καὶ ὅσα θνητοὶ
 δημιουργοὶ κατεσκεύασαν ξύλα καὶ λίθους, ἅπερ
 256 εἰς ἀνθρωποειδεῖς τύπους ἐμορφώθη; τοιγάρτοι
 καὶ αὐτὸς ἐξομοιούσθω τοῖς χειροκμήτοις· θέμις
 γὰρ μὴ μετέχειν ψυχῆς τὸν τὰ ἄψυχα τιμήσαντα,
 καὶ μάλιστα φοιτητὴν γενόμενον Μωυσέως, οὗ
 πολλάκις ἤκουσε λέγοντός τε καὶ προφητεύοντος
 τὰς ἱερωτάτας καὶ καταθέους ἐκείνας ὑφηγήσεις·

¹ MS. ἀκριβέστεροι ἐπὶ καταλεύσει. Cohn's emendation of καταλεύσει to καταλύσει, sc. τῶν πατρίων, is certain. For the rest he suggested ἀκριβέστατοι .<ἐπὶ τοῖς> ἐπὶ καταλύσει. The form here adopted (see Grégoire, *Hermes*, 1909, p. 313), or possibly <τοῖς τῶν>, seems preferable.

² MS. φόνον.

³ MS. κατηγορουμένους.

THE SPECIAL LAWS, II. 253-256

merciless to those who do anything to subvert them. Otherwise we must suppose that while it is right to seek the death of one who dishonours a father or a mother, more moderation should be shewn when impious men dishonour the name which is more glorious than majesty itself. Yet none is so foolish 254 as to visit the lesser offences with death and spare those who are guilty of the greater ; and the sacrilege involved in reviling or outraging parents is not so great as that committed by perjury against the sacred title of God.

But if he who swears a wrongful oath is guilty, how 255 great a punishment^a does he deserve who denies the truly existing God and honours created beings before their Maker, and thinks fit to revere, not only earth or water or air or fire, the elements of the All, or again the sun and moon and planets and fixed stars, or the whole heaven and universe, but also the works of mortal craftsmen, stocks and stones, which they have fashioned into human shape? And there- 256 fore let him too himself be made like unto these works of men's hands. For it is right that he who honours lifeless things should have no part in life, especially if he has become a disciple of Moses and has often heard from his prophetic^b lips those most holy and godly instruc-

on the breach of the first commandment Deut. xvii. 2-5, where the false gods are described in much the same way as here, and on breaches of the second Ps. cxv. 8, where instead of the A.V. "they that make them are like unto them" the LXX has *ὁμοιοὶ γέγοντο*, "may they become like."

^b Lit. "both speaking and prophesying," meaning perhaps that though it is Moses speaking he is also God's spokesman, or that sometimes he speaks in his own person and sometimes as the spokesman. The words that follow, though primarily reproducing Ex. xxiii. 13, are, as "often" shews, intended to represent Moses' teaching elsewhere.

ὄνομα θεῶν ἑτέρων μήτε τῇ ψυχῇ παραδέξῃ εἰς ὑπόμνησιν μήτε φωνῇ διερμηνεύσης, ἀλλ' ἑκάτερον, νοῦν καὶ λόγον, μακρὰν τῶν ἄλλων διαζεύξας ἐπίστρεψον πρὸς τὸν πατέρα καὶ ποιητὴν τῶν ὅλων, ἵνα καὶ φρονῇς περὶ μοναρχίας τὰ ἄριστα καὶ κάλλιστα καὶ λέγῃς τὰ πρόποντα καὶ λυσιτελέστατα σαυτῷ τε καὶ τοῖς ἀκουσομένοις.

- 257 XLVII. Αἱ μὲν οὖν κατὰ τῶν παραβαινόντων τοὺς πέντε χρησμοὺς τιμωρίαι δεδῆλωνται. τὰ δὲ προκείμενα τοῖς φυλάττουσιν αὐτοὺς ἄθλα, καὶ εἰ μὴ ῥηταῖς προστάξεσι μεμῆνυκεν ὁ νόμος, ἀλλὰ
 258 τοι δι' ὑπονοίας ἐμφαίνεται. τὸ μὲν οὖν μὴ νομίζειν θεοὺς ἑτέρους μηδὲ χειρόκμητα θεοπλαστεῖν μηδὲ ψευδορκεῖν ἑτέρου γέρωσ χρεῖον οὐκ ἔστιν· αὐτὸ γάρ, οἶμαι, τὸ ταῦτα ἐπιτηδεύειν ἄριστον καὶ τελεώτατόν ἐστι γέρας· ἐπὶ τίνι γὰρ δύναται ἄν τις ἡσθῆναι μᾶλλον ἀληθείας ἐρῶν ἢ τῷ ἐνὶ προσκεισθαι θεῷ καὶ τῆς τούτου θεραπείας ἀδόλως
 259 καὶ καθαρῶς περιέχεσθαι; καλῶ δὲ μάρτυρας, οὐχ οἵτινες θεραπεύουσι τῦφον, ἀλλὰ τοὺς ἀπλανῇ ζῆλον ἐζηλωκότας, παρ' οἷς ἀλήθεια τιμᾶται· φρονήσεώς τε γὰρ ἄθλον αὐτῇ ἢ φρόνησις καὶ δικαιοσύνη καὶ ἐκάστη τῶν ἄλλων ἀρετῶν ἑαυτῆς ἐστι γέρας. ἢ δ' ὥσπερ ἐν χορῷ καλλιστεύουσα καὶ κατάρχουσα πασῶν ὁσιότης¹ πολὺ πλεον ἐστὶν ἑαυτῆς καὶ ἀγώνισμα καὶ ἄθλον, παρέχουσα καὶ τοῖς χρωμένοις εὐδαιμονίαν καὶ τοῖς τούτων παισὶ καὶ ἐγγόνοις εὐπραγίας ἀναφαιρέτους.

- 260 XLVIII. πάλιν γε μὴν τοῖς τὴν ἱερὰν ἐβδόμην

¹ MS. ὁσιότητων.

^a LXX, Ex. xxiii. 13, ἀναμνήσεσθε, E.V. "make no mention," which may have been intended by the Greek translator.

tions, "Do not admit the name of other gods into thy soul to remember it,^a nor give expression to it with thy voice. Keep both thy mind and thy speech far apart from these others, and turn to the Father and Maker of all, that thy conceptions of His sole sovereignty may be the best and the noblest, and thy words such as are suitable and most profitable to thyself and to them that shall hear thee." 257

XLVII. We have now explained the punishments inflicted on those who transgress the five oracles. But the guerdons awaiting those who keep them, even if not stated by the law in actual words of the 258 injunctions, yet may be seen to underlie them. The refusal to acknowledge other gods, or to deify the works of men's hands, or to commit perjury, needs no other reward. For surely the practice of such abstinence is in itself the best and most perfect reward. For where can any lover of truth find greater pleasure than by devoting himself to the one God and embracing his service in guilelessness and 259 purity? I call to witness not such as serve vanity but those who are inspired with a zeal which never goes astray, those among whom truth is honoured. For wisdom is itself the guerdon of wisdom, and justice and each of the other virtues is its own reward.^b And much more is she, who as in a choir is the fairest and the queen of the dance—religion^c—her own prize and guerdon, providing happiness to those who cherish her and to their children and children's children blessings of welfare which can never be 260 taken from them.

XLVIII. Again, the experience of those who keep the seventh day is that

^b See App. p. 630.

^c Or "holiness."

φυλάττουσι συμβαίνει περὶ δύο τὰ ἀναγκαιότατα ὠφελεῖσθαι, σῶμα καὶ ψυχὴν, τὸ μὲν ἀναπαύλαις ἐκ τῶν συνεχῶν καὶ ἀτρύτων πόνων, τὴν δ' ὑπολήψεσιν ἀρίσταις περὶ θεοῦ ὡς κοσμοποιουῦ καὶ ἐπιμελουμένου ὧν ἐγέννησε· καὶ <γάρ> τὰ σύμ-παντα ἐτελεσφόρησεν ἑβδομάδι. δῆλον οὖν ἐκ τούτων, ὅτι τὴν ἑβδόμην τιμῶν αὐτὸς εὐρίσκεται

- 261 τιμὴν. ὁμοίως μέντοι καὶ ὁ τοὺς γονεῖς ἀποδεχόμενος μὴ θηράσθω τι πλεόν· εὐρήσει γὰρ σκοπῶν ἐν αὐτῷ τῷ ἔργῳ τὸ ἄθλον. οὐ μὴν ἀλλ' ἐπειδὴ τῶν προτέρων τεσσάρων κεφαλαίων, ἃ θειοτέρας ἔλαχε μοίρας, ἔλαττον τοῦτ' ἐστὶ διὰ τὸ θνητῶν ἐφάπτεσθαι, παρηγόρησεν εἰπών· “τίμα πατέρα καὶ μητέρα, ἵνα εὖ σοι γένηται καὶ ἵνα
262 μακροχρόνιος γένη,” δύο γέρα τιθεῖς· ἐν μὲν μετουσίαν ἀρετῆς, τὸ γὰρ εὖ ἢ ἀρετὴ ἢ οὐκ ἄνευ ἀρετῆς, ἕτερον δέ, εἰ δεῖ τὰληθές εἰπεῖν, ἀθανασίαν διὰ πολυχρονίου ζωῆς καὶ βίου μακραίωνος, ὃν καὶ μετὰ σώματος θρέψεις ψυχῇ κεκαθαρμένη τελεία καθάρσει βιῶν. ταῦτα μὲν οὖν ἀποχρώντως λέλεκται, τὰ δ' ἐν τῇ δευτέρᾳ δέλτῳ μετὰ ταῦτα καιροῦ διδόντος ἐπισκεψόμεθα.

^a For the same play on τιμή, “honour,” and τιμή, “value,” cf. *Quod Deus* 169 f.

^b Or “when opportunity offers.” See on iii. 6 (App.).

THE SPECIAL LAWS, II. 260-262

both body and soul are benefited in two most essential ways. The body is benefited by the recurrence of respite from continuous and wearisome toil, the soul by the excellent conceptions which it receives of God as the world-maker and guardian of what He has begotten. For He brought all things to their completion on the seventh day. These things shew clearly that he who gives due value ^a to the seventh day gains value ^a for himself.

So too indeed he who 261
shews respect to his parents should not seek anything further, for if he look he will find his guerdon in the action itself. However, since this commandment, inasmuch as it is concerned with mortal things, is inferior to the first four heads whose province is nearer the divine, He gave encouragement with the words, "Honour thy father and thy mother, that it may be well with thee and that thy time may be long." Here He names two rewards: one is the pos- 262
session of virtue, for "well" is virtue or cannot exist without virtue, the other in very truth is salvation from death given by prolonged vitality and agelong life which thou wilt keep thriving even while in the body, if thou live with a soul purged clean of all impurity.

This part of the subject has now been sufficiently discussed. We will proceed in due season ^b to examine the contents of the second table.

Γ'

ΠΕΡΙ ΤΩΝ ΑΝΑΦΕΡΟΜΕΝΩΝ ΕΝ ΕΙΔΕΙ
ΝΟΜΩΝ ΕΙΣ ΔΥΟ ΓΕΝΗ ΤΩΝ ΔΕΚΑ
ΛΟΓΙΩΝ, ΤΟ ΕΚΤΟΝ ΚΑΙ ΤΟ ΕΒΔΟΜΟΝ,
ΤΟ ΚΑΤΑ ΜΟΙΧΩΝ ΚΑΙ ΠΑΝΤΟΣ ΑΚΟ-
ΛΑΣΤΟΥ ΚΑΙ ΤΟ ΚΑΤΑ ΑΝΔΡΟΦΟΝΩΝ
ΚΑΙ ΠΑΣΗΣ ΒΙΑΣ

- ¹
[299] 1. Ἦν ποτε χρόνος, ὅτε φιλοσοφία σχολάζων καὶ
θεωρία τοῦ κόσμου καὶ τῶν ἐν αὐτῷ τὸν καλὸν καὶ
περιπόθητον καὶ μακάριον ὄντως νοῦν¹ ἐκαρπούμην,
θείοις ἀεὶ λόγοις συγγινόμενος καὶ δόγμασιν, ὧν
ἀπλήστως καὶ ἀκορέστως ἔχων ἐνευφραινόμην,
οὐδὲν ταπεινὸν φρονῶν ἢ χαμαίζηλον οὐδὲ περὶ
δόξαν ἢ πλοῦτον ἢ τὰς σώματος εὐπαθείας ἰλυσπώ-
μενος, ἀλλ' ἄνω μετάρσιος ἐδόκουν ἀεὶ φέρεσθαι
κατὰ τινὰ τῆς ψυχῆς ἐπιθειασμὸν καὶ συμπερι-
πολεῖν ἡλίῳ καὶ σελήνῃ καὶ σύμπαντι οὐρανῷ τε
2 καὶ κόσμῳ. τότε δὴ τότε διακύπτων ἄνωθεν ἀπ'
αἰθέρος καὶ τείνων ὥσπερ ἀπὸ σκοπιᾶς τὸ τῆς
διανοίας ὄμμα κατεθεώμην τὰς ἀμυθήτους θεωρίας
τῶν ἐπὶ γῆς ἀπάντων καὶ εὐδαιμονίζον ἐμαυτὸν
ὡς ἀνὰ κράτος ἐκπεφευγότα τὰς ἐν τῷ θνητῷ βίῳ

¹ Mangey βίον. See note a.

^a I hardly think that νοῦν can be right. It is true that Philo often uses νοῦς τῶν ὄλων or νοῦς τοῦ παντός as an
474

BOOK III

ON THE PARTICULAR LAWS WHICH COME UNDER TWO OF
THE TEN GENERAL COMMANDMENTS, NAMELY THE
SIXTH AGAINST ADULTERERS AND ALL LICENTIOUS-
NESS AND THE SEVENTH AGAINST MURDERERS AND
ALL VIOLENCE

I. There was a time when I had leisure for philo-¹
sophy and for the contemplation of the universe and
its contents, when I made its spirit ^a my own in all its
beauty and loveliness and true blessedness, when my
constant companions were divine themes and verities,
wherein I rejoiced with a joy that never cloyed or
sated. I had no base or abject thoughts nor grovelled^b
in search of reputation or of wealth or bodily comforts,
but seemed always to be borne aloft into the heights
with a soul possessed by some God-sent inspiration,
a fellow-traveller with the sun and moon and the
whole heaven and universe. Ah then I gazed down²
from the upper air, and straining the mind's eye
beheld, as from some commanding peak, the multi-
tudinous world-wide spectacles of earthly things, and
blessed my lot in that I had escaped by main force
equivalent for God, *e.g.* i. 18 above. But could he say
ἐκαρπούμην θεόν? For Mangey's suggestion of *βίον* *cf.*
εὐδαίμονα βίον ἐδύναντο καρποῦσθαι, *De Op.* 156 and *De*
Som. ii. 74.

^b Or "wallowed." More exactly "wriggled"; *cf. De Dec.*
149.

³ κῆρας. | ἐφῆδρευε δ' ἄρα μοι τὸ κακῶν ἀργαλεώ-
 [300] τaton, ὁ μισόκαλος φθόνος, ὃς ἐξαπιναιῶς ἐπιπεσὼν
 οὐ πρότερον ἐπαύσατο καθέλκων πρὸς βίαν ἢ με
 καταβαλεῖν εἰς μέγα πέλαγος τῶν ἐν πολιτείᾳ
 φροντίδων, ἐν ᾧ φορούμενος οὐδ' ὅσον ἀνανήξασθαι
⁴ δύναμαι. στένων δ' ὅμως ἀντέχω τὸν ἐκ πρώτης
 ἡλικίας ἐνιδρυμένον τῇ ψυχῇ παιδείας ἡμερον ἔχων,
 ὃς ἔλεόν μου καὶ οἶκτον αἰεὶ λαμβάνων ἀνεγείρει
 καὶ ἀνακουφίζει. διὰ τοῦτον ἔστιν ὅτε τὴν κεφαλὴν
 ἐπαίρω καὶ τοῖς τῆς ψυχῆς ὄμμασιν ἀμυδρῶς μὲν
 —τὸ γὰρ ὀξυδερκὲς αὐτῶν ἢ τῶν ἀλλοκότων
 πραγμάτων ἀχλὺς ἐπεσκίασεν— ἀλλ' ἀναγκαίως
 γοῦν περιβλέπομαι τὰν κύκλῳ καθαρᾶς καὶ ἀμιγυῶς
⁵ κακῶν ζωῆς σπάσαι γλιχόμενος. εἰ δέ μοι καὶ
 ἐξ ἀπροσδοκήτου βραχεία γένοιτο εὐδία καὶ γαλήνη
 θορύβων τῶν ἐν πολιτείᾳ, ὑπόπτερος ἐπικυματίζω
 μόνον οὐκ ἀεροπορῶν, αὖραις τῆς ἐπιστήμης
 καταπνεόμενος, ἢ με πολλάκις ἀναπείθει δραπε-
 τεύειν συνημερεύοντα αὐτῇ καθάπερ ἀπὸ δεσποτῶν
 ἀμειλίκτων, οὐκ ἀνθρώπων μόνον ἀλλὰ καὶ πραγ-
 μάτων ἀλλαχόθεν ἄλλων χειμάρρου τρόπον ἐπ-
⁶ εἰσχεομένων. ἀλλὰ γὰρ καὶ ἐπὶ τούτοις θεῶ
 προσῆκον εὐχαριστεῖν, ὅτι καίτοι κατακλυζόμενος
 οὐκ ἐγκαταπίνομαι βύθιος, ἀλλὰ καὶ τοὺς τῆς
 ψυχῆς ὀφθαλμούς, οὓς ἀπογνώσει τινὸς χρηστῆς
 ἐλπίδος ᾤήτην¹ ἤδη πεπηρῶσθαι, διοίγω καὶ φωτὶ
 τῷ σοφίας ἐναυγάζομαι μὴ πάντα τὸν βίον τῷ
 σκότῳ παραδοθεῖς. ἰδού γέ τοι τολμῶ μὴ μόνον

¹ MSS. τινὲς . . . ᾤήτησαν (Mangey ᾤήτην ἂν).

^a See App. p. 631.

THE SPECIAL LAWS, III. 3-6

from the plagues of mortal life. But, as it proved, my 3
 steps were dogged by the deadliest of mischiefs, the
 hater of the good, envy, which suddenly set upon me
 and ceased not to pull me down with violence till it
 had plunged me in the ocean of civil cares,^a in which
 I am swept away, unable even to raise my head above
 the water. Yet amid my groans I hold my own, for, 4
 planted in my soul from my earliest days I keep the
 yearning for culture which ever has pity and compas-
 sion for me, lifts me up and relieves my pain. To
 this I owe it that sometimes I raise my head and with
 the soul's eyes—dimly indeed because the mist of
 extraneous affairs has clouded their clear vision—I
 yet make shift^b to look around me in my desire to
 inhale a breath of life pure and unmixed with evil.
 And if unexpectedly I obtain a spell of fine weather 5
 and a calm from civil turmoils, I get me wings and ride
 the waves and almost tread the lower air, wafted by
 the breezes of knowledge which often urges me to
 come to spend my days with her, a truant as it were
 from merciless masters in the shape not only of men
 but of affairs, which pour in upon me like a torrent
 from different sides. Yet it is well for me to give 6
 thanks to God even for this,^c that though submerged
 I am not sucked down into the depths, but can also
 open the soul's eyes, which in my despair of com-
 forting hope I thought had now lost their sight, and
 am irradiated by the light of wisdom, and am not
 given over to lifelong darkness. So behold me

^b For this idiomatic use of ἀναγκάως = "as best I can" see note on *Quod Det.* 160.

^c καὶ ἐπὶ τούτοις is better taken as explained by ὅτι κτλ. than as referring to the last sentence. The metaphor of the open eye goes back to § 4. For this and for the general sense of these sections see App. pp. 631-632.

τοῖς ἱεροῖς Μωυσέως ἐρμηνεύμασιν ἐντυγχάνειν, ἀλλὰ καὶ φιλεπιστημόνως διακύπτειν εἰς ἕκαστον καὶ ὅσα μὴ γνώριμα τοῖς πολλοῖς διαπτύττειν καὶ ἀναφαίνειν.

- 7 Π. Ἐπεὶ δὲ τῶν δέκα λογίων, ἅπερ αὐτὸς ἔχρησεν ὁ θεὸς ἄνευ προφήτου καὶ ἐρμηνέως, πέντε μὲν εἶρηται τὰ χαραχθέντα ἐν τῇ προτέρᾳ δέλτῳ καὶ ὅσα τῶν κατὰ μέρος συνέτεινεν εἰς ταῦτα, δεῖ δ' ἐν τῷ παρόντι καὶ τὰ λοιπὰ τὰ κατὰ τὴν ἑτέραν δέλτον ὡς οἷόν τε ἄριστα συνυφῆναι, πειράσομαι πάλιν καθ' ἕκαστον τῶν γενῶν ἐφ-
- 8 αρμόζειν τοὺς ἐν εἴδει νόμους. ἐν δὲ τῇ δευτέρᾳ δέλτῳ πρῶτον γράμμα τοῦτ' ἐστίν· "οὐ μοι-χεύσεις," ὅτι, οἶμαι, πανταχοῦ τῆς οἰκουμένης μέγα πνεῖ ἡ ἡδονὴ καὶ οὐδὲν μέρος τὴν δυναστείαν αὐτῆς ἐκπέφευγεν, οὐ τῶν κατὰ γῆν, οὐ τῶν κατὰ θάλατταν, οὐ τῶν ἐν ἀέρι· χερσαῖά τε γὰρ καὶ
- [301] πτηνὰ καὶ ἔνυδρα πάντα διὰ πάντων τέθηπε | καὶ περιέπει καὶ τοῖς ἐπιτάγμασιν αὐτῆς ὑπέικει πρὸς τι βλέμμα καὶ νεῦμα ἀφορῶντα κἂν εἰ φρυάττοιτο ὑπ' ἀλαζονείας ἀσμενίζοντα καὶ μόνον οὐ φθάνοντα τὰς προστάξεις ὀξύτητι καὶ ἀνυπερθέτῳ τάχει τῶν
- 9 ὑπηρεσιῶν. ἔχει μὲν οὖν καὶ ἡ κατὰ φύσιν ἡδονὴ πολλὴν καὶ πολλάκις μέμψιν, ὅταν ἀμέτρως καὶ ἀκορέστως χρῆται τῇ αὐτῇ, καθάπερ οἱ περὶ ἔδωδὴν ἄπληστοι, κἂν εἰ μὴδὲν τῶν ἀπαγορευομένων προσφέροιντο, καὶ οἱ φιλογύναιοι συνουσίαις ἐπιμεμνηότες καὶ λαγνίστερον ὁμιλοῦντες γυναιξίν
- 10 οὐκ ἄλλοτρίαις ἀλλὰ ταῖς ἑαυτῶν. ἡ δὲ μέμψις σώματός ἐστι μᾶλλον ἢ ψυχῆς κατὰ τοὺς πολλούς,¹

¹ κατὰ τοὺς πολλούς is omitted by several mss.

THE SPECIAL LAWS, III. 6-10

daring, not only to read the sacred messages of Moses, but also in my love of knowledge to peer into each of them and unfold and reveal what is not known to the multitude.

II. Since out of the ten oracles which God gave 7
forth Himself without a spokesman or interpreter,
we have spoken of five, namely those graven on the
first table, and also of all the particular laws which
had reference to these, and our present duty is to
couple with them those of the second table as well as
we can, I will again endeavour to fit the special laws
into each of the heads. The first^a commandment in 8
the second table is "Thou shalt not commit adultery."
It comes first, I think, because pleasure is a mighty
force felt throughout the whole inhabited world, no
part of which has escaped its domination, neither the
denizens of land nor of sea nor of the air, for in all
three elements beasts, fowls and fishes all alike treat
her with profound respect and deference and submit
to her orders, look to her every glance or nod, accept
contentedly even the caprices of her arrogance and
almost anticipate her commands, so promptly and
instantaneously do they hasten to render their ser-
vices. Now even natural pleasure is often greatly 9
to blame when the craving for it is immoderate and
insatiable, as for instance when it takes the form
of voracious gluttony, even though none of the food
taken is of the forbidden kind, or again the passionate
desire for women shewn by those who in their craze
for sexual intercourse behave unchastely, not with
the wives of others, but with their own. But the 10
blame in most of these cases rests less with the soul

^a So **lxx** in Ex. xx., though not in Deut. v. Cf. *De Dec.* 121.

πολλήν μὲν ἔχοντας εἴσω φλόγα, ἣ τὴν παραβληθεῖσαν τροφήν ἐξαναλίσκουσα ἑτέραν οὐκ εἰς μακρὰν ἐπιζητεῖ, πολλήν δὲ ἱκμάδα, ἥς τὸ ῥοῶδες διὰ τῶν γεννητικῶν ἀποχετεύεται κνησμούς καὶ ὀδαξήσμονς ἐμποιοῦν καὶ γαργαλισμούς ἀπαύστους.

- 11 τοὺς δὲ [καὶ]¹ γυναιξὶν ἄλλων καὶ ἔστιν ὅτε οἰκείων καὶ φίλων ἐπιμεμνηότας καὶ ἐπὶ λύμῃ τῶν πλησίον ζῶντας, ὅλα γένη πολυάνθρωπα κιβδηλεύειν ἐπιχειροῦντας καὶ τὰς μὲν ἐπὶ γάμοις εὐχὰς παλιμφήμους τὰς δὲ ἐπὶ τέκνοις ἐλπίδας ἀτελεῖς ἀπεργαζομένους, ἀνίατον νόσον ψυχῆς νοσοῦντας, ὡς κοινούς ἐχθροὺς ἅπαντος ἀνθρώπων γένους κολαστέον θανάτῳ, ὡς μήτε ζῶντες ἐν ἀδείᾳ πλείους διαφθείροιεν οἴκους μήτε διδάσκαλοι γένοιτο ἑτέρων, οἷς τὰ πονηρὰ τῶν ἐπιτηδευμάτων ζηλοῦν ἐπιμελές.

- 12 III. Εὐ μέντοι καὶ τὰ ἄλλα τὰ περὶ τὰς ὁμιλίας ὁ νόμος διετάξατο. κελεύει γὰρ οὐ μόνον ἀλλοτρίων ἀπέχεσθαι γυναικῶν, ἀλλὰ καὶ χηρευσῶν² αἷς οὐ
13 θέμις συνέρχεσθαι. τὸ Περσικὸν ἔθος εὐθὺς ἀποστραφεῖς καὶ μυσᾶζάμενος ἀπεῖπεν ὡς μέγιστον ἀνοσιούργημα· μητέρας γὰρ οἱ ἐν τέλει Περσῶν

¹ I have followed Heinemann against Cohn in expunging καὶ. It is inserted by only one ms.

² Cohn χηρευσῶν <μητρυνῶν>, after which he places a comma which is here expunged. See note c.

^a For the death penalty for adultery see Lev. xx. 10, Deut. xxii. 22.

^b This list of prohibited unions follows, as Heinemann notes, the order of Lev. xviii. Some of them appear also in Lev. xx. and Deut. xxii.

^c Or perhaps "women who have not a husband," *femmes seules*, thus including not merely mothers and stepmothers,

THE SPECIAL LAWS, III. 10-13

than with the body, which contains a great amount both of fire and of moisture ; the fire as it consumes the material set before it quickly demands a second supply ; the moisture is sluiced in a stream through the genital organs, and creates in them irritations, itchings and titillations without ceasing.

It is not ~~so~~ with men who are mad to possess the 11 wives of others, sometimes those of their relations and friends, who live to work havoc among their neighbours, who go about to bastardize wholesale widespread family connexions, to turn their prayers for married happiness into a curse and render their hopes of offspring fruitless. Here it is the soul which is incurably diseased. Such persons must be punished with death^a as the common enemies of the whole human race, that they may not live to ruin more houses with immunity and be the tutors of others who make it their business to emulate the wickedness of their ways.

III. Excellent also are the other injunctions laid 12 down by the law on the relation of the sexes.^b It commands abstinence not only from the wives of others but also from widows^c in cases where the union is forbidden by the moral law. To the Persian 13 custom it at once shows its aversion and abhorrence and forbids it as a very grave offence against holy living.^d For the Persian magnates marry their

but all the prohibited relations which follow. Cohn's insertion of *μητρυνῶν* is indefensible, as clearly it is mothers rather than stepmothers who are primarily under consideration. But no insertion is required. *αἷς . . . συνέρχεσθαι* is a natural way of describing unions which, though not adulterous, are incestuous.

^a Lev. xviii. 7 ff. For the Persians' practice see App. p. 632.

- τὰς ἑαυτῶν ἄγονται καὶ τοὺς φύντας ἐκ τούτων
 εὐγενεστάτους νομίζουσι καὶ βασιλείας, ὡς λόγος,
 14 τῆς μεγίστης ἀξιοῦσιν· οὐ τί ἂν γένοιτο δυσ-
 σεβέστερον ἀνοσιούργημα; πατὴρ εὐνὴν τετελευ-
 τηκότος, ἣν ἄψαυστον ὡς ἱερὰν ἐχρῆν φυλάττεσθαι,
 κατασχύνειν, γήρως δὲ καὶ μητρός· αἰδῶ μὴ
 λαμβάνειν, τὸν αὐτὸν τῆς αὐτῆς υἱὸν καὶ ἄνδρα
 γίνεσθαι καὶ πάλιν τὴν αὐτὴν τοῦ αὐτοῦ καὶ
 γυναικα καὶ μητέρα, καὶ τοὺς ἀμφοῖν παῖδας τοῦ
 μὲν πατὴρ ἀδελφούς, υἱωνοὺς δὲ τῆς μητρός, καὶ
 τὴν μὲν ὧν ἔτεκε μητέρα τε καὶ μᾶμμην, τὸν δὲ
 ὧν ἐγέννησεν ἐν ταύτῳ πατέρα τε καὶ ὁμομήτριον
 15 ἀδελφόν. ταῦτ'¹ ἐπράχθη τὸ παλαιὸν
 καὶ παρ' Ἑλλήσιν ἐν Θήβαις ἐπὶ τοῦ Λαΐου παιδὸς
 [302] Οἰδίποδος καὶ ἐπράχθη κατ' ἄγνοιαν, | οὐχ ἔκουσίῳ
 γνώμῃ, καὶ ὅμως τοσαύτην κακῶν φορὰν ἤνεγκεν
 ὁ γάμος, ὡς μηδὲν ἐλλειφθῆναι τῶν εἰς τὴν ἀνω-
 16 τάτῳ βαρυδαιμονίαν. πολέμων τε γὰρ ἐμφυλίων
 καὶ ξενικῶν διαδοχαὶ καθάπερ κληῖρος παισὶ καὶ
 ἐκγόνοις παρὰ πατέρων καὶ προγόνων ἀπελείπετο
 καὶ πορθήσεις πόλεων τῶν ἐν τῇ Ἑλλάδι μεγίστων
 ἐγίνοντο καὶ φθοραὶ² στρατιωτικῶν δυνάμεων
 ἐγχωρίων τε καὶ τῶν κατὰ συμμαχίαν ἀφικνου-
 μένων καὶ ἡγεμόνων τῶν παρ' ἐκατέροις ἀρίστων
 ἐπάλληλοι φθοραὶ³ καὶ διὰ τὰς περὶ κράτους [καί]³

¹ Cohn prints ἀδελφόν—ταῦτ', regarding what follows as a continuance of the sentence which begins with πατὴρ εὐνὴν.

² The duplication of φθοραὶ has been justly suspected. Mangey proposed to substitute φόνοι for the first φθοραὶ, Heinemann thought it better to omit it.

³ καὶ should be omitted. κράτος ἀρχῆς is a common expression in Philo, e.g. Mos. i. 96, 307.

THE SPECIAL LAWS, III. 13-16

mothers and regard the children of the marriage as nobles of the highest birth, worthy, so it is said, to hold the supreme sovereignty. What form of un-¹⁴holiness could be more impious than this: that a father's bed, which should be kept untouched as something sacred, should be brought to shame: that no respect should be shown for a mother's ageing years: that the same man should be son and husband to the same woman, and again the same woman wife and mother to the same man: that the children of both should be brothers to their father and grandsons to their mother: that she should be both mother and grandmother of those whom she bore and he both father and half-brother of those whom he begot?

Even, among the Greeks these things ¹⁵were done in old days in Thebes in the case of Oedipus the son of Laius. They were done in ignorance, not by deliberate intention, and yet the marriage produced such a harvest of ills that nothing was wanting that could lead to the utmost misery. For a succes-¹⁶sion of wars civil and foreign was left to be passed on as a heritage to children and descendants from their fathers and ancestors.^a The greatest cities in Greece were sacked, and armed forces both of natives and allied contingents were destroyed: the bravest leaders on both sides fell one after the other; brothers slew brothers in the deadly feud engendered by

^a The reference is not only to the war of the *Seven against Thebes*, caused by the rivalry of the two sons of Oedipus, but also to the later war of the Epigoni (the sons of the first set of chieftains), which might be regarded as indirectly caused by the curse of Oedipus, and in which Thebes according to the legend was sacked. Cf. Diodorus, iv. 66. The whole section, however, is a great exaggeration of the ordinary tradition.

ἀρχῆς ἀσυμβάτους ἔχθρας ἀδελφοκτονίαι, δι' αἷς οὐ μόνον αἱ συγγένειαι καὶ πατρίδες ἀλλὰ καὶ ἡ πλείστη μοῖρα τοῦ Ἑλληνικοῦ παντὸς ἐξεφθάρη πανωλεθρία· κεναὶ γὰρ αἱ πρότερον εὐανδροῦσαι πόλεις οἰκητόρων μνημεῖα τῶν τῆς Ἑλλάδος συμφορῶν ὑπελείφθησαν, ἀτυχῆς θέα τοῖς ὁρώσιν.

17 οὐ μὴν οὐδὲ Πέρσαι, παρ' οἷς ταῦτα ἐπιτηδεύεται, τῶν παραπλησίων κακῶν ἀμοιροῦσιν· αἰεὶ γὰρ ἐν στρατείαις καὶ μάχαις εἰσὶ κτείνοντες καὶ κτεινόμενοι καὶ τοτὲ μὲν τοὺς πλησιοχώρους κατατρέχοντες τοτὲ δὲ τοὺς ἐπανισταμένους ἀμυνόμενοι· πολλοὶ δὲ πολλαχόθεν ἐπανίστανται, τοῦ βαρβαρικοῦ μὴ πεφυκότος ἡρεμεῖν· πρὶν γοῦν καταλυθῆναι τὴν ἐν χερσὶ στάσιν, ἑτέρα φύεται, ὥς μηδένα τοῦ ἔτους ὑπεξηρῆσθαι καιρὸν εἰς ἡσυχίαν, ἀλλὰ καὶ θέρους καὶ χειμῶνος μεθ' ἡμέραν καὶ νύκτωρ ὀπλοφορεῖν, πλείω χρόνον ἐν τοῖς στρατοπέδοις ἐν ὑπαίθρῳ ταλαιπωροῦντας ἢ ἐν ταῖς πόλεσιν οἰκοῦντας διὰ πολλὴν ἔνδειαν εἰρήνης.

18 ἐὼ λέγειν τὰς τῶν βασιλέων μεγάλας καὶ ὑπερόγκους εὐπραγίας, οἷς ἀγώνισμα πρῶτον εὐθύς ἅμα τῇ παραλήψει τῆς ἡγεμονίας τὸ μέγιστον ἄγος, ἀδελφοκτονία, μαντευομένων τὴν ἐκ τῶν ἀδελφῶν γενησομένην ἴσως ἐπίθουσιν ὑπὲρ τοῦ δοκεῖν

19 εὐλόγως κτείνειν. ἅπερ μοι δοκεῖ πάντα συμβαίνειν διὰ τὰς ἀναρμόστους υἱῶν πρὸς μητέρας ὁμιλίας, τῆς ἐφόρου τῶν ἀνθρωπειῶν δίκης ἀμυνομένης τῶν ἀνοσιουργημάτων τοὺς ἀσεβοῦντας· ἀσεβοῦσι δ' οὐχ οἱ δρῶντες μόνον, ἀλλὰ καὶ ὅσοι τοῖς δρῶσιν ἐκουσίῳ γνώμῃ συνεπιγράφονται.

20 τοσαύτην δὲ ὁ ἡμέτερος νόμος φυλακὴν

THE SPECIAL LAWS, III. 16-20

ambition for sovereign power. In consequence not only families and independent territories, but also the largest part of the Greek world perished involved in the general destruction. For cities formerly well populated were left stripped of their inhabitants as monuments of the disasters of Greece, a sinister sight to contemplate. Nor are the Persians 17 either who follow these practices exempt from similar troubles, for they are always engaging in campaigns and battles, slaying and being slain.^a Sometimes they are attacking the neighbouring populations, sometimes defending themselves against insurrection. For of insurgents many appear from many quarters, as the barbarian nature can never remain in quietude. Thus before the sedition of the hour is put down another springs up, so that no season of the year is reserved for a tranquil life, but summer and winter, day and night they are bearing arms, and so rarely does peace reign that they spend more time enduring the hardships of encampment in the open air than dwelling in their cities. I put on one side the great 18 and magnificent triumphs of kings whose first exploit when they succeed to the throne is that worst of sacrileges fratricide—murders which they try to vindicate as reasonable by predicting that their brothers will probably attack them. All these things 19 appear to me to be the result of the ill-matched matings of sons with mothers. For justice who watches over human affairs avenges the unholy deeds on the impious, and the impiety extends beyond the perpetrators of the deed to those who voluntarily range themselves with the perpetrators. But such careful precautions has our law taken in 20

^a See App. pp. 632-633.

- πεποιήται τοῦ πράγματος, ὥστε οὐδὲ προγονῶ
 τελευτήσαντος πατὸς ἄγεσθαι μητρυιὰν ἐφήκε,
 διὰ τε τὴν εἰς τὸν πατέρα τιμὴν καὶ διότι μητρυιᾶς
 καὶ μητρὸς ὄνομα συγγενές, εἰ καὶ μὴ τὸ τῆς
 21 ψυχῆς συνωδὸν πάθος· ὁ γὰρ ἀλλοτρίας ἀπέχεσθαι
 διδαχθεῖς, ὅτι μητρυιὰ προσερρήθη, πολὺ μᾶλλον
 ἀφέξεται τῆς φύσει μητρὸς· καὶ εἴ τις διὰ τὴν
 [303] ἐπὶ τῷ πατρὶ μνήμην αἰδεῖται τὴν ἐκείνου | ποτὲ
 γενομένην γυναικα, δῆλός ἐστιν ἔνεκα τῆς εἰς
 ἀμφοτέρους τοὺς γονεῖς τιμῆς οὐδὲν βουλευσόμενος
 ἐπὶ τῇ μητρὶ νεώτερον, ἐπεὶ καὶ σφόδρα ἐστὶν
 εὖηθες ἡμίσει μέρει τοῦ γένους χαριζόμενον
 ὁλοκλήρου καὶ παντελοῦς ὀλιγωρεῖν δοκεῖν.
- 22 IV. Ἐξῆς ἐστι παράγγελμα μὴδ' ἀδελφὴν ἐγ-
 γυᾶσθαι, πάνυ σπουδαῖον καὶ συντείνον εἰς ἐγκρά-
 τειαν ὁμοῦ καὶ εὐκοσμίαν. ὁ μὲν οὖν Ἀθηναῖος
 Σόλων ὁμοπατρίους ἐφείς ἄγεσθαι τὰς ὁμομητρίους
 ἐκώλυσεν, ὁ δὲ Λακεδαιμονίων νομοθέτης ἔμπαλιν
 τὸν ἐπὶ ταῖς ὁμογαστρίοις γάμον ἐπιτρέψας τὸν
 23 πρὸς τὰς ὁμοπατρίους ἀπέειπεν· ὁ δὲ τῶν Αἰγυπτίων
 χλεῦν (θέμενος)¹ τὴν ἐκατέρων εὐλάβειαν ὥς
 ἡμίεργα διαταττομένων εὐφόρησεν² εἰς ἀσέλγειαν,
 ἐπιδαιφιλευόμενος δυσθεράπευτον κακὸν σώμασι
 καὶ ψυχαῖς ἀκρασίαν καὶ παρασχὼν ἄδειαν ἀπάσας
 ἀδελφὰς ἄγεσθαι, τὰς τε ἰδίας τοῦ ἑτέρου τῶν

¹ A verb has evidently been lost. Cohn's insertion of *θέμενος* is justified by *χλεῦν τίθεσθαι* in several places, e.g. *Mos.* i. 190.

² Cohn suspects this word, for which impossible variants are given in some mss., and suggests *ἐφώρμησεν*. I think the word as given in the translation (or possibly "blossomed into") is natural and appropriate.

^a Lev. xviii. 8.

THE SPECIAL LAWS, III. 20-23

these matters that it has not even permitted the son of a first marriage to marry his stepmother after the death of his father,^a both on account of the honour due to his father and because the names of mother and stepmother are closely akin, however different are the feelings called up by the two words.^b For he ²¹ who has been taught to abstain from another's wife because she is called his stepmother, will *a fortiori* abstain from taking his natural mother; and if the memory of his father makes him respect her who was once his father's wife, the honour which he pays to both his parents will certainly keep him from entertaining the idea of violating his mother in any way. For it would be the height of folly while acknowledging the claims of a half parentage to appear to treat with contempt the full and complete whole.

IV. Next comes a prohibition against espousing ²² a sister, a very excellent rule tending to promote both continence and outward decency.^c Now Solon the lawgiver of the Athenians permitted marriage with half-sisters on the father's side but prohibited it when the mother was the same.^d The lawgiver of the Lacedaemonians, on the other hand, allowed the second but forbade the first. But the lawgiver ²³ of the Egyptians poured scorn upon the cautiousness of both, and, holding that the course which they enjoined stopped half-way, produced a fine crop of lewdness. With a lavish hand he bestowed on bodies and souls the poisonous bane of incontinence and gave full liberty to marry sisters of every degree whether they belonged to one of their brother's parents or

^b The allusion is to the hostility constantly connected with the name *μητρὺς*. See examples in L. & S.

^c Lev. xviii. 9, xx. 17.

^d See App. p. 633.

- γονέων, τοῦδε ἢ τοῦδε, καὶ τὰς ἐξ ἀμφοῖν καὶ τὰς οὐ νεωτέρας μόνον ἀλλὰ καὶ πρεσβυτέρας καὶ ἰσηλικας· καὶ δίδυμοι γὰρ πολλάκις ἐγεννήθησαν, οὓς ἡ μὲν φύσις ἅμα τῇ γενέσει διήρτησε καὶ διέζευξεν, ἡ δ' ἀκολασία καὶ φιληδονία εἰς κοινωνίαν ἐκάλεσεν ἀκοινώνητον καὶ ἁρμονίαν ἀνάρμοστον.
- 24 ἅπερ ἐκμυσαζάμενος ὁ ἱερώτατος Μωυσῆς ὡς ἀλλότρια καὶ ἐχθρὰ πολιτείας ἀνεπιλήπτου καὶ προτρέποντα καὶ ἀλείφοντα πρὸς τὰ αἰσχιστά τῶν ἐπιτηδευμάτων ἀνὰ κράτος ἀπέειπεν ἀδελφῇ συνέρχεσθαι, εἴτε ἐξ ἀμφοῖν εἴτε καὶ μόνου γένοιτο τοῦ
- 25 ἐτέρου. τί γὰρ δεῖ τὸ τῆς αἰδοῦς κάλλος αἰσχύνειν; τί δ' ἀχρωμάτους κατασκευάζειν παρθένους, ἃς ἐρυθριᾷν ἀναγκαῖον; τί δὲ τὰς πρὸς τοὺς ἄλλους ἀνθρώπους κοινωνίας καὶ ἐπιμιξίας ἐπέχειν εἰς βραχὺ χωρίον τὸ ἐκάστης οἰκίας συνωθοῦντας μέγα καὶ λαμπρὸν ἔρνος¹ ἐκτείνεσθαι καὶ χεῖσθαι δυνάμενον εἰς ἡπείρους καὶ νήσους καὶ τὴν οἰκουμένην πᾶσαν; αἱ γὰρ πρὸς τοὺς ὀθνεῖους ἐπιγαμίαι καινὰς ἀπεργάζονται συγγενείας τῶν ἀφ' αἵματος
- 26 οὐκ ἀποδεούσας. V. ὦν χάριν πολλὰς καὶ ἄλλας ὁμιλίας ἐκώλυσε προστάξας μὴ θυγατριδὴν, μὴ υἱιδὴν, μὴ τηθίδα πρὸς πατρός ἢ μητρός, μὴ θείου ἢ υἱοῦ ἢ ἀδελφοῦ γυναικα γενομένην ἐγγυᾶσθαι, μηδ' αὖ προγονὴν ἢ χήραν ἢ παρθένον

¹ mss. ἔργον, for which Mangey and Cohn substitute γένος. I have adopted ἔρνος (my own correction), as favoured both by the sense and the *ductus literarum*.

^a See App. p. 633.

^b Philo prohibits the marriage of brother and sister (a practice which, it must be remembered, was adopted by the dynasty of the Ptolemies, which he did not regard with disfavour, cf. *Mos.* ii. 30) on the grounds (1) that it outrages

THE SPECIAL LAWS, III. 23-26

to both, and not only if they were younger than their brothers but also if they were older or of the same age.^a For twins are often born who, although separated and disunited by nature at birth, enter at the call of concupiscence and voluptuousness into a partnership and wedlock which are neither in the true sense of the words. These practices our most 24 holy Moses rejected with abhorrence as alien and hostile to a commonwealth free from reproach and as encouragements and incitements to the vilest of customs. He stoutly forbade the union of a brother with a sister whether both her parents were the same as his or only one.^b For modesty is lovely, why put it 25 to shame? Maidens must blush, why drive the hue from their cheeks? Why hamper the fellow-feeling and inter-communion of men with men by compressing within the narrow space of each separate house the great and goodly plant which might extend and spread itself over continents and islands and the whole inhabited world? For intermarriages with outsiders create new kinships not a wit inferior to blood-relationships.

V. On this principle 26 he prohibits many other unions,^c not allowing marriage with a son's daughter or a daughter's daughter, nor with an aunt whether paternal or maternal, nor with one who has been wife to an uncle or son or brother, nor again with a stepdaughter whether

family decency; (2) tends to prevent intermarriage with less closely related families.

^c All these degrees of relationship are mentioned in Lev. xviii 10-16, except that there the prohibition against marriage with the paternal uncle's wife does not seem to be extended, as here implied, to the maternal uncle's wife. In the parallel passage, xx. 20, the R.V. has "uncle's wife" simply, but Philo would read in the LXX τῆς συγγενοῦς αὐτοῦ.

- ζώσης μὲν τῆς γυναικὸς—ἄπαγε—ἀλλὰ μὴδ' ἀπο-
 θανούσης· δυνάμει γὰρ ὃ γε πατρῶδς πατὴρ
 27 ὀφείλων τὴν ἐκ τῆς γυναικὸς ἐν τάξει θυγατρὸς
 [304] οὐκ ἐπιτρέπει, οὐτ' ἐν τῷ αὐτῷ | οὐτ' ἐν δια-
 φέρουσι χρόνοις, κἂν τύχῃ τις ἦν προέγγημεν
 ἀπεωσμένος· ζώσης γὰρ ἔτι τῆς συνοικουσης, εἴτε¹
 καὶ ἀπηλλαγμένης, εἴαν τε χηρεὺς εἴαν τε καὶ
 ἐτέρῳ γαμηθῇ, τὴν ἀδελφὴν οὐχ ὅσιον ὑπέλαβεν
 ἐπὶ τὰ τῆς ἡτυχηκυίας παρέρχεσθαι, προδιδάσκων
 τὰ συγγενικά δίκαια μὴ λύειν μὴδ' ἐπιβαίνειν
 πταίσμασι τῆς οὕτως ἡνωμένης κατὰ γένος μὴδ'
 ἐναβρύνεσθαι καὶ ἐντρυφᾶν θεραπευομένην ὑπὸ τῶν
 ἐχθρῶν ἐκείνης καὶ ἀντιθεραπεύουσιν αὐτοὺς.
 28 ἐγείρονται γὰρ ἐκ τούτων χαλεπαὶ ζηλοτυπίαὶ καὶ
 δυσπαρηγόρητοι φιλονεικίαι φορὰς ἀμυθήτους ἐπ-
 ἄγουσαι κακῶν· ὅμοιον γὰρ ὡς εἰ καὶ τὰ μέρη τοῦ
 σώματος τῆς κατὰ φύσιν ἁρμονίας ἐκστάντα καὶ
 κοινωνίας στασιάζοι πρὸς ἄλληλα, ὃ νόσους
 ἀνιάτους ἀπεργάζεται καὶ φθοράς· ἀδελφαὶ δέ,
 εἰ καὶ διαιρετὰ μέρη γεγόνασιν, ἀλλ' οὖν ἁρμόζονται
 καὶ ἐνοῦνται φύσει καὶ συγγενείᾳ μιᾷ· ἡ δὲ

¹ Perhaps read εἰ. See note b.

^a In these two sections Philo follows closely Lev. xviii. 18, "thou shalt not take a woman to her sister to be a rival to her, to uncover her nakedness beside the other in her lifetime." The LXX for "rival," ἀντίζηλος, suggests even better than the R.V. the idea of jealousy which Philo stresses. Nothing is said in Leviticus of the deceased wife's sister, nor by Philo, though his argument suggests that he would not object to it. He also says nothing about marriage with a brother's wife, though that is forbidden in v. 16. Possibly he did not see how to reconcile it with the express injunction

widow or unmarried, I need not say while the wife is alive, heaven forbid, but even after her death. For the stepfather is virtually a father whose duty is to set his wife's daughter in the same position as his own. Again, he does not allow the same man to ²⁷ marry two sisters either at the same or at different times, even if the person in question has repudiated the one he married first.^a For while she is still alive either as his consort or divorced,^b whether she is remaining in widowhood or has married another, he considered that the law of holiness required that the sister should not take the position which the wife has lost by her misfortune, but should learn not to set at nought the rights of kinship, nor use as a stepping-stone the fallen state of one so closely united to her by birth, nor bask at ease while enjoying and returning the caresses of her sister's enemies. For from this source grow grave jealousies and bitter ²⁸ feuds bringing with them train upon train of evils without number. For it is just as if the parts of the body were to renounce their natural partnership and place in the system and engage in strife with each other, thus producing incurable diseases and fatalities. Sisters though made as separate parts of the system are fitted into it and formed into a single whole by nature and identity of parentage.

of such a marriage, "to raise up seed to the brother," in Deut. xxv. 5 ff.

^b If *εἰ* is read for *εἴτε* (see note 1), the meaning will be "while his (former) partner is alive, even though she has been divorced." This certainly best suits the rest of the sentence, which is confined to the case of the divorced wife. On the other hand it strains the meaning of the present participle *τῆς συνοικουμένης* and leaves out of consideration *τῷ αὐτῷ χρόνῳ* above, which clearly contemplates the possibility of bigamy.

ζηλοτυπία, πάθος ἀργαλεώτατον, ἀπορρήττουσα χαλεπὰ καινουργεῖ κακὰ καὶ δυσίατα.

- 29 ἀλλὰ μηδὲ ἄλλοεθνεῖ, φησί, κοινωνίαν γάμου συντίθεσο, μή ποτε μαχομένοις ἔθουσιν ὑπαχθεῖς ἐνδῶς καὶ τῆς πρὸς εὐσέβειαν ὁδοῦ λάθης διαμαρτῶν πρὸς ἀνοδίαν ἐκτραπείς· καὶ τάχα μὲν αὐτὸς ἀνθέξεις ἐκ πρώτης ἡλικίας ἡρματισμένος ὑποθήκαις ἀρίσταις, ὥς οἱ γονεῖς κατεπάδοντες αἰετοὺς ἱεροὺς νόμους ὑφηγοῦντο· δέος δὲ οὐ μικρὸν ἐστὶ περὶ υἱῶν καὶ θυγατέρων, ἴσως γὰρ δελεασθέντες νόθοις πρὸ γνησίων ἔθεσι κινδυνεύουσι τὴν τοῦ ἐνὸς θεοῦ τιμὴν ἀπομαθεῖν, ὅπερ ἐστὶν ἀρχὴ καὶ τέλος τῆς ἀνωτάτω βαρυσδαιμονίας.
- 30 Ἐὰν δέ, φησὶν, ἀνδρὸς ἀπαλλαγεῖσα γυνὴ καθ' ἣν ἂν τύχῃ πρόφασιν ἐτέρῳ γημαμένη πάλιν χηρεύσῃ, ζῶντος ἢ καὶ τετελευτηκότος τοῦ δευτέρου, μὴ ἐπανίτω πρὸς ἄνδρα τὸν πρότερον, ἀλλὰ πᾶσι τοῖς ἄλλοις ἔνσπονδος μᾶλλον ἢ τῷδε γενέσθω, θεσμοὺς παραβᾶσα τοὺς ἀρχαίους, ὧν ἐξελάθετο
- 31 φίλτρα καὶνὰ πρὸ τῶν παλαιῶν ἐλομένη. πρὸς δὲ συμβάσεις εἴ τις ἐθέλει χωρεῖν ἀνὴρ τῇ τοιαύτῃ

^a Ex. xxxiv. 16, Deut. vii. 3 (here, as also in §§ 30, 31, Philo digresses from his interpretation of the prohibitions in Lev. xviii.). Though the prohibition in both Exodus and Deuteronomy is against intermarriage with the conquered Canaanites, the motive assigned, viz. fear of contamination with heathenism, is naturally regarded as making it a general ordinance. Josephus also appeals to it in condemnation of Solomon, *Ant.* viii. 191.

^b Deut. xxiv. 4, where such an act is described as an abomination before the Lord, and defiling (לִטְמָא) the land. Though no penalty is mentioned, Philo, perhaps not un-

THE SPECIAL LAWS, III. 28-31

And jealousy is a most troublesome passion, creating if it breaks out grave evils unknown before and hardly to be cured. ^a But also, he says, 29 do not enter into the partnership of marriage with a member of a foreign nation, lest some day conquered by the forces of opposing customs you surrender and stray unawares from the path that leads to piety and turn aside into a pathless wild. And though perhaps you yourself will hold your ground steadied from your earliest years by the admirable instructions instilled into you by your parents, with the holy laws always as their key-note, there is much to be feared for your sons and daughters. It may well be that they, enticed by spurious customs which they prefer to the genuine, are likely to unlearn the honour due to the one God, and that is the first and the last stage of supreme misery.

Another commandment is that if a woman after 30 parting from her husband for any cause whatever marries another and then again becomes a widow, whether this second husband is alive or dead, she must not return to her first husband but ally herself with any other rather than him, because she has broken with the rules that bound her in the past and cast them into oblivion when she chose new love-ties in preference to the old.^b And if a man is willing to 31 contract himself with such a woman, he must be

reasonably, interprets these strong phrases as describing an act deserving the death penalty, but is hard put to justify it. Apparently he understands the text as meaning that the remarriage shews that there was no real reason for the divorce. The woman is therefore "defiled" and an adulteress, and he not only a "pander," but an adulterer, either because he has connived at her adultery or perhaps because to marry an adulteress is in itself adultery. See further, App. p. 633.

γυναικί, μαλακίας καὶ ἀνανδρίας ἐκφερέσθω δόξαν, ἐκτετμημένος τῆς ψυχῆς τὸ βιωφελέστατον, μισοπόνηρον πάθος, ὃφ' οὗ καὶ τὰ οἰκων καὶ τὰ πόλεων πράγματα κατορθοῦνται, καὶ δύο τὰ μέγιστα τῶν ἀδικημάτων εὐφόρως¹ ἀπομαζάμενος, μοιχείαν τε καὶ προαγωγείαν· αἱ γὰρ αὖθις καταλλαγαὶ μηνύματ' εἰσὶ τοῦ ἐκατέρου· θανάτου δίκην τινέτω σὺν τῇ γυναικί.

³² VI. | Φορὰ τῶν μηνιαίων ὁπότε γένοιτο, μὴ
[305] ψανέτω γυναικὸς ἀνὴρ, ἀλλὰ τὸν χρόνον ἐκείνιον ὁμιλίας ἀνεχέτω νόμον φύσεως αἰδούμενος καὶ ἅμα προδιδασκόμενος μὴ ἀτελεῖς γονὰς ἀκαίρου καὶ ἀμούσου χάριν ἡδονῆς προΐεσθαι· ὅμοιον γὰρ ὥς εἴ τις γεωπόνος ὑπὸ μέθης ἢ φρενοβλαβείας πυροὺς καὶ κριθὰς εἰς λίμνας καὶ χειμάρρους ἀντὶ πεδίων σπείροι, ξηραῖς γὰρ γενομέναις ταῖς ἀρούραις καταβάλλεσθαι χρή τὸν σπόρον εἰς
³³ εὐκαρπίαν. καθαίρει δὲ καὶ ἡ φύσις ἐκάστω μηνὶ τὴν μήτραν οἷά τινα θαυμαστὴν ἄρουν, ἥς τὸν καιρὸν ἀγαθοῦ γεωργοῦ τρόπον ἐπιτηρητέον, ἵν' ἔτι μὲν ἐπικλυζομένης ἐπέχοι τὸν σπόρον—λήσεται γὰρ τῇ φορᾷ κατασυρεῖς² ὑπὸ τῆς ὑγρότητος τοὺς σπερματικούς τόνους οὐ χαλασθεῖς² μόνον ἀλλὰ καὶ εἰς ἅπαν ἐκλυθεῖς². οὗτοι δ' εἰσὶν οἱ ἐν τῇ μήτρᾳ τῷ τῆς φύσεως ἐργαστηρίῳ ζωοπλαστοῦντες καὶ

¹ MSS. εὐφύως.

² MSS. mostly λήσεται γὰρ ἡ σπορὰ κατασυρεῖσα . . . χαλασθεῖσα . . . ἐκλυθεῖσα. Cohn follows F (supported by the Armenian), which has τῇ φορᾷ, though combined with the impossible feminine participles.

THE SPECIAL LAWS, III. 31-33

saddled with a character for degeneracy and loss of manhood. He has eliminated from his soul the hatred of evil, that emotion by which our life is so well served and the affairs of houses and cities are conducted as they should be, and has lightly taken upon him the stamp of two heinous crimes, adultery and pandering. For such subsequent reconciliations are proofs of both. The proper punishment for him is death and for the woman also.

VI. Whenever the menstrual issue occurs, a man ³² must not touch a woman, but must during that period refrain from intercourse and respect the law of nature.^a He must also remember the lesson that the generative seeds should not be wasted fruitlessly for the sake of a gross and untimely pleasure. For it is just as if a husbandman should in intoxication or lunacy sow wheat and barley in ponds or mountain-streams instead of in the plains, since the fields should become dry before the seed is laid in them. Now nature also each month purges the womb as if ³³ it were a cornfield—a field with mysterious properties, over which, like a good husbandman, he must watch for the right time to arrive. So while the field is still inundated he will keep back the seed, which otherwise will be silently swept away by the stream, as the humidity not only relaxes, but utterly paralyses the seminal nerve-forces, which in nature's laboratory, the womb, mould the living creature and with consummate craftsmanship perfect it in the same order to the end of § 53. He omits *vv.* 20, 21, the first denouncing simple adultery, already dealt with, the second against offering children to Moloch, which has no connexion with his present subject, even if he understood it, which is hardly possible, as the *LXX* has "give thy seed to serve the ruler."

τῶν μερῶν ἕκαστον σώματός τε καὶ ψυχῆς ἀκρότητι τέχνης τελεσιουργοῦντες—, εἰ δ' ἐπίσχοι τὰ μηνιαῖα, θαρρῶν ἤδη γόνιμα κατασπείροι μηκέτι φθορὰς τῶν καταβληθησομένων δεδιώς.

- 34 Ὀνειδιστέον καὶ τοῖς σκληρὰν καὶ λιθώδη γῆν ἀροῦσιν· οὗτοι δὲ τίνες ἂν εἶεν ἢ οἱ στείραις συν-
 ερχόμενοι γυναιξί; θήρα γὰρ αὐτὸ μόνον ἡδονῆς ἀκράτορος ὡς οἱ¹ λαγνίστατοι τὰς γονὰς ἐκουσίῳ γνώμῃ διαφθείρουσιν· ἐπεὶ τίνος ἄλλου χάριν ἐγγυῶνται τὰς τοιαύτας; οὐ μὴν δι' ἐλπίδα τέκνων ἦν ἴσασιν ἐξ ἀνάγκης ἀτελῇ γενησομένην, ἀλλὰ δι'
- 35 ὑπερβάλλοντα οἶστρον καὶ ἀκрасίαν ἀνίατον. ὅσοι μὲν οὖν ἄγονται κόρας ἀγνοία τοῦ πῶς ἔχουσιν εὐθὺς εὐτοκίας ἢ τοῦναντίον, ὁπόταν χρόνῳ μακρῷ ὕστερον ἐκ τῆς ἀγονίας αἰσθανόμενοι στείρας αὐτὰς μὴ ἀποπέμπωνται, συγγνώμης εἰσὶν ἐπάξιοι συν-
 ηθείας, βιαστικωτάτου πράγματος, ἡττώμενοι καὶ φίλτρα ἀρχαῖα συμβιώσει μακρᾷ ταῖς ψυχαῖς
- 36 ἐνεσφραγισμένα λύειν ἀδυνατοῦντες. ὅσοι δὲ προ-
 δεδοκιμασμένους ἑτέροις ἀνδράσιν ὡς εἰσὶν ἄγονοι μνῶνται συνῶν τρόπον ἢ τράγων ὀχεύοντες αὐτὸ μόνον, ἐν ἀσεβῶν στήλαις ἐγγραφέσθωσαν ὡς ἀντίπαλοι θεοῦ· τῷ μὲν γὰρ ἅτε φιλοζῶν καὶ φιλανθρώπῳ δι' ἐπιμελείας τῆς πάσης ἐστὶ σω-
 τηρίαν καὶ μονὴν τοῖς γένεσιν ἅπασιν ἐργάζεσθαι, οἱ δ' ἅμα τῇ καταβολῇ σβέσιν τοῖς σπέρμασι τεχνάζοντες ἐχθροὶ τῆς φύσεως ὁμολογουμένως εἰσὶν.

¹ So Cohn for the ὅσοι of most mss. F, however, has οἱ (=οἱ), which may be right, οἱ λαγνίστατοι being the common belated epithet, "lecherous people that they are."

THE SPECIAL LAWS, III. 33-36

each part both of body and soul. But if the menstruation ceases, he may boldly sow the generative seeds, no longer fearing that what he lays will perish.

^a They too must be branded with reproach, who ³⁴ plough the hard and stony land. And who should they be but those who mate with barren women? For in the quest of mere licentious pleasure like the most lecherous of men they destroy ^b the procreative germs with deliberate purpose. For what other motive can they have in plighting themselves to such women? It cannot be the hope of offspring, a hope which they know must necessarily fail to be realized; it can only be an inordinate frenzy, and incontinence past all cure. Those who marry maidens in ignorance at the ³⁵ time of their capacity or incapacity for successful motherhood, and later refuse to dismiss them, when prolonged childlessness shews them to be barren, deserve our pardon. Familiarity, that most constraining influence, is too strong for them, and they are unable to rid themselves of the charm of old affection imprinted on their souls by long companionship. But those who sue for marriage with women ³⁶ whose sterility has already been proved with other husbands, do but copulate like pigs or goats, and their names should be inscribed in the lists of the impious as adversaries of God. For while God in His love both for mankind and all that lives spares no care to effect the preservation and permanence of every race, those persons who make an art of quenching the life of the seed as it drops, stand confessed as the enemies of nature.

^a Philo has not, nor does he claim to have, any biblical authority for these three sections. See App. pp. 633-634.

^b Or "waste."

- 37 VII. Ἐπεισκεκώμακε δὲ ταῖς πόλεσιν ἕτερον πολὺ τοῦ λεχθέντος μείζον κακόν, τὸ παιδεραστεῖν, ὃ πρότερον μὲν καὶ λεχθῆναι μέγα ὄνειδος ἦν, νυνὶ δ' ἐστὶν αὖχημα οὐ τοῖς δρώσι μόνον, ἀλλὰ καὶ |
 [306] τοῖς πάσχουσιν, οἱ νόσον θήλειαν νοσεῖν ἐθιζόμενοι τὰς τε ψυχὰς καὶ τὰ σώματα διαρρέουσι μηδὲν ἐμπύρευμα τῆς ἄρρενος γενεᾶς ἐὼντες ὑποτύφεσθαι, περιφανῶς οὕτως τὰς τῆς κεφαλῆς τρίχας ἀναπλεκόμενοι καὶ διακοσμούμενοι καὶ ψιμμυθῖω καὶ φύκεσι καὶ τοῖς ὁμοιοτρόποις τὰς ὄψεις τριβόμενοι καὶ ὑπογραφόμενοι καὶ εὐώδεσι μύροις λίπα χρίόμενοι—προσαγωγὸν γὰρ μάλιστα ἐν τοῖς τοιούτοις τὸ εὐώδες ἐν ἅπασιν τοῖς εἰς εὐκοσμίαν ἡσκημένοις—, καὶ τὴν ἄρρενα φύσιν ἐπιτηδεύσει τεχνάζοντες εἰς θήλειαν μεταβάλλειν οὐκ ἐρυθριῶσι.
- 38 καθ' ὧν φονᾶν ἄξιον νόμῳ πειθαρχοῦντας, ὃς κελεύει τὸν ἀνδρόγυνον τὸ φύσεως νόμισμα¹ παρὰ κόπτοντα νηποινεῖ τεθνάναι, μηδεμίαν ἡμέραν ἀλλὰ μηδ' ὥραν ἐώμενον ζῆν, ὄνειδος αὐτοῦ καὶ οἰκίας καὶ πατρίδος ὄντα καὶ τοῦ σύμπαντος
- 39 ἀνθρώπων γένους. ὃ δὲ παιδεραστῆς ἴστω² τὴν αὐτὴν δίκην ὑπομένων, ἐπειδὴ τὴν παρὰ φύσιν ἡδονὴν διώκει καὶ τὰς πόλεις τό γε ἐπ' αὐτὸν ἦκον μέρος ἐρήμους καὶ κενὰς ἀποδείκνυσιν οἰκητόρων διαφθείρων τὰς γονὰς καὶ προσέτι τῶν μεγίστων κακῶν, ἀνανδρίας καὶ μαλακίας, ὑψηγῆτης καὶ

¹ MSS. τὰ φύσει (φύσεως) νόμιμα (ὄργανα).

² MSS. ἔστω.

^a Lev. xviii. 22, xx. 13. Cf. the similar treatment of the vice, *De Abr.* 135, 136, and also *De Vit. Cont.* 59-62, following on an adverse criticism of Plato's *Symposium*. The wording here is also very similar to i. 325 above, though there it is

THE SPECIAL LAWS, III. 37-39

VII. Much graver than the above is another evil, 37 which has ramped its way into the cities, namely pederasty.^a In former days the very mention of it was a great disgrace, but now it is a matter of boasting not only to the active but to the passive partners, who habituate themselves to endure the disease of effemination, let both body and soul run to waste, and leave no ember of their male sex-nature to smoulder. Mark how conspicuously they braid and adorn the hair of their heads, and how they scrub and paint their faces with cosmetics and pigments and the like, and smother themselves with fragrant unguents. For of all such embellishments, used by all who deck themselves out to wear a comely appearance, fragrance is the most seductive. In fact the transformation of the male nature to the female is practised by them as an art and does not raise a blush. These persons 38 are rightly judged worthy of death by those who obey the law, which ordains that the man-woman who debases the sterling coin of nature should perish unavenged, suffered not to live for a day or even an hour, as a disgrace to himself, his house, his native land and the whole human race. And the lover of such may 39 be assured that he is subject to the same penalty. He pursues an unnatural pleasure and does his best to render cities desolate and uninhabited by destroying^b the means of procreation. Furthermore he sees no harm in becoming a tutor and instructor in the

based on Deut. xxiii. 1, and the expulsion of such persons from the congregation, here on Lev. xx. 13, where the death penalty is prescribed for *both* offenders (see §§ 38, 39 below). See also App. p. 634.

^b Or again "wasting," as in § 34. But here at least the thought may be the same as in *De Abr.* 135, where the pederast is supposed to become impotent.

διδάσκαλος ἀξιοῖ γενέσθαι τοὺς νέους ὠραῖζων
 καὶ τὸ τῆς ἀκμῆς ἄνθος ἐκθηλύνων, ὁ πρὸς ἀλκὴν
 καὶ ῥώμην ἀλείφειν ἀρμόττον ἦν, καὶ τελευταῖον
 ὅτι κακοῦ τρόπον γεωργοῦ τὰς μὲν βαθυγείους
 καὶ εὐκάρπους ἀρούρας χερσεύειν ἑᾷ μηχανώμενος
 ἐπ' αὐταῖς ἀγωνίαν, ἐξ ὧν δ' οὐδὲν βλάβστημα
 προσδοκᾶται τὸ παράπαν, εἰς ταῦτα πονεῖται μεθ'
 40 ἡμέραν τε καὶ νύκτωρ. αἴτιον δ' οἶμαι τὸ παρὰ
 πολλοῖς τῶν δῆμων ἀκρασίας καὶ μαλακίας ἄθλα
 κείσθαι· τοὺς γοῦν ἀνδρογύνους ἔστιν ἰδεῖν διὰ
 πληθυσίης ἀγορᾶς αἰεὶ σοβοῦντας κὰν ταῖς ἐορταῖς
 προπομπεύοντας καὶ τὰ ἱερὰ τοὺς ἀνιέρους διειλη-
 χότας καὶ μυστηρίων καὶ τελετῶν κατάρχοντας
 41 καὶ <τὰ> Δήμητρος ὀργιάζοντας. ὅσοι δ' αὐτῶν
 τὴν καλὴν νεανειάν προσεπιτείνοντες εἰς ἅπαν
 ὠρέχθησαν μεταβολῆς τῆς εἰς γυναικάς καὶ τὰ
 γεννητικὰ προσαπέκοψαν, ἀλουργίδας ἀμπεχόμενοι
 καθάπερ οἱ μεγάλων ἀγαθῶν αἴτιοι ταῖς πατρίσι
 προέρχονται δορυφορούμενοι, τοὺς ὑπαντῶντας
 42 ἐπιστρέφοντες. εἰ δ' ἦν ἀγανάκτησις οἷα παρὰ
 τῷ ἡμετέρῳ νομοθέτῃ κατὰ τῶν τὰ τοιαῦτα
 τολμώντων καὶ ὥς κοινὰ τῶν πατρίδων ἄγῃ καὶ
 μιάσματα δίχα συγγνώμης ἀνηροῦντο, πολλοὺς ἂν
 ἑτέρους συνέβαινε νουθετεῖσθαι· αἱ γὰρ τῶν προ-
 καταγνωσθέντων ἀπαραίτητοι τιμωρίαι ἀνακοπήν
 οὐ βραχεῖαν ἐργάζονται τοῖς ζηλωταῖς τῶν ὁμοίων
 ἐπιτηδευμάτων.

^a The translation supposes that the idea is the same as in
 500

grievous vices of unmanliness and effeminacy by prolonging the bloom^a of the young and emasculating the flower of their prime, which should rightly be trained to strength and robustness. Finally, like a bad husbandman he lets the deep-soiled and fruitful fields lie sterile, by taking steps to keep them from bearing, while he spends his labour night and day on soil from which no growth at all can be expected. The reason 40 is, I think, to be found in the prizes awarded in many nations to licentiousness and effeminacy. Certainly you may see these hybrids of man and woman continually strutting about through the thick of the market, heading the processions at the feasts, appointed to serve as unholy ministers of holy things, leading the mysteries and initiations and celebrating the rites of Demeter.^b Those of them who by way of 41 heightening still further their youthful beauty have desired to be completely changed into women and gone on to mutilate their genital organs, are clad in purple like signal benefactors of their native lands, and march in front escorted by a bodyguard, attracting the attention of those who meet them. But if 42 such indignation as our lawgiver felt was directed against those who do not shrink from such conduct, if they were cut off without condonation as public enemies, each of them a curse and a pollution of his country, many others would be found to take the warning. For relentless punishment of criminals already condemned acts as a considerable check on those who are eager to practise the like.

i. 325 τὸ τῆς ὥρας ταμεύοντας ἄνθος ἵνα μὴ ῥαδίως μαπαίνουτο. But the phrase is strange; Heinemann gives "die jungen Leute sich herausputzen lässt." Two mss. have τοῦ γένους, which Mangey would correct to τοὺς γένους (*genas venustans*).

^b See App. p. 634.

43

[307]

- VIII. | Ἀλλὰ γὰρ ἔνιοι τὰς Συβαριτῶν καὶ τὰς
 ἔτι λαγνιστέρων ἐπιθυμίας ζηλώσαντες τὸ μὲν
 πρῶτον ὀψοφαγίαις καὶ οἰνοφλυγίαις καὶ ταῖς
 ἄλλαις ταῖς γαστρὸς καὶ τῶν μετὰ γαστέρα
 ἡδοναῖς ἐνησκήθησαν, εἶτα δὲ κορεσθέντες ἐξ-
 ὕβρισαν—ὕβριν γὰρ κόρος γεννᾷν πέφυκεν—, ὥς
 ὑπὸ φρενοβλαβείας λυττᾶν καὶ ἐπιμεμνηνέναι μηκέτ'
 ἀνθρώποις εἶτ' ἄρρεσιν εἴτε θηλείαις ἀλλὰ καὶ
 ἀλόγοις ζώοις, ὥσπερ ἐν Κρήτῃ φασὶ τὸ παλαιὸν
 τὴν γυναῖκα Μίνω τοῦ βασιλέως ὄνομα Πασιφάην·
 44 ταύρου γὰρ ἐρασθεῖσαν καὶ τῷ πάθει σφαδάζουσαν
 ἔνεκα τῆς περὶ τὴν ὁμιλίαν ἀπογνώσεως—ἀπο-
 τυγχανόμενος γὰρ ἔρως οὐ μετρίως ἐπιτείνεται—
 Δαιδάλῳ τὴν κατέχουσαν συμφορὰν ἀνενεγκεῖν,
 ὃς ἦν τῶν κατ' αὐτὸν ἄριστος δημιουργός· τὸν δὲ
 πάννυ δεινὸν ὄντα ταῖς ἐπινοίαις τὰ ἀθήρατα θηρᾶν
 δούρειον κατασκευάσαι βούν καὶ διὰ τῆς ἑτέρας
 πλευρᾶς ἐνθεῖναι τὴν Πασιφάην, τὸν δὲ ταῦρον
 ὀρμήσαντα ὥς ἐπὶ ζῶον συγγενὲς ἐπιβαίνειν·
 ἐγκύμονα δὲ γενομένην χρόνοις ὕστερον ἀποτεκεῖν
 45 μιξόθηρα τὸν ἐπικαλούμενον Μινώταυρον. εἰκὸς
 δὲ καὶ ἄλλας ἔσεσθαι Πασιφάας, ἀχαλινώτων
 ἐωμένων τῶν παθῶν, καὶ οὐ γυναῖκας μόνον ἀλλὰ
 καὶ ἄνδρας ἐπιμανήσεσθαι θηρίοις, ἐξ ὧν γενήσεσθαι
 τέρατα παλίμφημα, μηνύματα τῆς ἀνθρώπων
 ὑπερβαλλούσης βδελυρίας· δι' ἣν ἴσως καὶ αἱ τῶν
 ἀνυπάρκτων καὶ μεμυθενμένων ἀγέννητοι φύσεις
 Ἴπποκενταύρων καὶ Χιμαιρῶν καὶ τῶν ὁμοιο-
 46 τρόπων ἔσονται. τοσοῦτον δ' ἄρα τὸ
 προμηθὲς ἐν τοῖς ἱεροῖς νόμοις ἐστίν, ὥσθ' ὑπὲρ

^a Lev. xviii. 23; xx. 15-16; Ex. xxii. 19.

THE SPECIAL LAWS, III. 43-46

VIII. Even worse than this is the conduct of some 43 who have emulated the lusts of the Sybarites and those of others even more lascivious than they. These persons begin with making themselves experts in dainty feeding, wine-bibbing and the other pleasures of the belly and the parts below it. Then sated with these they reach such a pitch of wantonness, the natural offspring of satiety, that losing their senses they conceive a frantic passion, no longer for human beings male or female, but even for brute beasts.^a So according to the story did Pasiphaë the wife of King Minos long ago in Crete.^b She was enamoured of a 44 bull, but had no hope of obtaining its company. Consequently wild with passion, for amorousness is vastly intensified by unsuccess, she reported the trouble under which she was labouring to Daedalus, who was the best craftsman of his time. His masterly skill in devising plans for capturing the uncaptured enabled him to construct a wooden cow, into which he introduced Pasiphaë through one of its sides, and the bull supposing it to be a living animal of its own kind, charged and mounted it. She became pregnant, and in the course of time bore a half-beast called the Minotaur. Probably, if passions are suffered to go 45 unbridled, there will be other Pasiphaës, and not only women but also men will be frantically in love with wild beasts, which will produce unnatural monsters to serve as monuments of the disgusting excesses of mankind; whence possibly the Hippocentaurs and Chimeras and the like, forms of life hitherto unknown and with no existence outside mythology, will come into being. Actually so great is the pro- 46 visions made in the law to ensure that men should

^b Cf. Diodorus, iv. 77.

- τοῦ μηδεμίαν ἔκθεσμον ὁμιλίαν ἀνθρώπους προσ-
 ἵεσθαι διείρηται μηδὲ κτήνος ἔαν ὑπὸ τινος
 ἑτερογενοῦς ὀχεύεσθαι· τράγον οὐδεὶς ἑάσει ποιμὴν
 Ἰουδαῖος ἐπιβαίνειν ἀμνάδι οὐδὲ κρινὸν χιμαῖρα
 οὐδὲ βοῦν ἵππῳ, εἰ δὲ μή, δώσει δίκας ὡς φύσεως
 δόγμα λύων, ἥ τὰ ἀνωτάτω γένη διατηρεῖν ἐπιμελὲς
 47 οὐ νοθεύόμενα. τοὺς ὁρεῖς ἔνιοι μὲν ἀπάντων
 ὑποζυγίων προτιμῶσιν, ἐπειδὴ τὰ σώματα αὐτοῖς
 πέπηγε καὶ σφόδρα νενεύρωται, καὶ τοῖς ἵπο-
 φορβίοις καὶ ταῖς ἵπποστάσεσιν ὄνους ὑπερμεγέθεις,
 οὓς προσαγορεύουσι κήλωνας, ἀνατρέφουσιν, ἵνα
 ταῖς θηλείαις ἐπιβαίνωσι πώλοις, αἱ δὲ μικτὸν
 ζῶον ἀποτίκτουσιν ἡμίονον, ἧς παρὰ φύσιν τὴν
 γένεσιν εἰδὼς ἀνὰ κράτος ἀπέειπε Μωυσῆς καθ-
 ολικωτέρα προστάξει, τοῖς ἀνομοιογενέσι μὴ ἑφεῖς
 48 ὀχεύειν ἢ ὀχεύεσθαι. προὔνόησε μὲν οὖν ἀναλόγως
 τοῦ πρέποντος καὶ ἀκολουθοῦν τῇ φύσει, μακρόθεν
 δ' ὡς ἀπὸ σκοπῆς ἐσωφρόνισεν ἀνθρώπους, ἵν' ἐκ
 τῶνδε προμαθόντες ἄνδρες ὁμοῦ καὶ γυναῖκες
 49 ἀνέχωσιν ὁμιλιῶν ἐκνόμων. ἔαν τε οὖν ἀνὴρ
 ὀχεύῃ τετράπουν ἔαν τε γυνὴ ὑπὸ τετράποδος
 ὀχεύηται, θησκέτωσαν καὶ οἱ ἄνθρωποι καὶ τὰ
 [308] τετράποδα, οἱ μὲν ὅτι ὑπὲρ τοὺς | ὄρους ἀκρασίας
 αὐτῆς ἤλασαν εὔρεται γενόμενοι παρηλλαγμένων
 ἐπιθυμιῶν καὶ ὅτι ἡδονὰς ἀηδεστάτας ἐκαινούργη-
 σαν, ὧν καὶ ἡ διήγησις αἰσχίστη, τὰ δὲ ὅτι τοιού-
 τοις ὀνειδέσιν ὑπηρετήσε καὶ ἵνα μηδὲν ἢ τέκη

^a Lev. xix. 19, where the prohibition is joined with others against sowing different seeds in a field and combining two stuffs in a garment. Cf. Deut. xxii. 9-11.

^b Mules, however, are several times mentioned, evidently without reproach, in the O.T., e.g. Is. lxvi. 20, 1 Kings i. 33.

^c See note *b* on § 63 below.

THE SPECIAL LAWS, III. 46-49

admit no unlawful matings, that it ordains that even cattle are not to be crossed with others of a different species.^a No Jewish shepherd will allow a he-goat to mount a ewe or a ram a she-goat, or a bull a mare, or if he does he will be punished as an offender against the decree of nature, who is careful to preserve the primary species without adulteration. It is true that 47 some people value mules above all other beasts of burden, because their bodies are compact and exceedingly muscular, and accordingly in horse-stables or other places where horses are kept they rear donkeys of huge size to which they give the name of "Celons" to copulate with the female colts, who then give birth to a hybrid animal, the mule or half-ass. But Moses, recognizing that the way in which this animal is produced contravenes nature, stringently forbade it under the wider order by which he refused permission for animals of either sex to breed with those of an unlike species.^b In making this 48 provision he considered what was in accord with decency and conformity to nature, but beyond this he gave us as from some far-off commanding height^c a warning to men and women alike that they should learn from these examples to abstain from unlawful forms of intercourse. Whether, then, it is the man 49 who uses a quadruped for this purpose, or the woman who allows herself to be used, the human offenders must die and the beasts also; the first because they have passed beyond the limits of licentiousness itself by evolving abnormal lusts, and because they have invented strange pleasures than which nothing could be more unpleasing, shameful even to describe; the beasts because they have ministered to such infamies, and to ensure that they do not bear or beget any

ἡ γεννήσῃ παλίμφημον, οἷα εἰκὸς ἐκ τοιούτων
 50 μiasμάτων· ἄλλως τε οἷς καὶ βραχὺ μέλει τοῦ
 πρέποντος οὐκέτ' ἂν χρήσαιντο τοῖς θρέμμασιν
 εἰς οὐδεμίαν τῶν περὶ βίον ὑπηρεσίαν, μυσαττό-
 μενοι καὶ ἀποστρεφόμενοι καὶ τὴν ὄψιν αὐτὴν
 δυσχεραίνοντες καὶ νομίζοντες ὧν ἂν προσάψαιτο
 κάκεῖνα εὐθὺς ἀκάθαρτα εἶναι· τὰ δὲ μηδαμῇ
 χρήσιμα τῷ βίῳ ζῆν εἰ καὶ λυσιτελές¹ ἀλλ' οὖν
 περιττὸν “ ἄχθος γῆς,” ὥς εἰπέ τις.

51 IX. Πάλιν πόρνην ἢ κατὰ Μωυσῆν οὐ παρα-
 δέχεται πολιτεία κοσμιότητος καὶ αἰδοῦς καὶ
 σωφροσύνης καὶ τῶν ἄλλων ἀρετῶν ἁλλοτρίαν, ἡ
 ἀναπιμπλάσα τὰς ψυχὰς ἀνδρῶν ὁμοῦ καὶ γυναικῶν
 ἀκολασίας τὸ μὲν τῆς διανοίας ἀθάνατον κάλλος
 αἰσχύνει, τὴν δὲ τοῦ σώματος ὀλιγοχρόνιον εὐ-
 μορφίαν προτιμᾷ, παραρριπτοῦσα μὲν αὐτὴν τοῖς
 ἐπιτυχοῦσι, τὴν δ' ὥραν ὥσπερ τι τῶν ὠνίων ἐπ'
 ἀγορᾶς πιπράσκουσα, καὶ ἐπὶ μὲν θήρᾳ τῶν νέων
 ἕκαστα λέγει τε καὶ πράττει, τοὺς δὲ ἐραστὰς
 ἀλείφει κατὰ ἀλλήλων αἰσχιστον ἄθλον αὐτὴν
 προτιθεῖσα τοῖς τὸ πλέον εἰσενεγκοῦσιν. ὥς λύμη
 καὶ ζημία καὶ κοινὸν μίασμα καταλευέσθω, τὰς
 τῆς φύσεως διαφθείρασα χάριτας, ἃς ἥρμοττε
 καλοκαγαθία προσεπικοσμήσαι.

¹ Mangey reads (with A) οὐ ζῆν εἶναι λυσιτελές, περιττὸν ὄντα γῆς ἄχθος (most mss. insert ὄντα). See note a.

^a The text as here translated makes some sort of sense, if we take λυσιτελές=something that has a monetary value. The text adopted by Mangey from A (see note 1), is much
 506

THE SPECIAL LAWS, III. 49-51

monstrosity of the kind that may be expected to spring from such abominations. Besides, even people 50 who care little for seemliness would not continue to use their cattle for any purpose serviceable to their life, but would regard them with abhorrence and aversion, disliking the very sight of them and thinking that even what they touch, that too must become unclean. And, when things serve no purpose in life, their survival, even if it can be turned to some account,^a is just a superfluity, "cumbering the earth," as the poet puts it.^b

IX. Again, the commonwealth of Moses' institution 51 does not admit a harlot,^c that stranger to decency and modesty and temperance and the other virtues. She infects the souls both of men and women with licentiousness. She casts shame upon the undying beauty of the mind and prefers in honour the short-lived comeliness of the body. She flings herself at the disposal of chance comers, and sells her bloom like some ware to be purchased in the market. In her every word and deed she aims at capturing the young, while she incites her lovers each against the other by offering the vile prize of herself to the highest bidder. A pest, a scourge, a plague-spot to the public, let her be stoned to death—she who has corrupted the graces bestowed by nature, instead of making them, as she should, the ornament of noble conduct.

clearer (the infinitive *εἶναι* may be defended as continuing the construction after *νομιζόντες*). As Mangey and A have it, it omits *ἀλλ' οὖν*, but this might be retained in the sense of "nay indeed," *i.e.* the survival is not merely unprofitable, but actually burdensome.

^b See on i. 74.

^c Deut. xxiii. 17, which, however, does not suggest death as the penalty. See App. p. 634.

- 52 X. ¹Μοιχείας δὲ τὰς μὲν ἢ αὐτοφώρους ἢ ἐν-
 αργέσιν ἐλέγχους πιστουμένας ὑπαιτίους ἀπέφηνεν
 ὁ νόμος, τὰς δὲ καθ' ὑπόνοιαν οὐκ ἔδικαίωσεν
 ἐξετάζεσθαι πρὸς ἀνθρώπων, ἀλλὰ εἰς τὸ τῆς
 φύσεως ἡγαγε δικαστήριον, ἐπειδὴ περ ἄνθρωποι
 μὲν τῶν ἐμφανῶν ἐπιγνώμονες, θεὸς δὲ καὶ τῶν
 ἀδήλων, ᾧ μόνῳ δυνατὸν ψυχὴν ἐναργῶς θεά-
 53 σασθαι. φησὶν οὖν τῷ ὑπονοήσαντι ἀνδρί· γρα-
 ψάμενος πρόκλησιν εἰς τὴν ἱερόπολιν ἴθι σὺν τῇ
 γυναικὶ καὶ καταστὰς ἐπὶ τῶν δικαστῶν ἀπο-
 γύμνωσον τὸ παραστάν σοι τῆς ὑπονοίας πάθος,
 μὴ ὡς ἂν τις συκοφάντης ἢ κακοτεχνῶν ὑπὲρ τοῦ
 πάντως περιγενέσθαι, ἀλλ' ὡς ἂν τις τῆς ἀληθείας
 54 ἀκριβῆς ἐξεταστὴς ἄνευ σοφιστείας. ἡ δὲ γυνὴ
 δύο κινδύνους ὑπομένουσα, τὸν μὲν ὑπὲρ ψυχῆς,
 [309] τὸν δὲ | αἰσχύνῃς βίου, παντὸς ἀργαλεώτερον
 θανάτου, κρινάτω παρ' αὐτῇ τὸ πρᾶγμα, κἂν μὲν
 καθαρεύῃ, θαρροῦσα ἀπολογεῖσθω, εἰ δὲ ὑπὸ τοῦ
 συνειδότος ἐλέγχοιτο, καταδυέσθω, προκάλυμμα
 τῶν ἁμαρτημάτων αἰδῶ ποιησαμένη· τὸ γὰρ μέχρι
 55 τέλους ἀναισχυντεῖν ὑπερβολὴ κακίας. ἐὰν δὲ
 ἀμφήριστα ἢ τὰ λεχθέντα καὶ μηδέτερον καθέλκη
 μέρος, ἴτωσαν εἰς τὸ ἱερόν, καὶ ὁ μὲν ἀνὴρ στὰς
 ἀντικρὺ τοῦ βωμοῦ, παρόντος τοῦ κατ' ἐκείνην
 τὴν ἡμέραν ἱερωμένου, δηλούτω τὴν ὑπόνοιαν, ἅμα
 καὶ κομίζων ἄλευρον κρίθινον, εἰδὸς τι θυσίας
 ὑπὲρ τῆς γυναικός, εἰς ἔνδειξιν τοῦ μὴ κατ' ἐπ-
 ήρειαν ἀλλ' ἀπὸ γνώμης ὑγιoῦς κατ' ἐνδοιασμὸν

¹ MSS. heading Περὶ μοιχαλίδος.

THE SPECIAL LAWS, III. 52-55

X. Adulteries detected on the spot or established by 52 clear evidence are condemned by the law. But when they are a matter of suspicion, the law did not think good to have them tried by men, but brought them before the tribunal of nature. For men can arbitrate on open matters, but God on the hidden also, since He alone can see clearly into the soul. ^a So the 53 law says to the husband who suspects his wife, "Draw up a formal challenge and come to the holy city with your wife and standing before the judges lay bare the suspicion which troubles you, not in the spirit of a false accuser or malicious schemer, set on winning at any cost, but of one who would strictly test the truth without sophistry. The woman who is threatened with two dangers, 54 one of losing her life, the other of bringing shame on her past (and this is a thing far more grievous than death), must judge the matter in her heart, and if she is pure, plead her cause with good courage, but if her conscience convicts her, make her submission and use her ashamedness to palliate her sins. For shamelessness carried to the end is the culmination of wickedness. But if the statements 55 of the two are inconclusive, and do not turn the scale to either side, let them go to the temple and let the man standing opposite the altar, in the presence of the priest officiating on that day, explain his suspicion. At the same time he should bring barley-meal, as a kind of sacrifice on behalf of the woman, to shew that the accusation is not made in wanton spite, but with honest intentions

^a For §§ 53-62 see Num. v. 12-31, which Philo follows fairly closely, except that the law does not provide for a previous hearing before judges as in §§ 53, 54.

- 56 εὐλογον αἰτιᾶσθαι. ὁ δὲ ἱερεὺς λαβὼν προτεινέτω τῇ γυναικὶ καὶ τοῦπικρανον ἀφελών, ἵν' ἐπικρίνηται γεγυμνωμένη τῇ κεφαλῇ, τὸ τῆς αἰδοῦς περιηρημένη σύμβολον, ᾧ ταῖς εἰς ἅπαν ἀναιτίοις ἔθος χρῆσθαι. μήτε δὲ ἔλαιον μήτε λιβανωτὸς ὡς ἐπὶ τῶν ἄλλων θυσιῶν παρέστω, διὰ τὸ μὴ ἐπὶ χαρτοῖς ἀλλ' ἄγαν ὀδυνηροῖς τὴν θυσίαν μέλλειν ἐπι-
 57 τελεῖσθαι. κρίθινον δ' ἐστὶ τὸ ἄλευρον, ἴσως ἐπειδὴ ὑπαμφίβολός ἐστιν ἢ ἀπὸ κριθῆς τροφή καὶ ἀλόγοις ζώοις καὶ ἀτυχέσιν ἀνθρώποις ἐφαρμόζεται,¹ σύμβολον τοῦ τὴν μεμοιχευμένην οὐδὲν θηρίων διαφέρειν, ὧν ἀδιακρίτους εἶναι καὶ ἀνεπιστάτους τὰς ὁχείας συμβέβηκε, τὴν δὲ καθαρεύουσιν τῶν ἐγκλημάτων τὸν οἰκεῖον ἀνθρώπων
 58 βίον ἐξηλωκέναι. λαβὼν δέ, φησὶν, ὁ ἱερεὺς κεραμεοῦν ἀγγεῖον ἐγχείτω καθαρὸν ὕδωρ ἐκ πηγῆς ἀρυσάμενος καὶ ἐπιφερέτω βῶλον γῆς ἐκ τοῦ κατὰ τὸ ἱερὸν ἐδάφους· ἅπερ οἶμαι καὶ αὐτὰ συντείνειν πρὸς τὴν ἔρευναν τῆς ἀληθείας διὰ συμβόλων, τὸ μὲν κεραμεοῦν ἀγγεῖον πρὸς τὸ μεμοιχεῦσθαι, διὰ τὸ εὐκάτακτον, θάνατος γὰρ ἢ κατὰ μοιχῶν δίκη, ἢ δὲ γῆ καὶ τὸ ὕδωρ πρὸς τὸ καθαρῆναι τῆς αἰτίας, ἐπειδὴ δι' ἀμφοτέρων αἰγενέσεις καὶ αὐξήσεις καὶ τελειώσεις ἀπάντων.
 59 ὅθεν ἐκάτερον οὐκ ἀπὸ σκοποῦ καὶ τοῖς ὀνόμασιν

¹ MSS. ἐφαρμόζεσθαι.

^a By *εἶδος* he may mean that this oblation, though called *θυσία* in the text, is not of the ordinary kind. In the E.V. the words are "he shall bring her offering for her"; in LXX "he shall bring the (or "his") gift about her." As he regards the oblation as made by the man and not by the woman, he appends this explanation of his motives.

THE SPECIAL LAWS, III. 56-59

and is founded on reasonable doubt.^a The priest 56 taking the offering hands it to the woman and removes her kerchief, in order that she may be judged with her head bared and stripped of the symbol of modesty, regularly worn by women who are wholly innocent. But there must be no oil nor frankincense, as in the other sacrifices, because the intention of the sacrifice to be performed on this occasion is not joyful but exceedingly painful.^b The meal used 57 is of barley, perhaps because as a foodstuff it is of somewhat doubtful merit, suited for irrational animals and men in unhappy circumstances, and thus is a symbol that the adulteress is quite on a par with wild beasts, which copulate without discrimination or due consideration, while the wife who is innocent of the charges brought against her has emulated the life which is fitted to human beings. The priest, it 58 continues, will take an earthen vessel, pour into it pure water which he has drawn from a spring, and put in a clod of earth got from the ground on which the temple stands.^c These likewise, I consider, refer symbolically to the quest for the truth. The act of adultery is signified by the earthen vessel because of its fragility, since death is the punishment decreed for adulterers ; innocence of the charge by the earth and water, since both these are factors in the birth and growth and consummation of all things. And 59 therefore the terms used in both cases make an

^b In Numbers the reason of the absence of oil and frankincense is that "it is a sacrifice of jealousy, a sacrifice of memorial calling sin to remembrance," which assumes the guilt of the accused more than Philo is willing to do.

^c Or "on the floor of the temple." LXX, "the earth," E.V. "the dust."

ἐπεκόσμησε, τὸ μὲν ὕδωρ εἰπὼν δεῖν “καθαρόν”
 λαμβάνειν καὶ “ζῶν,” ἐπεὶ ἀνυπαίτιος ἡ γυνή
 καθαρεύει τὸν βίον καὶ ζῆν ὀφείλει, τὴν δὲ γῆν
 οὐκ ἀπὸ τοῦ τυχόντος ἀλλ’ ἀπὸ τοῦ ἱεροῦ ἐδάφους,
 ὅπερ ἀναγκαῖον ἀρετᾶν, ὡς καὶ γυναῖκα τὴν
 60 σώφρονα. τούτων δὲ προευντρεπισθέντων, ἡ μὲν
 ἀκατακαλύπτῳ τῇ κεφαλῇ τὸ κρίθινον ἄλευρον
 κομίζουσα, καθάπερ ἐλέχθη, παρίτω, ὃ δὲ ἱερεὺς
 [ἀντικρὺ] τὸ κεραμεοῦν ἀγγεῖον, ἐν ᾧ ὕδωρ ἐστὶ
 61 καὶ γῆ, (ἀντικρὺ) στὰς ἐπιλεγέτω τάδε· “εἰ μὲν
 τοὺς ἐπὶ γάμοις θεσμοὺς οὐ παραβέβηκας οὐδ’
 ἀνὴρ ἕτερος ὠμίλησέ σοι καθυφεμένη τὰ πρὸς τὸν
 [310] νόμῳ¹ συνοικισθέντα δίκαια, ἀνυπαίτιος καὶ ἀθῶος
 ἴσθι· εἰ δ’ ὠλιγόρησας μὲν ἀνδρὸς καινὰς δὲ
 ἐζήλωσας² ἐπιθυμίας ἢ ἐρασθεῖσα ἢ ἐρασθέντι
 ἐνδοῦσα, τὰ ἀναγκαϊότατα καὶ φίλτατα προδοῦσα
 καὶ νοθεύσασα, μὴ ἀγνόει πάσαις ἀραῖς ἔνοχος
 γεγεννημένη, ὧν τὰ δείγματα ἀναφανεῖς ἐπὶ τοῦ
 σώματος. ἴθι δὴ ἔκπινε ποτὸν ἐλέγχου, ὃ τὰ
 κεκρυμμένα νῦν καὶ ἀδηλούμενα ἀπαμφιάσει καὶ
 62 ἀπογυμνώσει.” ταῦτα γράψας ἐν χαρτιδίῳ καὶ
 ἀπαλείψας τῷ κατὰ τὸ ἀγγεῖον ὕδατι προτεινέτω
 τῇ γυναικί· ἡ δὲ πιούσα ἀπαλλαττέσθω προσ-
 δοκῶσα ἢ σωφροσύνης ἀθλον ἢ ἀκολασίας τὴν
 ἀνωτάτω τιμωρίαν. εἰ μὲν γὰρ σεσυκοφάντηται,
 σποράν καὶ γένεσιν τέκνων ἐλπίζέτω τῶν ἐπὶ

¹ MSS. νόμον.² MSS. ζηλώσασα.

^a So LXX. E.V. and Hebrew merely “holy.” In Num. xix. 17, where the E.V. has “running water,” the LXX has ζῶν.

^b So, as the sequel shews, rather than “conviction,” though

THE SPECIAL LAWS, III. 59-62

appropriate addition to the picture. The water, it says, must be taken "pure" and "living,"^a since if the woman is guiltless her conduct is "pure" and she deserves to "live"; the earth is taken not from any chance place but from the "holy" ground, which must needs be capable of fertility, as also must the chaste wife. When these preliminaries are completed, 60 the woman is to come forward with her head uncovered, bringing the barley-meal, as has been said, and the priest holding the earthen vessel with the earth and water in it stands fronting her and pronounces as follows: "If thou hast not transgressed 61 the lawful usages of marriage, if no other man has had intercourse with thee, suffered by thee in abandonment of thy duties to the legitimate partner of thy home, be clear of guilt and its consequences. But if thou hast set at naught thy husband and eagerly gratified thy new desires, seized with love for another or surrendering to his love, betraying and debasing the closest and fondest ties, be well assured that thou hast laid thyself open to every curse, and the signs of their fulfilment thou wilt exhibit in thy body. Come then, drink the draught of testing^b which will uncover and lay bare what is now hidden in secrecy." He will 62 then write these words on a piece of paper and after blotting them out in the water in the vessel, proffer it to the woman, and when she has drunk she will depart expecting either reward for her chastity or extreme punishment for her incontinence. For if she has been falsely accused she may hope to conceive and bear children and pay no heed to her fears and

that is the meaning of the LXX *ἐλεγμαὶ* followed by "that brings the curse." E.V. "the water of bitterness that causeth the curse."

στειρώσει καὶ ἀγονία φόβων καὶ φροντίδων ἀ-
 λογοῦσα· εἰ δ' ἐστὶν ἔνοχος, ἐφεδρεύσονται ἴστω
 γαστρὸς ὄγκον οἰδούσης καὶ πιμπραμένης καὶ τῶν
 περὶ μήτραν δεινὴν κάκωσιν, ἣν καθαρὰν οὐκ
 ἠξίωσε διατηρεῖν ἀνδρὶ τῷ κατὰ πάτρια γήμαντι.
 63 τοσαύτην δ' ἔχει πρόνοιαν ὁ νόμος τοῦ μηδὲν ἐπὶ
 γάμοις νεωτερίζεσθαι, ὥστε καὶ τοὺς συνιόντας
 εἰς ὁμιλίαν ἀνδρας καὶ γυναῖκας κατὰ τοὺς ἐπὶ
 γάμοις θεσμούς, ὅταν εὐνῆς ἀπαλλάττωνται, οὐ
 πρότερον ἐὰν τινος ψαύειν ἢ λουτροῖς καὶ περιρραν-
 τηρίοις χρήσθαι, πόρρωθεν μοιχείας ἀνείργων καὶ
 τῶν ἐπὶ μοιχαίαις ἐγκλημάτων.

64 XI. Ἐὰν δέ τις χήραν ἀποθανόντος ἀνδρὸς ἢ καὶ
 διαζευχθεῖσαν ἄλλως βιασάμενος αἰσχύνῃ, κουφό-
 τερον ἢ κατὰ μοιχείαν ἀμάρτημα δρῶν, ἤμισυ
 σχεδὸν ἐκείνου, τῆς μὲν θανάτου τιμωρίας ἀφείσθω,
 βίαν δὲ καὶ ὕβριν καὶ ἀκολασίαν καὶ θράσος τὰ
 αἰσχιστα ὡς κάλλιστα ἀποδεξάμενος κατηγορεῖσθω
 καὶ ὁ τι χρὴ παθεῖν ἢ ἀποτίσαι τιμάτων¹ τὸ δικα-
 στήριον ἐπ' αὐτῷ.

65 ² Ἀδελφὸν μὲν καὶ συγγενὲς ἀδίκημα μοιχείας
 φθορά, καθάπερ ἐκ μητρὸς μιᾶς, ἀκολασίας, φύντα³.

¹ mss. τιμάσθω.

² ms. heading Περὶ φθορᾶς.

³ For the solecism φύντα Mangey suggests φῶσα, but this does not suit μιᾶς.

^a Lev. xv. 18.

^b Lit. "forbidding from afar." The same word (or μακρόθεν) is used in the same way § 47 above, and again §§ 48, 117. Cf. also iv. 104, *De Virt.* 137.

^c Philo neither has nor claims any biblical authority for this section. He is about to describe the pentateuchal law about the rape or seduction of a virgin, and feels that the similar offence in the case of a married woman who is now without a husband must call for punishment or redress. Whether what he says reflects the practice of his time (see

THE SPECIAL LAWS, III. 62-65

apprehensions of sterility or childlessness. But if she is guilty she may be sure that the fate awaiting her is an unwieldy belly, swollen and inflamed, and terrible suffering all round the womb, which she has not cared to keep pure for the husband who married her according to ancestral custom. So careful is the 63 law to provide against the introduction of violent changes in the institution of marriage that a husband and wife, who have intercourse in accordance with the legitimate usages of married life, are not allowed, when they leave their bed, to touch anything until they have made their ablutions and purged themselves with water.^a This ordinance extends by implication to a prohibition^b of adultery, or anything which entails an accusation of adultery.

XI. If anyone dishonours by violence a woman 64 widowed by the death of her husband or through any other form of separation, the crime he commits is less serious than in adultery, of which it may be said to be the half.^c The penalty of death should not be enforced in his case: but since he has accepted as highly honourable such vile things as violence, outrage, incontinence and effrontery, he must be indicted and the court must determine for him the penalty he should suffer or the compensation he should pay.

The corruption^d of a maiden is a criminal offence 65 closely akin to adultery, its brother in fact, for both spring as it were from one mother, licentiousness, to

Goodenough, p. 90), or merely what he feels would be right, seems to me quite uncertain.

^a Ex. xxii. 16, 17; Deut. xxii. 28, 29. The first passage deals rather with seduction ("entice," ἀπατήσας); the second with rape ("lay hold on her," βιασάμενος). The right of the father to refuse his consent to the marriage does not appear in the second passage.

ἦν ἔνιοι τῶν εἰωθότων εὐπρεπέσιν ὀνόμασι τὰ
 αἰσχροῦ ἐπικοσμεῖν ἔρωτα ὀνομάζουσι τᾷληθές
 ὁμολογεῖν ἐρυθριῶντες. ἀλλ' ὅμως, εἰ καὶ συγ-
 γενές, οὐ παντάπασιν ὅμοιον, τῷ τὸ ἀδίκημα μὴ
 εἰς πλείους χωρεῖν οἰκίας, ὥς ἐπὶ τῆς μοιχείας
 συμβέβηκεν, ἀλλ' εἰς μίαν συνῆχθαι τὴν τῆς
 66 παρθένου. λεκτέον οὖν τῷ κόρης ἀστῆς ἐπι-
 θυμοῦντι· “προπέτειαν καὶ θράσος ἀναίσχυντον
 ἦ τὰς ἐπ' ἐνέδρα πάγας ἦ τι τῶν ὁμοιοτρόπων, ὧ
 [311] | οὗτος, ἀποστραφεὶς μήτε ἀναφανδὸν μήτε λάθρα
 67 πονηρὸς ἐξετασθῆς. ἀλλ' εἴπερ ἄρα τι τῇ ψυχῇ
 πέπονθας πρὸς τὴν παῖδα οἰκεῖον, ἴθι πρὸς τοὺς
 γονεῖς αὐτῆς, ἐὰν ζῶντες τυγχάνωσιν, εἰ δὲ μὴ,
 πρὸς τοὺς ἀδελφοὺς ἢ ἐπιτρόπους ἢ ἄλλους κυρίους,
 καὶ ἀπογυμνώσας τὸ σεαυτοῦ πάθος, ὥς χρή τὸν
 ἐλεύθερον, αἵτει πρὸς γάμον καὶ παρακάλει μὴ
 68 ἀνάξιος νομισθῆναι. σκαιὸς γὰρ οὐδεὶς ἂν οὕτως
 γένοιτο τῶν ἐπιμελουμένων τῆς παιδός, ὥς ἐν-
 αντιωθῆναι πρὸς λιπαρεστέρας δεήσεις, καὶ μάλιστα
 γε ἐπειδὴν ἐξετάσας ἀνευρίσκη μὴ κατεψευσμένον
 ἢ ἐπιπόλαιον ἄλλως τὸ πάθος ἀλλ' ἐπαληθεῖον καὶ
 69 παγίως ἐνιδρυμένον.” ἐὰν δέ τις λυττῶν καὶ
 μεμηνῶς, ἅπασι τοῖς ἐκ λογισμοῦ πολλὰ χαίρειν
 φράσας, δυναστείαν τὸν οἶστρον καὶ τὴν ἐπιθυμίαν
 ὑπολαβὼν, νόμου βίαν, ὥς φασί τινες, προτιμοτέραν
 θέμενος, ἀρπάξῃ καὶ φθείρῃ ταῖς ἐλευθέrais ὥς
 θεραπαίναις χρώμενος, τὰ πολέμου δρῶν ἐν εἰρήνῃ,
 70 πρὸς τοὺς δικαστὰς ἀγέσθω. καὶ μὲν ἦ πατήρ
 τῇ βιασθείσῃ, βουλευέσθω περὶ ἐγγύης τῆς πρὸς¹
 τὸν ἐφθαρκότα· εἴτα ἐὰν μὲν ἀνανεύῃ, προικιζέτω

¹ MSS. περὶ.

THE SPECIAL LAWS, III. 65-70

which some whose way it is to bedizen ugly things with specious terms, ashamed to admit its true nature, give the name of love. Still the kinship does not amount to complete similarity, because the wrong caused by the corruption is not passed on to several families as it is with adultery, but is concentrated in one, that of the maiden herself. Our advice then to one who desires a damsel of gentle birth should be this : “ My good sir, have nothing to do with reckless and shameless effrontery or treacherous snares, or anything of the kind, and do not either openly or secretly prove yourself a rascal. But if you have, heart and soul, centred your affections on the girl, go to her parents, if they are alive, or, if not, to her brothers or guardians or others who have charge of her, lay bare before them the state of your affections, as a free man should, ask her hand in marriage and plead that you may not be thought unworthy of her. For none of those who have had the care of the girl would behave so stupidly as to set himself in opposition to the increasing earnestness of your entreaties, particularly if, on examination, he finds that your affections are not counterfeited nor superficial, but are genuine and firmly established.” But if anyone in furious frenzy will have nothing to say to the suggestions of reason, but regarding wild passion and lust as sovereign powers and giving the place of honour to violence above law, as the saying goes, turns to rapine and ravishment and treats free women as though they were servant-maids, acting in peace as he might in war-time, he must be brought before the judges. And if the victim of the violation has a father he must consider the question of espousing her to the author of her ruin. If he refuses, the

- τὴν παῖδα ὁ φθορεὺς ἄλλως ζημιούμενος χρήμασιν, εἴαν δὲ συναινῇ καὶ συνεπιγράφηται, μηδὲν ὑπερτιθέμενος ἀγέσθω προῖκα πάλιν τὴν ἴσιν ὁμολογῶν καὶ μήτε ἀναδύεσθαι τὴν ἐξουσίαν ἐχέτω μήτε παραιτεῖσθαι, καὶ δι' αὐτόν, ἵνα μὴ λαγνείας ἔνεκα δοκῇ μᾶλλον ἢ κατ' ἔρωτα νόμιμον ἐφθαρκεῖναι, καὶ διὰ τὴν κόρην, ἵν' αὐτῆς τὸ περὶ τὴν πρώτην σύνοδον ἀτύχημα παρηγορηθῇ βεβαιωτάτῳ γάμῳ,
- 71 ὃν οὐδὲν ἄλλο τι ἢ θάνατος διαζεύξει. εἴαν δὲ πατὴρ ὀρφανὴν τυγχάνῃ, πρὸς τῶν δικαστῶν ἐρωτάσθω, εἴτε βούλεται συνοικεῖν εἴτε μή· εἴαν τε δὲ συναινῇ εἴαν τε ἀρνηῖται, τὰ αὐτὰ γινέσθω ὡς ἂν καὶ ἐπὶ ζῶντι διωμολογήθη τῷ πατρί.
- 72 XII. ¹ Μεθόριόν τινες ὑπολαμβάνουσιν ἀδίκημα εἶναι φθορᾶς καὶ μοιχείας ὑπογάμιον, ὅταν ὁμολογίαι μὲν ὑπερεγγυήσωσι, μήπω δὲ τῶν γάμων ἐπιτελεσθέντων ἕτερος ἀπατήσας τις ἢ καὶ βιασάμενος εἰς ὁμιλίαν ἔλθῃ. παρ' ἐμοὶ δὲ κριτῇ μοιχείας καὶ τοῦτ' ἐστὶν εἶδος· αἱ γὰρ ὁμολογίαι γάμοις ἰσοδυναμοῦσιν, αἷς ἀνδρὸς ὄνομα καὶ γυναικὸς καὶ

¹ ms. heading Περὶ ὑπογαμίου.

^a Or perhaps "to dismiss her" (at a later time). Cf. the examples of *παραιτεῖσθαι* in the sense of "divorce" in L. & S. This will correspond with Deuteronomy, "he may not put her away all his days," as well as with Philo's words at the end of the section.

^b Philo has no biblical authority for this section. It is curious that the guardians whose consent has to be obtained for the ordinary marriage of an orphan do not appear here.

^c For §§ 72-78 see Deut. xxii. 23-27.

^d The curious word *ὑπογάμιον* occurs only here. The suggestion in the translation is that it is formed on the analogy of the not uncommon use of *ὑπό* = "just before." But except

THE SPECIAL LAWS, III. 70-72

seducer must give a dowry to the girl, his punishment being thus limited to a monetary fine, but if the father consents to the union, he must marry her without any delay and agree to give the same dowry as in the former case, and he must not be at liberty to draw back, or to make difficulties.^a This is in the interest both of himself, to make the rape appear due to legitimate love rather than to lasciviousness, and of the girl, to give her for the misfortune, which she has suffered at their first association, the consolation of a wedlock so firmly established that nothing but death will undo it. ^b If 71 she has lost her father, she must be asked by the judges whether she wishes to consort with the man or not. And whether she agrees or refuses, the terms agreed upon must be the same as they would have been if her father were alive.

XII. ^cSome consider that midway between the cor- 72 ruption of a maiden and adultery stands the crime committed on the eve of marriage,^d when mutual agreements have affianced the parties beyond all doubt, but before the marriage was celebrated, another man, either by seduction or violence, has intercourse with the bride. But this too, to my thinking, is a form of adultery. For the agreements, being documents containing the names of the man and woman, and the other particulars

for the epic adjectives *ὑπὸ τοῦ* and *ὑποδείελος*, I cannot find any analogous compounds. However, *ὑπὸ γάμον* would be an easy correction. The general opinion seems to be that the *ὑπὸ* suggests "secret" or "illicit," and presumably this is the idea in Mangey's "interceptus concubitus," and L. & S.'s "illicit intercourse with a betrothed person." Also the word seems to be regularly regarded as a substantive. It seems to me more likely that it is an adjective agreeing with *ἀδίκημα*.

- 73 τὰ ἄλλα τὰ ἐπὶ συνόδοις ἐγγράφεται. ὦν χάριν καταλεύειν ὁ νόμος ἀμφοτέροισι προσέταξεν, εἴαν γε ἀπὸ μιᾶς καὶ τῆς αὐτῆς γνώμης ἐπιθῶνται τοῖς ἀδικήμασι συμφρονήσαντες· οὐχ οἶόν τε γὰρ μὴ ἀπὸ τῶν αὐτῶν ὀρμηθέντας βουλευμάτων νομίζεσθαι
- 74 συναδικεῖν, οὐ συναδικοῦντας. παρὰ γοῦν τὰς [312] τῶν τόπων διαφορὰς | αὔξεσθαι συμβέβηκε καὶ μειοῦσθαι τὰ δίκημα· μείζον μὲν γάρ, ὡς εἰκός, ἐστίν, εἰ πραχθεῖη κατὰ πόλιν, ἔλαττον δέ, εἰ τειχῶν ἔξω κατ' ἐρημίαν· ἐνταῦθα μὲν γὰρ βοηθὸς οὐδὲ εἰς ἐστὶ τῇ παιδί πάνθ' ὅσα ὑπὲρ τοῦ διατηρῆσαι τὴν παρθενίαν ἄψαυστον καὶ ἀνεπιβούλευτον λεγούσῃ τε καὶ δρώσῃ, ἐν ἅστει δὲ βουλευτήρια, δικαστήρια, στρατηγῶν, ἀγορανόμων, ἀστυνόμων, ἄλλων ἀρχόντων ὅμιλοι μεγάλοι καὶ
- 75 σὺν τούτοις ὁ δῆμος. ἔστι γὰρ ἔστιν ἐν ἐκάστου τῇ ψυχῇ, κἂν ἰδιώτης τυγχάνῃ, μισοπότηρον πάθος, ὃ διακινηθὲν ἀποδείκνυσι τὸν ἔχοντα κατ' ἐκείνους τὸν χρόνον ὑπέρμαχον καὶ προαγωνιστὴν αὐτο-
- 76 κέλευστον τοῦ δόξαντος ἡδικῆσθαι. XIII. τῷ μὲν οὖν διαπραξαμένῳ τὴν βίαν ἔπεται δίκη πανταχοῦ, μηδὲν ἐκ τῆς τῶν χωρίων διαφορὰς εὐρισκομένῳ πρὸς ἐπανόρθωσιν ὦν ὑβρίσει καὶ παρηνόμησε· τῇ δὲ παιδί, καθάπερ ἔφην, τοτὲ μὲν ἔλεος καὶ συγγνώμη τοτὲ δὲ ἀπαραίτητος τιμωρία παρ-
- 77 ακολουθήσει. καὶ περὶ ταύτης μέντοι πολυπραγμονητέον τῷ δικαστῇ μὴ πάντ' ἐπὶ τοὺς τόπους ἀναφέροντι· δύναται γὰρ καὶ κατὰ μέσσην τὴν πόλιν

^a Deuteronomy makes no suggestion of a documentary form of betrothal, though it speaks of a "bill of divorcement" (xxiv. 3). But Philo naturally reads into it the practice of his own time. See App. pp. 634-635.

THE SPECIAL LAWS, III. 72-77

needed for wedlock, are equivalent to marriage.^a And therefore the law ordains that both should 73 be stoned to death, if, that is, they set about their misdeeds by mutual agreement with one and the same purpose. For if they were not actuated by the same purpose, they cannot be regarded as fellow-criminals, where there was no such fellowship. Thus we find that difference of situation makes the 74 criminality greater or less. Naturally it is greater if the act is committed in the city and less if it is committed outside the walls and in a solitude. For here there is no one to help the girl, though she says and does everything possible to keep her virginity intact and invulnerable, while in the town there are council-chambers and law-courts, crowds of controllers of districts,^b markets and wards, and other persons in authority and with them the common people. For 75 assuredly there is in the soul of every man, however undistinguished he may be, a detestation of evil, and if this emotion is roused, no outside influence is then needed to turn its possessor into a champion ready to do battle for anyone who to all appearance has been wronged. XIII. As for the man who perpetrated the 76 violation, justice pursues him everywhere, and difference of situation lends him no help to make good his outrageous and lawless conduct. It is not so with the girl. In the one case pity and forgiveness attend her, as I have said, in the other inexorable punishment. And indeed her position demands care- 77 ful inquiry from the judge who must not make everything turn upon the scene of the act. For she may have been forced against her will in the heart of the

^b Or "nomes." See on i. 55.

ἄκουσα βεβιάσθαι καὶ ἔξω τῆς πόλεως ἐκοῦσα
 πρὸς ἔκθεσμον ὁμιλίαν ἐνδοῦναι. διὸ παρατετηρη-
 μένως καὶ σφόδρα καλῶς ἀπολογούμενος ὑπὲρ τῆς
 ἐν ἔρημιά φθειρομένης φησὶν ὁ νόμος· “ ἐβόησεν
 ἡ νεᾶνις, καὶ ὁ βοηθήσων οὐκ ἦν αὐτῇ,” ὥστε, εἰ
 μήτε ἐβόησε μήτε ἡναντιώθη, βουλομένη δὲ
 συναπῆρε, γένοιτ’ ἂν ἔνοχος, σόφισμα τοῦ βεβιάσθαι
 78 δοκεῖν προστησαμένη τὸν τόπον. καὶ μὴν ἐν πόλει
 τί γένοιτ’ ἂν ὄφελος τῇ πάντα μὲν ἐθελούσῃ ποιεῖν
 ὑπὲρ τῆς ἰδίας ἐπιτιμίας, ἀδυνατούσῃ δὲ ἔνεκα τῆς
 περὶ τὸν ὑβριστὴν ἰσχὺς; τί γάρ, εἰ μετὰ τῶν
 ἄλλων¹ καταδήσειεν ἢ τὸ στόμα ἀποφράξειεν, ὥς
 μηδὲ φωνὴν ῥῆξαι δύνασθαι, γένοιτ’ ἂν ὄφελος ἐκ
 τῶν συνοικούντων; τρόπον γάρ τινα ἦδε μὲν ἐν
 πόλει διατρίβουσα κατ’ ἔρημίαν ἐστὶν ἅτε βοηθῶν
 ἔρημος, ἡ δέ, καὶ μηδεὶς παρατυγχάνη, τῷ ἐκοῦσα
 συναπαῖραι λέγοιτ’ ἂν οὐδὲν διαφέρειν τῆς ἐν
 ἄστει.

79 XIV. Εἰσὶ δέ τινες περὶ τὰς ὁμιλίας ἀψίκοροι,
 γυναικομανεῖς ἐν ταῦτῳ καὶ μισογύναιοι, συγ-

¹ Some mss. μετὰ τῶν κάλων, which Mangey adopted, translating “cum funibus.” But such a use of μετά seems hardly possible. Cohn at first suggested μετάζων ἀποθεν τῶν. But see note a.

^a Lit. “the others,” i.e. those others whose help would be required to bind and gag her before she could cry out. Perhaps, however, τῶν ἄλλων is neuter, i.e. “besides the rest of his violence”; translate, “if he further proceeds to bind her.” Cohn, who originally suggested the correction mentioned in note 1, came to the conclusion (*Hermes*, 1908, p. 205) that this solution was satisfactory. He compares *De Dec.* 69.

THE SPECIAL LAWS, III. 77-79

city, and she may have surrendered voluntarily to unlawful embraces outside the city. And therefore the law in defending the case of a woman deflowered in a solitude is careful to add the very excellent proviso: "The damsel cried out and there was none to help her;" so that if she neither cried out nor resisted but co-operated willingly, she will be found guilty, and her use of the place as an excuse is merely a device to make it seem that she was forced. Again what help would be available in the city to one 78 who was willing to use all possible means to protect her personal honour, but was unable to do so because of the strength which the ravisher could bring to bear? If he should bind her with the help of others^a and gag her mouth so that she could not utter a sound, what help could she get from the neighbours? In a sense such a one, though living in a city, is in a solitude, being solitary so far as helpers are concerned. The other, even if no one was present to help, may be said, in view of her willing cooperation, to be in exactly the same position as the offender in the town.

XIV. ^b There are some persons who show fickleness 79 in their relations to women, mad for them and loath-

^b For §§ 79-83 see Deut. xxii. 13-21. Philo's account makes no mention of the "tokens of virginity." Also there is no allusion to the order that if the case is given against the wife she is to be stoned. This is perhaps because the real subject of these sections is the misconduct of husbands who make treacherous attempts to get rid of unwanted wives. Still, the omission is curious. Apart from the concealment, the misconduct of the woman is not, or need not be, *ὑπογάμιον*, and falls under the head of *φθορά*, which Philo has treated as an *ἀτύχημα* to the maiden rather than a crime (§ 70). One would expect an explanation of why the extreme penalty was required.

κλύδων καὶ μιγάδων ἡθῶν ἀνάπλεω, οἳ ταῖς πρώταις
 εὐθύς ὁρμαῖς ἐνδιδόντες, ὅποιαί περ ἂν οὐσαι
 τυγχάνωσιν, ἃς ἡνιοχεῖν δέον ἀχαλινώτους ἑώσιν,
 ἀπερισκέπτως καὶ ἀπροοράτως σώμασιν ὁμοῦ καὶ
 πράγμασιν ἐπεμπίπτοντες τυφλῶν τρόπον, ἅτε ῥύμη
 καὶ φορᾶ βιαίῳ συνωθοῦντες καὶ ἀνατρέποντες, οὐκ
 80 ἐλάττω ὧν διατιθέασι πάσχουσι. περὶ ὧν τάδε
 νομοθετεῖται· κόρας οἱ ἀγόμενοι νόμῳ καὶ γάμους
 θύσαντές τε καὶ ἐστιαθέντες, μηδὲν οἰκεῖον ἐπὶ
 ταῖς γαμεταῖς πάθος σῶζοντες, ἀλλ' ὑβρίσαντες |
 [313] καὶ ὡς ἐταίραις ταῖς ἀσταῖς προσενεχθέντες, ἐὰν
 διάζευξιν τεχνάζωσι μηδεμίαν ἀπαλλαγῆς πρόφασιν
 ἀνευρίσκοντες, εἴτ' ἐπὶ τὸ συκοφαντεῖν τραπόμενοι
 σπάνει φανερῶν ἐγκλημάτων πρὸς τὰ ἀφανῆ
 τρέπωσι τὰς αἰτίας καὶ παρελθόντες κατηγορῶσιν,
 ὅτι παρθένους δόξαντες συνεληλυθῆναι γυναῖκας ἐν
 ταῖς πρώταις ὁμιλίαις ἐφώρασαν, ἀθροίζέσθω μὲν ἡ
 γερουσία πᾶσα πρὸς τὴν κρίσιν, παρίτωσαν δὲ οἱ
 τῶν κατηγορουμένων γονεῖς ἀπολογησόμενοι περὶ
 81 κοινοῦ κινδύνου. κίνδυνος γὰρ οὐ ταῖς θυγατράσι
 μόνον περὶ τῆς τῶν σωμάτων ἀγνείας ἐστίν, ἀλλὰ
 καὶ τοῖς ἐπιμεληταῖς, οὐ μόνον ὅτι εἰς τὸν ἀναγ-
 καιότατον τῆς ἀκμῆς καιρὸν οὐ παρετήρησαν, ἀλλ'
 ὅτι καὶ ὡς παρθένους τὰς ὑφ' ἑτέρων ἐφθαρμένας

^a The causal clause introduced by ἅτε may look forward and give the reason why they suffer as they have done to others. It seems to me better to take it as looking backwards and giving the reason why they stumble over everything. For σώματα καὶ πράγματα see note on *Quis Rerum* 242 (vol. iv. p. 573).

THE SPECIAL LAWS, III. 79-81

ing them at the same time, each of them a mass of chaotic and promiscuous characteristics. They give way in a moment to their first impulses of any and every kind and let them go unbridled instead of reining them in as they should. They run about wildly and violently, pushing about and upsetting everything material or immaterial, with the result that like blind men without eyes to see before or around they tumble over them and suffer in the same measure as they have meted.^a For these 80 people the law lays down as follows: In the case of persons who take maidens in lawful matrimony and have celebrated the bridal sacrifices and feasts, but retain no conjugal^b affection for their wives, and insult and treat these gentlewomen as if they were harlots—if such persons scheme to effect a separation, but finding no pretext for divorce resort to false accusation and through lack of matters of open daylight shift the charges to secret intimacies and bring forward an incriminating statement that the virgins whom they supposed they had married were discovered by them, when they first came together, to have lost their virginity already—then the whole body of elders will assemble to try the matter and the parents will appear to plead the cause in which all are endangered. For the danger affects 81 not only the daughters whose bodily chastity is impugned, but also their guardians, against whom the charge is brought not only that they failed to watch over them at the most critical period of adolescence, but that the brides they had given as virgins had been dishonoured by other men, and thereby the bride-

^b *i.e.* suitable to the intimate relation. Cf. the use of οἰκεῖον πάσχειν, § 67.

ἐνεγύησαν ἀπατῶντες καὶ φενακίζοντες τοὺς λαμ-
 82 βάνοντας. εἶτα ἐὰν περιγένηνται τοῖς δικαίοις,
 τιμάτωσαν οἱ δικασταὶ κατὰ τῶν ψευδεῖς αἰτίας
 πλαττομένων χρημάτων ζημίας καὶ τὰς διὰ πληγῶν
 εἰς τὰ σώματα ὕβρεις καὶ—τὸ πάντων ἐκείνοις
 ἀηδέστατον—τὴν τῶν γάμων βεβαίωσιν, ἐὰν ὑπο-
 μένωσιν αἱ γυναῖκες ἔτι τοῖς τοιούτοις συνοικεῖν.
 ταῖς μὲν γὰρ ἐφίησιν ὁ νόμος θελούσαις καὶ μένειν
 καὶ ἀπαλλάττεσθαι, τοὺς δὲ οὐδετέρου κυρίου
 ἀπέφηνεν, ἀνθ' ὧν ἐσυκοφάντησαν.

83 XV. ¹Ὄνομα μὲν ἀνδροφονία κατὰ τοῦ κτείναντος
 ἄνθρωπον ἐπιφημίζεται, τὸ δ' ἀληθὲς ἔργον ἐστὶν
 ἱεροσυλία καὶ ἱεροσυλιῶν ἡ μεγίστη, διότι τῶν ἐν
 κόσμῳ κτημάτων καὶ κειμηλίων οὐδὲν οὔτε ἱερο-
 πρεπέστερον οὔτε θεοειδέστερόν ἐστιν ἀνθρώπου.
 * * * ² παγκάλῃς εἰκόνης πάγκαλον ἐκμαγεῖον
 ἀρχετύπου λογικῆς ιδέας παραδείγματι τυπωθέν.
 84 τὸν οὖν ἀνδροφόνον εὐθὺς ἀσεβῇ καὶ ἀνοσιουργὸν
 ὑποληπτέον, ἀνοσιουργημάτων καὶ ἀσεβημάτων
 δρῶντα τὸ μέγιστον, ὃν ἀμείλικτα ἐργασάμενον

¹ ms. heading Κατὰ ἀνδροφόνων.

² The insertion of ὅς ἐστι (Mangey), or ἔστι γὰρ (Cohn), will make the sentence grammatical. But quite possibly the text as it stands may be due to a slip of Philo, the eye being caught by the nominatives οὐδὲν, etc. Cf. φύντα, § 65.

^a There is no biblical authority for this right of the slandered women, nor according to Heinemann any rabbinical tradition. It may be regarded as a slip of memory, perhaps induced by the similar liberty allowed to the seduced maidens in § 71.

^b At this point Philo turns to the sixth (his seventh) commandment, and this takes up the rest of the treatise. The transition is abrupt (though not more so than that from the first to the second commandment in i. 21) and suggests that

THE SPECIAL LAWS, III. 82-84

grooms were cheated and deceived. Then, if the 82 justice of their cause prevails, the judges must assess the punishments due to these concoctors of false charges. This will consist of monetary fines, bodily degradation in the form of stripes, and what is most distasteful of all to the culprits, confirmation of the marriage, if, that is, the women can bring themselves to consort with such persons.^a For the law permits the wives to stay or separate as they wish, but deprives the husbands of any choice either way, as a punishment for their slanderous accusations.

XV. ^bThe term murder or manslaughter is used to 83 signify the act of one who has killed a human being, but in real truth that act is a sacrilege,^c and the worst of sacrileges; seeing that of all the treasures which the universe has in its store there is none more sacred and godlike than man, the glorious cast of a glorious image, shaped according to the pattern of the archetypal form of the Word.^d It follows necessarily that 84 the murderer must be regarded as an offender against piety and holiness, both of which are violated in the highest degree by his action. For his merciless con-

he may himself have headed these chapters with the words of the commandment, as he must have done with the ninth in iv. 41.

^c Cf. *De Dec.* 132, 133. The other argument against murder used there, viz. that it is against the law of nature which has made man a social creature, is not repeated here.

^d Philo is following his regular interpretation of κατ' εἰκόνα θεοῦ, i.e. that man was made in the likeness of God's image, i.e. the Logos, which is εἰκών to God, but παραδείγμα to man. Cf. particularly *De Som.* i. 76, and examples given in note there. λογικῆς here = of the Logos; cf. § 207 below. Philo also has in mind Gen. ix. 6, "whoso sheddeth man's blood, by man shall his blood be shed, for in the image of God made he man."

ἀναιρετέον, ἐπειδὴ¹ μυρίων θανάτων ἐπάξιος ὢν ἕνα
 ὑπομένει διὰ τὸ τῆς τιμωρίας ἀθάνατον² εἰς πλῆθος
 μὴ πεφυκυίας συναύξεσθαι· χαλεπὸν δὲ οὐδέν, εἰ
 85 ταῦτόν οἷς διέθηκέ τις πείσεται. καίτοι πῶς ἐστι
 ταῦτόν, εἰ καὶ χρόνοις καὶ πράξεσι καὶ βουλήμασι
 καὶ προσώποις διαλλάττει; ἢ οὐχὶ τὸ μὲν χειρῶν
 ἄρχειν ἀδίκων ἐστὶ πρότερον, τὸ δ' ἀμύνεσθαι
 ὕστερον; καὶ ἀνδροφονία μὲν παρανομώτατον, ἡ δὲ
 κατὰ ἀνδροφόνων κόλασις νομιμώτατον; καὶ ὁ μὲν
 κτείνας ἐκπεπλήρωκε τὴν ἐπιθυμίαν ὃν προήρητο
 ἀνελών, ὁ δὲ πεπονθὼς ἅτε γεγονὼς ἐκποδὼν οὐτ'
 ἀντιδιαθεῖναι οὐτ' ἀντεφησθῆναι δυνατός ἐστι; καὶ
 [314] ὁ μὲν ἐπιβουλεύειν αὐτοχειρίᾳ | πέφυκε δι' ἑαυτοῦ,
 τῷ δ' ἀτελὴς ἡ ἐπέξοδος, εἰ μὴ συγγενεῖς ἢ φίλοι
 προαγωνίσαιντο λαβόντες τοῦ πάθους οἶκτον;
 86 Ἐάν τις ἐπανατείνηται ξίφος, ὥστε ἀποκτεῖναι,
 καὶ μὴ ἀνέλη, ἔνοχος ἔστω προαιρέσει γεγονὼς
 ἀνδροφόνος, εἰ καὶ μὴ τὸ τέλος τῇ γνώμῃ συν-
 ἔδραμε. τὰ δ' αὐτὰ πασχέτω, καὶ σὺν τέχνῃ τις
 ἐξ ἐνέδρας, οὐ θαρρῶν ἀντικρυς ἐπιχειρεῖν, βουλεύῃ

¹ I suggest εἰ καὶ δὴ: Cohn καίτοι. The difficulty of logic in "because" would be eased if ἀμειλίκτως is inserted before ἀμειλικτα, the thought being that since he can have only one death, that must be inflicted without mercy. Even so, however, "although" is to be expected. For εἰ καὶ δὴ cf. εἰ καί, § 86, and εἰ δὴ, § 132.

² This is certainly corrupt. The simplest emendation, as it seems to me, will be to suppose some word lost before ἀθάνατον, which will then be taken with πλῆθος. The word which I should suggest is ἐνικόν, the regular term in grammar for the "singular" opposed to "πληθυντικόν" plural; cf. ἐνικῶς, *De Dec.* 43. See further App. p. 635.

* For death as a penalty for killing a man see Ex. xxi. 12; Lev. xxiv. 17, 21; Num. xxxv. 16-21, 30-31; besides Gen. lx. 6.

THE SPECIAL LAWS, III. 84-86

duct he must be put to death,^a though indeed it is a thousand deaths that he deserves instead of the one which he suffers, because his punishment being necessarily single cannot grow into a plurality in which death has no place.^b And there is no hardship if he suffers the same as he has done ; and yet how can it 85 be called the same when the times, the actions, the motives and the persons are different ? Is it not the fact that the unprovoked wrong comes earlier and the punishment for it later ; that murder is entirely lawless and the punishment for murder entirely lawful ; that the slayer has satisfied his desire with the blood which he purposed to shed while his victim, being removed from the scene, can neither retaliate nor feel the pleasure which retaliation gives ; that the former can work his will single-handed and as sole agent, while to the latter any counter-stroke is only possible if his friends and kinsmen in pity for his misfortune make his cause their own ?

If anyone threatens the life of another with a 86 sword, even though he does not actually kill him, he must be held guilty of murder in intention, although the fulfilment has not kept pace with the purpose.^c The same should be the lot of anyone who craftily lies in wait, and, though not daring to attack outright,

^b The translation follows the suggestion in note 2. The *πλήθος* is *ἀθάνατον* because if a punishment can be repeated it is "deathless" in the sense that it does not involve death.

^c Philo is here giving his interpretation of Ex. xxi. 14, as it is in the LXX. Where the E.V. has "if a man come presumptuously upon his neighbour to slay him with guile," the LXX has *ἐπιθῆται*, which Philo understands to mean "if he attack him, even if he does not succeed." This appears from *De Conf.* 160, where he takes the same text as shewing that the intention to kill is the same as actually killing, because the word used is *ἐπιτίθεσθαι*, not *ἀναιρεῖν*. See App. p. 635.

καὶ μηχανᾶται δολερῶς τὸν φόνον· ἐναγῆς γὰρ καὶ οὗτος εἰ καὶ μήπω ταῖς χερσὶν ἀλλὰ τοι τῇ ψυχῇ
 87 καθέστηκεν. ὥσπερ γάρ, οἶμαι, πολεμίους οὐ μόνον τοὺς ἤδη ναυμαχοῦντας ἢ πεζομαχοῦντας ἀλλὰ καὶ τοὺς εἰς ἑκάτερον παρεσκευασαμένους καὶ τὰς ἐλεπόλεις ἐφιστάντας τοῖς λιμέσι καὶ τείχεσι, κἂν μήπω συμπλέκωνται, κρίνομεν, οὕτως καὶ ἀνδροφόνους χρὴ νομίζειν οὐ τοὺς κτείναντας αὐτὸ μόνον ἀλλὰ καὶ τοὺς πάντα δρῶντας εἰς τὸ ἀνελεῖν ἢ φανερώς ἢ λάθρα, κἂν μὴ τὸ ἀδίκημα ὧσιν
 88 εἰργασμένοι. εἰ δὲ καὶ ὑπὸ δειλίας ἢ θράσους, μαχομένων καὶ ἐπιλήπτων παθῶν, καταφυγεῖν τολμῶσιν εἰς τὸ ἱερὸν ὡς ἀσυλίαν εὐρησόμενοι, κωλυτέον· κἂν φθῶσι¹ παρεισδύντες, ἐκδοτέον ἐπ' ἀναιρέσει τοιαῦτα ἐπιλέγοντας, ἀσυλίαν ἀνιέροις τὸ ἱερὸν μὴ παρέχεσθαι. πᾶς γὰρ ὁ ἀνίατα δρῶν ἐχθρὸς θεῷ· ἀνδροφόνου δὲ ἀνίατα δρῶσιν, ἐπεὶ καὶ οἱ ἀνδροφονηθέντες ἀνίατα πε-
 89 πόνθασιν. ἢ τοῖς μὲν μηδὲν ἡμαρτηκόσιν, ἕως ἂν ἀπολούσωνται καὶ περιρρανάμενοι καθαρῶσι τοῖς εἰωθόσι καθαρσίοις, ἄβατος ὁ νεῶς ἐστι, τοὺς δὲ ἐνόχους ἀνεκπλύτοις ἄγειν, ὧν τὰ μιάσματα οὐδεὶς ἀπονύβει χρόνος, ἄξιον ἐπιφοιτᾶν καὶ ἐν-
 90 διατρίβειν τοῖς ἔδεσιν, οὓς οὐδ' ἂν οἰκία δέξαιτο κοσμίῳ ἀνδρῶν οἷς μέλει τῶν ὁσίων; XVI. προσ-

¹ So Heinemann. Cohn ὀφθῶσι with two mss. The rest have φθάνωσι, which (or φθῶσι) gives the better sense.

^a For §§ 88-91 see Ex. xxi. 14, "thou shalt take him from mine altar that he may die."

THE SPECIAL LAWS, III. 86-90

plots and schemes to shed blood treacherously, for he too is under the curse in his soul at least even though his hands are innocent as yet. For just as not only 87 those who fight battles by sea or land, but also those who have made preparations for either and planted their engines to command our harbours and walls are judged by us to be our enemies, even though there is no engagement as yet, so too in my opinion should we regard as murderers, not merely those who have slain but also those whose every action aims at destroying life either openly or secretly, even though they have not carried out the crime.

And if through cowardice or effrontery, two antagon- 88 istic but equally culpable emotions, they venture to take refuge in the temple, hoping to obtain an asylum there, they must be prevented from entering ; and if they manage to slink in, they must be handed over for execution with a declaration to the effect that the holy place does not provide asylum for the unholy.^a Everyone whose actions are irremediable is an enemy of God, and the actions of murderers are irremediable, as are also the calamities which the murdered have sustained. If those who have committed no sin are 89 forbidden access to the sanctuary, until they have bathed and purged themselves with purifying water according to the customary rites, is it fitting that the sacred building should be the resort and abode of men labouring under the curse of ineffaceable crimes, the pollution of which no length of time will wash away—men who would not be admitted into the dwelling-houses of decent people who take any thought for what the law of holiness^b permits or forbids? XVI. So 90

^a *δοσιος* is perhaps used here in the common Attic sense of what is allowable and therefore almost = *βέβηλος*.

τιθέντας οὖν ἀδικήματα ἀδικήμασιν, ἀνδροφονία παρανομίαν καὶ ἀσέβειαν, ἀναγκαῖον ἀπάγειν δώ-
 σοντας δίκην, τοὺς ὡς ἔφην ἄξια μυρίων θανάτων,
 οὐχ ἑνός, εἰργασμένους. ἄλλως τε τοῖς

συγγενέσι καὶ φίλοις τοῦ δολοφονηθέντος ἀπο-
 κεκλείσεται τὸ ἱερόν, εἰ ὁ ἀνδροφόνος ἐνδιατρίβοι,
 μὴ ἂν ὑπομείναςιν εἰς ταυτόν ποτε ἐλθεῖν· ἄτοπον
 δὲ ἑνός ἕνεκα πολλοὺς καὶ τοῦ παρανομωτάτου
 τοὺς παρανομηθέντας ἐξελαύνεσθαι, οἳ πρὸς τῷ
 μηδὲν ἁμαρτεῖν ἔτι καὶ πένθος πρόωρον ἀνεδέξαντο.

91 τάχα μέντοι καὶ τὰ μακρὰν ὀξύωπία λογισμοῦ
 [315] πεφυκῶς ἐμβλέπειν | προϋνόησε μὴ φόνον ἐν τῷ
 ἱερῷ γενέσθαι κατὰ τὰς ἐπιφοιτήσεις τῶν τοῦ
 σφαγέντος ἐπιτηδείων, οὓς στοργή, πάθος ἀδού-
 λωτον, ὥσπερ τοὺς ἐνθουσιῶντας καὶ κατεχομένους
 προκαλέσεται μόνον οὐκ αὐτοχειρία κτεῖναι τὸν
 ἀνδροφόνον· οὗ γενομένου συμβήσεται τι τῶν ἀνο-
 σιωτάτων, αἵματι γὰρ ἀνδροφόνων αἷμα θυσιῶν
 ἀνακραθήσεται, τὸ καθωσιωμένον¹ τῷ μὴ καθαρῷ.
 διὰ μὲν δὴ ταῦτα κελεύει καὶ ἀπ' αὐτῶν τῶν
 βωμῶν ἐκδοῦναι τὸν ἀνδροφόνον.

92 XVII. Ἄλλ' οἱ μὲν ξίφεσιν ἢ δορατίοις ἢ βέλεσιν
 ἢ ξύλοις ἢ λίθοις ἢ τισιν ὁμοιοτρόποις ἀναιροῦντες

¹ So or καθωσιωμένον most mss. S has τῶν καθωσιωμένων, which Cohn adopts (correcting the o to ω).

THE SPECIAL LAWS, III. 90-92

as they have added crimes to crimes and capped murder with defiance of the law and impiety, these malefactors whose deeds, as I have said, deserve not one but a thousand deaths must be carried off to pay the penalty.

Another consideration is that the temple will remain closed ground to the friends and kinsmen of the victim of treachery, if the murderer makes it his abode, since they would never bring themselves to come under the same roof as he. And it would be preposterous that a single person, a transgressor of the worst kind, should cause the banishment of the many sufferers from his transgression, who not only have committed no sin but have sustained a sad and untimely bereavement. It may 91 well be also that Moses, who in the keenness of his mental vision could look into the distant future, took steps to provide that the visits of the slain man's relatives should not lead to bloodshed in the temple. For family affection is an emotion which cannot be kept in bondage, and as with persons possessed by fanaticism it will incite them to slay him almost on the spur of the moment,^a and the result of this will be a profanation of the gravest sort. For the blood of the murderer will mix with the blood of the sacrifices, the impure with the consecrated. These are the reasons why he ordered the murderer to be handed over from the altar itself.

XVII. But those who take another's life with swords 92 or spears or javelins or staves or stones or anything else

^a The dictionaries do not suggest this meaning for *αὐτοχειρία* and *αὐτόχειρ* as a variant to the ordinary meaning of "with one's own hand"; but the sense here seems to require such a modification. To suggest that the injured persons would like to do the act almost with their own hands seems feeble. Still more is this the case in § 96.

δύνανται μὴ προβεβουλευμένοι μηδ' ἐκ πολλοῦ παρ' αὐτοῖς λελογισμένοι τὸ ἄγος, ἐκ ταῦτομάτου διακινήντες καὶ θυμῷ δυνατωτέρῳ χρησάμενοι λογισμοῦ, δρᾶσαι τὸν φόνον, ὡς ἡμίεργον τὴν πράξιν εἶναι, τῆς διανοίας μὴ προκατεσχημένης ἐκ μακροῦ

93 τοῖς μιάσμασιν. εἰσὶ δὲ ἕτεροι πονηρότατοι, χερσὶ καὶ γνώμας ἐναγείς, οἱ μάγοι καὶ φαρμακευταί, σχολὴν καὶ ἀναχώρησιν ἐνδιδόντες αὐτοῖς πρὸς καιρίους ἐπιθέσεις καὶ τέχνας καὶ μηχανὰς πολυτρόπους ἀνευρίσκοντες ἐπὶ ταῖς τῶν

94 πλησίον συμφοραῖς. ὅθεν κελεύει φαρμακευτὰς καὶ φαρμακίδας μηδεμίαν ἡμέραν ἀλλὰ μηδ' ὥραν ἐπιβιοῦν, ἀλλ' ἅμα τῷ ἀλῶναι τεθνάναι, μηδεμιᾶς ἐγγινομένης προφάσεως εἰς ἀναβολὴν καὶ ὑπερθεσιν τῆς τιμωρίας· τοὺς μὲν γὰρ ἄντικρυς ἐπιβουλεύοντας δύναιτ' ἂν τις φυλάξασθαι, τῶν δὲ κρύφα συντιθέντων καὶ σκευωρούντων τὰς ἐπιθέσεις

95 φαρμακείαις οὐ ῥᾶδιον τὰς τέχνας συνιδεῖν. ἀναγκαῖον οὖν, ἃ μελλήσουσι δι' αὐτοὺς ἕτεροι ποθεῖν, τοὺς δρῶντας προδιαθεῖναι. καὶ γὰρ ἄλλως ὁ μὲν ἐμφανῶς ξίφει κτείνων ἢ τινι ὄπλῳ τῶν ὁμοιοτρόπων καθ' ἓνα καιρὸν ὀλίγους ἀνελεῖ, φαρμάκοις δὲ θανασίμοις μυρίους ὅσους τὴν ἐπιβουλήν

^a See Num. xxxv. 16-18, where we have the same enumeration of weapons (iron, stone, wood), the use of which constitutes murder, followed later (vv. 22, 23) by the proviso that if the death was not caused through enmity, it is not murder, though this refers rather to accidental than, as Philo seems to construe it, to unpremeditated slaying. He resumes the subject in § 104. At present his point is that poisoning cannot possibly have such an excuse.

^b Philo's main authority for these two sections is Ex. xxii. 18, where, while the A.V. has "thou shalt not suffer a witch

THE SPECIAL LAWS, III. 92-95

of the kind may not act on premeditation^a; they may not have long pondered the abomination in their hearts; they may have been moved by a momentary instinct and allowed their anger to overpower their reason when they did the fatal deed. If so, theirs is but a half action, since the mind has not been under the control of the polluting influences from some far earlier time. ^b But there are others, the 93 worst of villains, accursed both in hand and will, the sorcerers and poisoners, who provide themselves with leisure and retirement to prepare the onslaughts they will make when the right time comes,^c and think out multiform schemes and devices to harm their neighbours. And therefore he orders that poisoners, male 94 or female,^d should not survive for a day or even an hour, but perish as soon as they are detected, since no reason can be given for delay or for postponing their punishment. Hostile intentions if undisguised can be guarded against, but those who secretly frame and concoct their plans of attack with the aid of poisons employ artifices which cannot easily be observed. The only course, then, is to anticipate the 95 by meting to the actors the treatment which others may expect to suffer through their acts. For apart from other considerations the slayer who openly uses a sword or any similar weapon will make away with a few on one particular occasion, but if he mixes an injection of deadly poison with some articles of food

(R.V. "sorceress") to live," the LXX has *φαρμακούς οὐ περιποιήσεις*. The word *φαρμακός* is applied to sorcerers as well as poisoners, as Philo himself implies in § 102, where see note.

^c Or possibly "deadly," as in § 106.

^d Does this suggest that Philo had an inkling or had been informed that the Hebrew word which the LXX translated by *φαρμακούς* was actually feminine?

PHILO

οὐ προαισθανομένους ἔδωδίμοις τισὶν ἀναμίξας καὶ
 96 συνανακερασάμενος. ἤδη γοῦν πολυάνθρωπα συσ-
 σίτια καθ' ἑταιρείαν συνεληλυθότων ἐπὶ τοὺς αὐτοὺς
 ἄλλας καὶ τὴν αὐτὴν τράπεζαν ἐν σπονδαῖς ἄσπονδα
 ἔπαθεν ἐξαίφνης διαφθαρέντα καὶ θάνατον ἀντ'
 εὐωχίας ἀντηλλάξατο. διὸ προσήκει κατὰ τῶν
 τοιούτων καὶ τοὺς ἐπιεικεστάτους καὶ τοὺς
 μετριοπαθεστάτους φονᾶν, μόνον οὐκ αὐτόχειρας
 γινομένους καὶ νομίζοντας εὐαγές εἶναι τὸ μὴ
 97 ἑτέροις τὴν τιμωρίαν ἐπιτρέπειν ἄλλ' ἑαυτοῖς. πῶς
 γὰρ οὐκ ἔστι πάνδεινον, διὰ τροφῆς ἢ τοῦ ζῆν
 αἰτία καθέστηκε θάνατον τεχνάζειν καὶ τοῖς φύσει
 τροφίμοις φθοροποιὸν ἐνεργάζεσθαι μεταβολήν, ἵνα
 τινὲς διὰ φυσικὴν ἀνάγκην ἐπ' ἔδωδὴν καὶ πόσιν
 ἰόντες, οὐ προιδόντες τὴν ἐνέδραν, ὥς σωτήρια
 98 προσῶνται τὰ πανωλεθρίας αἷτια; τὴν δ' αὐτὴν
 ὑπομενέτωσαν τιμωρίαν, κἂν [εἴ] τινες θανάσιμα
 μὴ συντιθέντες τὰ δι' ὧν μακραὶ κατασκευάζονται
 [316] | νόσοι προσφέρωσι. θάνατοι γὰρ πολλάκις αἵρε-
 τώτεροι νόσων εἰσὶ καὶ μάλιστα τῶν τοιούτων,
 αἱ μῆκεσι χρόνων ἀποτείνονται καὶ τέλος ἔχουσιν
 οὐκ αἰσιον· δυσίατα γὰρ ἤδη καὶ παντελῶς
 ἀθεράπευτα τὰ ἐκ φαρμακειῶν ἀρρωστήματα.
 99 χαλεπώτερα μέντοι συμβαίνειν φιλεῖ τῶν ἐν τοῖς
 σώμασι καὶ <τὰ> περὶ τὰς ψυχὰς πάθη τῶν ἐπι-
 βουλευομένων· ἐκστάσεις γὰρ καὶ παραφροσύναι

^a Goodenough, who translates this passage, p. 105, gives the meaning more literally, "suffer in the libation something which should have no connexion with it." But the idea of "truce," is inextricably bound up with "libation" in σπονδή and still more in ἄσπονδος.

THE SPECIAL LAWS, III. 95-99

his victims who have no foreknowledge of the plot will be counted by thousands. We have certainly 96 heard of banquets where sudden destruction has fallen upon a great assemblage of guests drawn by comradeship to eat of the same salt and sit at the same board, to whom the cup of peace has brought the bitterness of war^a and festivity has been changed into death. And therefore it is right that even the most reasonable and mild-tempered should seek the blood of such as these, that they should lose hardly a moment in becoming their executioners,^b and should hold it a religious duty to keep their punishment in their own hands and not commit it to others. For 97 surely it is a horror of horrors to manufacture out of the food which is the source of life an instrument of death, and to work a destructive change in the natural means of sustenance, so that when the compulsion of nature sends them to take food and drink they do not see the pitfall that lies before them and put to their lips what will annihilate the existence which they think it will preserve. The same punishment must 98 be suffered by any who, although the compounds which they make are not deadly, purvey what will set up chronic diseases.^c For death in many cases is preferable to diseases, particularly such as drag on through long periods of time without any favourable termination. For maladies caused by poisoning have been found difficult to cure and sometimes entirely unamenable to treatment. However, the bodily 99 troubles of the sufferers from these machinations are often less grievous than those which affect their souls. Fits of delirium and insanity and intolerable frenzy

^b See note on ἀντροχειρία, § 91.

^c See App. p. 635.

καὶ ἀφόρητοι μανίαι κατασκήπτουσι, δι' ὧν ὁ νοῦς, ἣν μεγίστην ἀπένειμεν ἀνθρώπων γένει δωρεὰν ὁ θεός, κακούμενος πάσας κακώσεις, ὅταν ἀπογνῶ τὰ σωτήρια, μετανίσταται καὶ μετοικίζεται τὸ τῆς ψυχῆς φαυλότερον εἶδος ὑπολειπόμενος ἐν τῷ σώματι, τὸ ἄλογον, οὗ καὶ τὰ θηρία μετέσχηκεν, ἐπειδὴ πᾶς ὁ ἐρημωθείς λογισμοῦ τοῦ κρείττονος μέρους ψυχῆς μεταβέβληκεν εἰς θήρειον φύσιν, κἂν ἔτι μένωσιν οἱ τοῦ σώματος χαρακτήρες ἀνθρωπόμορφοι.

- 100 XVIII. Τὴν μὲν οὖν ἀληθῇ μαγικὴν, ὀπτικὴν ἐπιστήμην οὖσαν, ἣ τὰ τῆς φύσεως ἔργα τρανοτέrais φαντασίαις αὐγάζεται, σεμνὴν καὶ περιμάχητον δοκοῦσαν εἶναι, οὐκ ἰδιῶται μόνον ἀλλὰ καὶ βασιλεῖς καὶ βασιλέων οἱ μέγιστοι καὶ μάλιστα οἱ Περσῶν διαπονοῦσιν οὕτως, ὥστ' οὐδένα φασὶν ἐπὶ βασιλείαν δύνασθαι παραπεμφθῆναι παρ' αὐτοῖς, εἰ μὴ πρότερον τοῦ μάγων γένους κεκοινωνηκῶς τυγχάνοι. ἔστι δέ τι παράκομμα ταύτης,
- 101 κυριώτατα φάναι κακοτεχνία, ἣν μηναγύρται καὶ βωμολόχοι μετίασι καὶ γυναίων καὶ ἀνδραπόδων τὰ φαυλότατα, περιμάττειν καὶ καθαίρειν κατεπαγγελλόμενα καὶ στέργοντας μὲν εἰς ἀνήκεστον ἔχθραν μισοῦντας δὲ εἰς ὑπερβάλλουσιν εὐνοίαν ἄξειν ὑπισχνούμενα φίλτροις καὶ ἐπωδαῖς τισιν, εἶτα τοὺς ἀπλάστοις καὶ ἀκακωτάτοις ἦθεσι κεχρημένους ἀπατᾷ τε καὶ ἀγκιστρεύεται, μέχρις ἂν τὰς μεγίστας προσλάβωσι συμφοράς, δι' ἧς οἰκείων καὶ συγγενῶν ὄμιλοι μεγάλοι καὶ πολυάνθρωποι

^a Cf. *Quod Omn. Prob.* 74, where the magic of the Persians 538

swoop down upon them, and thereby the mind, the greatest gift which God has assigned to human kind, is subject to every sort of affliction, and when it despairs of salvation it takes its departure and makes its home elsewhere, leaving in the body the baser kind of soul, the irrational, which the beasts also share. For everyone who is left forsaken by reason, the better part of the soul, has been transformed into the nature of a beast, even though the outward characteristics of his body still retain their human form.

XVIII. Now the true magic,^a the scientific vision by 100 which the facts of nature are presented in a clearer light, is felt to be a fit object for reverence and ambition and is carefully studied not only by ordinary persons but by kings and the greatest kings, and particularly those of the Persians, so much so that it is said that no one in that country is promoted to the throne unless he has first been admitted^b into the caste of the Magi. But there is a counterfeit of this, 101 most properly called a perversion of art,^c pursued by charlatan mendicants and parasites and the basest of the women and slave population, who make it their profession to deal in purifications and disenchantments and promise with some sort of charms and incantations to turn men's love into deadly enmity and their hatred into profound affection. The simplest and most innocent natures are deceived by the bait till at last the worst misfortunes come upon them and thereby the wide membership which unites great companies

is described in almost the same words as here. See App. pp. 635-636.

^b Or "made a partner with," *i.e.* "has learnt their lore." But this would seem to need the dative. The genitive, at any rate in Philo, is regularly applied to the thing shared.

^c For the use of *κακοτεχνία* see note on *De Mut.* 151.

κατὰ μικρὸν ὑπορρέοντες ἀποφῆτι ταχέως ἐξ-
 102 εφθάρησαν. εἰς ἅπερ, οἶμαι, πάντα ἀπιδὼν ὁ ἡμέ-
 τερος νομοθέτης οὐκ ἐᾷ τὰς κατὰ φαρμακευτῶν εἰς
 ὕστερον ἀναβάλλεσθαι δίκας, παραχρῆμα τὰς
 τιμωρίας ἀναπράττειν κελεύσας· αἱ γὰρ ὑπερθέσεις
 τοὺς μὲν ὑπαιτίους ἐνευκαιρεῖν τοῖς αὐτοῖς ἀδι-
 κήμασι παρορμῶσιν ἅτε θανατῶντας,¹ τοὺς δὲ εἰς
 τὸ παθεῖν ὑπόπτους φοβερωτέρου δέους ἀνα-
 πιμπλᾶσι, τὴν ἐκείνων ζωὴν θάνατον αὐτῶν εἶναι
 103 νομίζοντας. καθάπερ οὖν ἔχεις καὶ σκορπίους | καὶ
 [317] ὅσα ἰοβόλα, πρὶν δακεῖν ἢ τρῶσαι ἢ συνόλως
 ἐφορμῆσαι, θεασάμενοι μόνον χωρὶς ὑπερθέσεως
 κτείνομεν, προφυλαττόμενοι διὰ τὴν ἐνυπάρχουσαν
 αὐτοῖς κακίαν τὸ μηδὲν παθεῖν, τὸν αὐτὸν τρόπον
 καὶ ἀνθρώπους ἄξιον τιμωρεῖσθαι, οἱ φύσεως ἐπι-
 λαχόντες ἡμέρου διὰ τὴν κοινωνίας αἰτίαν, λογικὴν
 ψυχὴν,² ἐπιτηδεύσει πρὸς θηρίων ἀτιθάσων ἀγριό-
 τητας μετέβαλον ἐν ἡδονῇ καὶ ὠφελείᾳ τῇ πάσῃ
 τιθέμενοι τὸ κακῶς ποιεῖν ὅσους ἂν δύνωνται.

104 XIX. Τοσαῦτ' ἐν τῷ παρόντι περὶ φαρμακευτῶν
 ἀποχρώντως λελέχθω. προσήκει μέντοι μηδὲ τοῦτ'
 ἀγνοεῖν, ὅτι καιροὶ συμπίπτουσιν ἀβούλητοι πολ-

¹ Cohn, who originally suggested ἅτε θανατοῦντας, later in a note to Heinemann's translation declared the words to be an interpolation. See note c and App. pp. 636-637.

² So Cohn following Mangey for mss. πηγὴν. I follow them without doubt. Is λογικὴ πηγὴ in the sense of the "fountain of reason," i.e. containing reason, as a periphrasis for the mind or soul, impossible?

THE SPECIAL LAWS, III. 101-104

of friends and kinsmen falls gradually into decay and is rapidly and silently destroyed. All these things our lawgiver had in view,^a I believe, when he prohibited any postponement in bringing poisoners to justice and ordained that the punishment should be exacted at once.^b For postponement encourages the culprits to use the little time they have to live^c as an opportunity for repeating their crimes, while it fills those who already have misgivings as to their safety with a still more horrifying fear, as they think that the survival of the poisoners means death to themselves. So just as the mere sight of vipers and scorpions and all venomous creatures even before they sting or wound or attack us at all leads us to kill them without delay as a precaution against injury necessitated by their inherited viciousness, in the same way it is right to punish human beings who though they have received a nature mellowed through the possession of a rational soul, whence springs the sense of fellowship, have been so changed by their habits of life that they shew the savageness of ferocious wild beasts and find their only source of pleasure and profit in injuring all whom they can. 103

XIX. Enough has been said for the present on the subject of poisoners, but we must not fail to observe that occasions often arise unsought in which a man 104

^a Philo here clearly implies that he sees that the magical arts described in the previous section fall under the head of the crime denounced in Ex. xxii. 18 *φαρμακοῦς οὐ περιποιήσεις*.

^b Philo finds this meaning in *οὐ περιποιήσεις*. The verb might properly be used of a person temporarily reprieved.

^c Lit. "to make the best of their opportunities since they are about to die," if the text is to stand, on which see App. pp. 636-637. Cohn's first suggestion of *ἅτε θανατοῦντας*, meaning, I suppose, "since they are murderous people," seems to me impossibly weak.

- λάκεις, ἐν οἷς ἀνδροφονεῖ τις οὐκ ἐπὶ τοῦτ' ἐλθὼν
 ἢ παρεσκευασμένος, ἀλλ' ἐξαπιναιῶς ἀρπασθεὶς
 ὑπ' ὀργῆς, ἀνηκέστου καὶ ἐπιβούλου πάθους, ὃ καὶ
 τὸν ἔχοντα καὶ <τὸν> καθ' οὗ γίνεται τὰ μέγιστα
 105 βλάπτει. προελθὼν γὰρ ἔστιν ὅτε εἰς ἀγορὰν
 ἔνεκα πραγματείας ἐπειγούσης, ἐντυχὼν τινι προ-
 πετεστέρῳ κακηγορεῖν ἢ τύπτειν ἐπιχειροῦντι ἢ καὶ
 αὐτὸς ἄρξας τῆς πρὸς ἐκεῖνον διαφορᾶς, συμπλοκῆς
 γενομένης, ὑπὲρ τοῦ διαζευχθῆναι καὶ θάπτον
 ἐκφυγεῖν ἢ πύξ ἔπαισε τῇ χειρὶ ἢ λίθον ἀράμενος
 106 ἔρριψε· καιρίως δὲ τῆς πληγῆς ἐνεχθείσης, εἰ μὲν
 εὐθὺς θνήσκοι, καὶ ὁ παίσας θνησκέτω τὰ ἴσα οἷς
 διέθηκε παθὼν· ἐὰν δὲ παραχρήμα μὲν ἐκ τῆς
 πληγῆς μὴ τελευτήσῃ, νόσω δὲ χρήσεται καὶ
 κλινῆρης γενόμενος ἐπιμελείας τυχὼν τῆς προσ-
 ηκούσης αὐθις ἐξαναστῇ καὶ προέλθῃ, κἂν μὴ
 ποσὶν ἀρτίοις πῶς δύνηται βαδίζειν ἀλλ' ὑπερ-
 ειδόντων τινῶν ἢ καὶ βακτηρία σκηριπτόμενος,
 διττὰς ὁ παίσας ἐκτινέτω ζημίας, τὴν μὲν εἰς
 ἀργίας ἐπανόρθωσιν, τὴν δ' ἀντὶ τῶν ἰατρείων.
 107 καταθεὶς δ' ἀπηλλάχθω τῆς ἐπὶ τῷ θανάτῳ τι-
 μωρίας, κἂν ὕστερον ὁ τὴν πληγὴν λαβὼν τε-
 λευτήσῃ· τάχα γὰρ οὐκ ἀπὸ τῆς πληγῆς, ἐπειδὴ
 ῥάων γενόμενος εἰς περίπατον προῆλθεν, ἀλλὰ καθ'
 ἐτέρας αἰτίας, αἱ καὶ τοὺς ὑγιεινοτάτους τὰ σώματα
 πολλάκις ἐξαίφνης ἐπιθέμεναι διέφθειραν.

^a For §§ 105-107 see Ex. xxi. 18, 19. Observe that Philo does not really follow up the idea suggested in the preceding section and still more clearly in § 92, viz. that manslaughter committed in sudden anger is only a "half action," and presumably, therefore, to be punished less severely. For if the other dies on the spot the penalty is still death, and if he dies later, the remission of the penalty is only justified by the

THE SPECIAL LAWS, III. 104-107

commits murder without having come with this purpose in his mind or with any preparations, but has been carried away by anger, that intractable and malignant passion so highly injurious both to him who entertains it and to him against whom it is directed. ^a Sometimes a man goes to the market-place 105 through stress of business ; he meets another of the more headstrong kind who sets about abusing or striking him, or it may be that he himself begins the quarrel ; then when they have set to, he wishes to break off and escape quickly ; he smites the other with his clenched fist or takes up a stone and throws it. Suppose that the blow strikes home, then if his 106 opponent dies at once, the striker too must die and be treated as he has treated the other, but if that other is not killed on the spot by the blow, but is laid up with sickness and after keeping his bed and receiving the proper care gets up again and goes abroad, even though he is not sound on his feet and can only walk with the support of others or leaning on a staff, the striker must be fined twice over, first to make good the other's enforced idleness and secondly to compensate for the cost of his cure.^b This 107 payment will release him from the death-penalty, even if the sufferer from the blow subsequently dies. For as he got better and walked abroad, his death may be due not to the blow but to other causes which often suddenly attack and put an end to persons whose bodily health is as sound as possible.

uncertainty that the death was due to the blow. See on § 120 (App. pp. 637-638).

^b E.V. "only he shall pay for the loss of his time and shall cause him to be thoroughly healed." Philo follows closely the wording of the LXX, πλὴν τῆς ἀργίας αὐτοῦ ἀποτίσει καὶ τὰ ἰατρεία.

- 108 Ἐὰν δὲ συμπλακείς γυναικί τις ἐγκύω πληγὴν ἐμφορήσῃ κατὰ τὴν γαστέρα, ἣ δὲ ἀμβλώσῃ, ἔαν μὲν ἀπλαστον καὶ ἀδιατύπτωτον τὸ ἀμβλωθὲν τύχῃ, ζημιούσθω, καὶ διὰ τὴν ὕβριν καὶ ὅτι ἐμποδὼν ἐγένετο τῇ φύσει ζωογονῆσαι τὸ κάλλιστον τεχνιτεύουσα καὶ δημιουργούσα ζῶον, ἄνθρωπον· εἰ δὲ ἤδη μεμορφωμένον, ἀπάντων μελῶν τὰς οἰκείους
- 109 τάξεις καὶ ποιότητας ἀπειληφότων, θνησκέτω. τὸ γὰρ τοιοῦτον ἄνθρωπός ἐστιν, ὃν ἐν τῷ τῆς φύσεως ἐργαστηρίῳ διεχρήσατο μήπω καιρὸν εἶναι νομι-
- [318] ζούσης εἰς φῶς προαγαγεῖν, εἰκόσ ἀνδριάντι | ἐν πλαστικῇ κατακειμένῳ, πλέον οὐδὲν ἢ τὴν ἕξω παραπομπὴν καὶ ἄνεσιν¹ ἐπιζητοῦντι.
- 110 XX. Διὰ ταύτης τῆς προστάξεως καὶ ἑτερόν τι μείζον ἀπηγόρευται, βρεφῶν ἔκθεις, ὃ παρά πολλοῖς τῶν ἄλλων ἐθνῶν ἔνεκα τῆς φυσικῆς ἀπ-
- 111 ἀνθρωπίας χειρόθες ἀσέβημα γέγονεν. εἰ γὰρ τοῦ μηδέπω ταῖς ὀρισμέναις τῶν καιρῶν περιόδοις ἀποκυηθέντος προνοητέον, ὥς μὴ ἐξ ἐπιβουλῆς τι δεινὸν πάθοι, πῶς οὐχὶ μᾶλλον τοῦ τελειογονηθέντος καὶ ὥσπερ εἰς ἀποικίαν ἦν ἔλαχον ἄνθρωποι προπεμφθέντος ἐπὶ τῷ μεταλαχεῖν τῶν τῆς φύσεως δωρεῶν, ἃς ἀνίσχιν ἐκ γῆς καὶ ὕδατος καὶ ἀέρος καὶ οὐρανοῦ, παρέχουσα τῶν μὲν οὐρανίων τὴν

¹ Cohn suggests ἀφεςιν.

^a Ex. xxi. 22. Here Philo follows the LXX, which differs seriously from the Hebrew. There the words "so that her fruit depart, and yet no mischief follow," appear to mean (see Driver) that the woman does not die or suffer permanent injury from the miscarriage, and the question of the complete formation or not of the child does not appear at all. LXX ἔαν . . . ἐξέλθῃ τὸ παιδίον μὴ ἐξεικονισμένον.

^b See App. p. 637.

THE SPECIAL LAWS, III. 108-111

^a If a man comes to blows with a pregnant woman 108 and strikes her on the belly and she miscarries, then, if the result of the miscarriage is unshaped and undeveloped, he must be fined both for the outrage and for obstructing the artist Nature in her creative work of bringing into life the fairest of living creatures, man.^b But, if the offspring is already shaped and all the limbs have their proper qualities and places in the system, he must die, for that which answers to 109 this description is a human being, which he has destroyed in the laboratory of Nature who judges that the hour has not yet come for bringing it out into the light, like a statue lying in a studio requiring nothing more than to be conveyed outside and released from confinement.^c

XX. This ordinance carries with it the prohibition 110 of something else more important, the exposure of infants,^d a sacrilegious practice which among many other nations, through their ingrained inhumanity, has come to be regarded with complacency. For if 111 on behalf of the child not yet brought to the birth by the appointed conclusion of the regular period thought has to be taken to save it from disaster at the hands of the evil-minded, surely still more true is this of the full-born babe sent out as it were to settle in the new homeland assigned to mankind, there to partake of the gifts of Nature. These gifts she draws from earth and water and air and heaven.

^c See App. p. 637.

^d The exposure of children is nowhere expressly forbidden in the law, though doubtless it would fall under the general head of murder as Philo himself suggests in § 118, and Josephus presumably held when he says, *Contra Ap.* ii. 202, that it was forbidden by the law. The LXX mistranslation of Ex. xxi. 22 comes in happily to help Philo to clinch the point.

PHILO

- θέαν, τῶν δὲ ἐπιγείων τὸ κράτος καὶ τὴν ἡγεμονίαν, καὶ πάσαις μὲν χορηγοῦσα ταῖς αἰσθήσεσιν ἄφθονα τὰ πάντων, τῷ δὲ νῷ καθάπερ μεγάλῳ βασιλεῖ τὰ μὲν διὰ τούτων ὡς ἂν δορυφόρων ὅσα αἰσθητά, τὰ
- 112 δ' ἄνευ τούτων ὅσα λόγῳ καταληπτά; τοσούτων οὖν ἀποστεροῦντες ἀγαθῶν τοὺς παῖδας οἱ τροφεῖς, ἅμα τῇ γενέσει τούτων μηδενὸς μεταδιδόντες, ἴστωσαν νόμους φύσεως καταλύοντες καὶ τὰ μέγιστα κατηγοροῦντες αὐτῶν, φιληδονίαν, μισανθρωπίαν, ἀνδροφονίαν καὶ—τὸ χαλεπώτατον ἄγος—
- 113 τεκνοκτονίαν. φιλήδονοι μὲν γάρ, εἰ μὴ σπορᾶς ἔνεκα τέκνων καὶ τοῦ διαιωνίσαι τὸ γένος συνέρχονται γυναιξὶν ἀλλὰ θηρώμενοι συῶν ἢ τράγων τρόπον τὴν ἐξ ὁμιλίας ἀπόλαυσιν· μισάνθρωποι δὲ τίνες ἂν εἶεν μᾶλλον ἢ οἱ τῶν γεννηθέντων ἐχθροὶ καὶ ἀμειλικτοὶ δυσμενεῖς; εἰ μὴ τις οὕτως ἐστὶν ἡλίθιος, ὡς ὑπολαβεῖν ὅτι πρὸς τοὺς ἀλλοτρίους ἔνσπονδοι γένοιντ' ἂν οἱ τοὺς ἡνωμένους κατὰ γένος
- 114 ἔκσπονδα εἰργασμένοι. τὰς γε μὴν ἀνδροφονίας καὶ τεκνοκτονίας ἐναργεστάταις βεβαιοῦνται πίστεσιν οἱ μὲν αὐτόχειρες γινόμενοι καὶ τὴν πρώτην εἰσπνοὴν τῶν βρεφῶν πιέζοντες καὶ ἀναθλίβοντες ὑπὸ ὠμότητος καὶ δεινῆς ἀναλγησίας, οἱ δὲ εἰς ποταμὸν ἢ θαλάττης βυθὸν ἀφιέντες, ὅταν ἀπαιωρήσωσιν
- 115 ἄχθος, ἵνα θάπτον τῷ βάρει καταφέρηται· οἱ δ' ἐπ' ἐρημίαν κομίζουσιν ἐκθήσοντες, ὡς μὲν αὐτοὶ φασιν, ἐλπίδι σωτηρίας, ὡς δὲ τάληθές ἔχει, πρὸς ἀνιαρστάτας συμφοράς· ὅσα γὰρ ἀνθρωπίνων σαρ-

^a πάντων apparently refers to earth, air, and water summed up in τὰ ἐπίγεια. The οὐράνια are not given to all the senses.

THE SPECIAL LAWS, III. 111-115

Of heavenly things she grants the contemplation, of earthly things the sovereignty and dominion. She bestows in abundance on all the senses what every element contains,^a on the mind, as on a mighty king, through the senses as its squires, all that they perceive, without them all that reason apprehends. If 112 the guardians of the children cut them off from these blessings, if at their very birth they deny them all share in them, they must rest assured that they are breaking the laws of Nature and stand self-condemned on the gravest charges, love of pleasure, hatred of men, murder and, the worst abomination of all, murder of their own children. For they are pleasure-lovers 113 when they mate with their wives, not to procreate children and perpetuate the race, but like pigs and goats in quest of the enjoyment which such intercourse gives. Men-haters too, for who could more deserve the name than these enemies, these merciless foes of their offspring? For no one is so foolish as to suppose that those who have treated dishonourably their own flesh and blood will deal honourably with strangers. As to the charges of murder in general 114 and murder of their own children in particular the clearest proofs of their truth is supplied by the parents. 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 the depths of the sea, after attaching some heavy substance to make them sink more quickly under its weight. Others 115 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

- κῶν ἄπτεται θηρία, μηδενὸς ἀνείργοντος, ἐπιφοιτᾷ καὶ εὐωχεῖται τῶν βρεφῶν, καλῆς θοίνης, ἣν οἱ μόνοι κηδεμόνες καὶ πρὸ τῶν ἄλλων σῶζειν ὀφείλοντες, πατὴρ καὶ μήτηρ, προὔθεσαν· καὶ τὰ λείψανα μέντοι προσεπιλιχμῶνται τῶν οἰωνῶν οἱ σαρκοβόροι καταπτάντες, ὅταν μὴ προαίσθωνται· αἰσθόμενοι γὰρ καὶ περὶ τῶν ὄλων¹ πρὸς τοὺς χειρ-
 116 [319] σαίους θήρας κονίονται. φέρε δ' οὖν | τῶν ὁδῶ παριόντων τινὰς ἡμέρῳ κινήθοντας πάθει λαβεῖν οἶκτον καὶ ἔλεον τῶν ἐκτεθέντων, ὡς ἀνελέσθαι τε καὶ τροφῆς μεταδοῦναι καὶ τῆς ἄλλης ἐπιμελείας ἀξιῶσαι· ταυτὶ τὰ οὕτως χρηστὰ ἔργα τί νομίζομεν; ἄρ' οὐ τῶν γεννησάντων εἶναι καταδίκην,² εἴ γ' οἱ μὲν ἀλλότριοι τὰ γονέων, οἱ δὲ γονεῖς οὐδὲ τὰ τῶν ἀλλοτρίων εἰς εὐνοίαν ἐπετήδευσαν;
- 117 Πόρρωθεν οὖν τὴν βρεφῶν ἔκθεσιν ἀπέειπε δι' ὑπονοιῶν θάνατον, ὡς ἔφην, ὀρίσας κατὰ τῶν αἰτίων ἀμβλώσεως τὰ μεμορφωμένα ἤδη κυῖσκουσας· καίτοι τὰ μὲν ἔτι κατὰ γαστρὸς προσεχόμενα τῇ μήτρᾳ τῶν κυουσῶν εἶναι μέρη λέγεται παρά τε φυσικοῖς ἀνδράσιν, οἷς ὁ θεωρητικὸς διαπονεῖται βίος, καὶ παρὰ ἰατρῶν τοῖς δοκιμωτάτοις, οἱ τὴν ἀνθρώπου κατασκευὴν διηρεύνησαν τά τ' ἐν ὄψει καὶ τὰ ἀφανῇ μετ' ἐπιμελείας ἐξ ἀνατομῆς ἀκριβώσαντες, ἴν', εἰ χρεῖα τις γένοιτο θεραπείας, μηδὲν ἀγνοία παρολιγωρηθὲν αἴτιον μεγάλου

¹ MSS. καὶ πρὸ τῶν ὁδῶν OR καὶ τῶν ὄλων.

² MSS. καταδίκη OR καταδικας.

THE SPECIAL LAWS, III. 115-117

flesh visit the spot and feast unhindered on the infants, a fine banquet provided by their sole guardians, those who above all others should keep them safe, their fathers and mothers. Carnivorous birds, too, come flying down and gobble up the fragments, that is, if they have not discovered them earlier, for, if they have, they get ready to fight the beasts of the field for the whole carcase. But suppose some passing 116 travellers, stirred by humane feeling, take pity and compassion on the castaways and in consequence raise them up,^a give them food and drink, and do not shrink from paying all the other attentions which they need, what do we think of such highly charitable actions? Do we not consider that those who brought them into the world stand condemned when strangers play the part of parents, and parents do not behave with even the kindness of strangers?

So Moses then, as I have said, implicitly and in- 117 directly forbade the exposure of children, when he pronounced the sentence of death against those who cause the miscarriage of mothers in cases where the foetus is fully formed. No doubt the view that the child while still adhering to the womb below the belly is part of its future mother is current both among natural philosophers whose life study is concerned with the theoretical side of knowledge and also among physicians of the highest repute, who have made researches into the construction of man and examined in detail what is visible and also by the careful use of anatomy what is hidden from sight, in order that if medical treatment is required nothing which could cause serious danger

sense of "taking up" or acknowledgment by the father. Lat. *tollere*. See L. & S.

- 118 κινδύνου γένηται. τὰ δ' ἀποκυθθέντα τῆς τε
 συμφυίας ἀπέξευκται καὶ διωφειμένα καθ' αὐτὰ
 ζῶα γέγονεν οὐδενὸς ἐπιδεᾶ τῶν ὅσα συμπληρωτικὰ
 τῆς ἀνθρωπίνης φύσεώς ἐστιν, ὥστε ἀνενδοιάστως
 ἀνδροφόνον εἶναι τὸν βρέφος ἀναιροῦντα, τοῦ νόμου
 μὴ ἐπὶ ταῖς ἡλικίαις ἀλλ' ἐπὶ τῷ γένει παρα-
 119 σπονδουμένῳ δυσχεραίνοντος. εἰ μέντοι καὶ ἡλι-
 κίων ἔδει προμηθεῖσθαι, δοκεῖ μοί τις ἂν δεόντως
 ἀγανακτῆσαι μᾶλλον ἐπὶ τοῖς ἀναιροῦσι βρέφη·
 πρὸς μὲν γὰρ τοὺς τελείους μυρίαὶ προφάσεις
 εὐλογοὶ προσκρουσμάτων τε καὶ διαφορῶν, τοῖς δὲ
 κομιδῇ νηπίοις ἄρτι παρεληλυθόσιν εἰς φῶς καὶ τὸν
 ἀνθρώπινον βίον οὐδ' ἐπιψεύσασθαι κατηγορίαν
 ἀκακωτάτοις οὖσιν ἐνδέχεται. διὸ πάντων ὁμό-
 τατοι καὶ ἀνηλεέστατοι κριθεῖν ἂν οἱ ἐπαποδυό-
 μενοι ταῖς τούτων ἐπιβουλαῖς, οὓς ἐχθαίρων ὁ ἱερὸς
 νόμος ἐνόχους ἀπεφάνητο.
- 120 XXI. Ὁ μὴ ἐκουσίῳ γνώμῃ τοῦ κτείναντος
 ἀναιρεθέντα φησὶν ὁ ἱερὸς νόμος παραδεδόσθαι ὑπὸ
 θεοῦ χερσὶν ἀνδροφόνους, τῇ μὲν ἀπολογούμενος
 ὑπὲρ τοῦ δόξαντος ἀνελεῖν ὡς ἐνοχον ἀνελόντος—
 121 μὴ γὰρ ἂν ποτε τὸν ἴλεω καὶ συγγνώμονα θεὸν ἐπ'
 ἀναιρέσει τὸν γε ἀναίτιον ἐκδοῦναι, ἀλλ' ὅστις τὰς
 μὲν παρὰ ἀνθρώποις κρίσεις εὐμηχάνως ἐνεκα τοῦ
 πολυτρόπου διαδιδράσκει, πρὸς δὲ τὸ τῆς φύσεως
 ἀχθεῖς ἀφανὲς δικαστήριον ἐάλω, ἐν ᾧ μόνῳ

¹ mss. heading *Περὶ ἀκουσίου φόνου.*

^a See note (App.) on § 109.

^b Ex. xxi. 13. E.V. "If a man lie not in wait, but God deliver him into his hand," i.e. if he is killed by accident (Driver), "then I will appoint thee a place whither he shall flee." For the first words the LXX has "he that did not
 550

THE SPECIAL LAWS, III. 118-121

should be neglected through ignorance. But when 118
the child has been brought to the birth it is separated from the organism with which it was identified and being isolated and self-contained becomes a living animal, lacking none of the complements needed to make a human being.^a And therefore infanticide undoubtedly is murder, since the displeasure of the law is not concerned with ages but with a breach of faith to the race. Though indeed, if 119
age had to be taken into consideration, infanticide to my mind gives a greater cause for indignation, for in the case of adults quarrels and differences supply any number of reasonable pretexts, but with mere babes, who have just passed into the light and the life of human kind, not even a false charge can be brought against such absolute innocence. Therefore those who gird themselves up to conspire against such as these must be judged to be the cruellest and most ruthless of men. The holy law detests them and has pronounced them worthy of punishment.

XXI. The holy law describes the man who has been 120
slain without the deliberate intention of him who did the deed as having been delivered by God into the manslayer's hands.^b In this phrase it is partly defending one who has admittedly taken the life of another on the ground that it was the life of a guilty person. For it assumes that a merciful and forgiving 121
God would never surrender an innocent man to be done to death but only one who having been enabled by his resourcefulness to make a skilful escape from the justice of men has been arraigned and condemned in the invisible court of Nature, that court in which

intend it" (ὁ δὲ οὐχ ἔκων). For Philo's conception of ἀκούσιος φόνος see App. pp. 637-638.

- τάληθές ακραιφνέστατον ὁράται, λόγων τέχναις οὐκ ἐπισκιαζόμενον, οὐδὲ γὰρ λόγους τὴν ἀρχὴν παραδέχεται βουλήματα ἀπαμπίσχον καὶ διανοίας ἀφανείς εἰς τοῦμφανές ἄγον—, τῇ δὲ καὶ τὸν ἀνελόντα φόνῳ μὲν οὐ ποιῶν ὑπόδικον ἅτε θεία κρίσει δόξαντα ὑπηρετῆσαι, μιάσματι δὲ ἀδηλουμένῳ καὶ
- [320] βραχεὶ πάντως, ὁ παραιτητὸν καὶ | συγγνωστόν
 122 ἐστι. χρήται γὰρ ὁ θεὸς τοῖς ὀλίγα καὶ ἰάσιμα διαμαρτάνουσι κατὰ τῶν μέγιστα καὶ ἀνίατα ἡδικηκότων ὑπηρεταῖς κολάσεως, οὐκ ἐκείνους ἀποδεχόμενος, ἀλλ' ὡς ἂν ὄργανα παραλαμβάνων ἐπιτήδεια πρὸς τιμωρίαν, ἵνα μηδεὶς ὀλῶ βίῳ καθαρὸς ὢν καὶ ἐκ καθαρῶν φόνου, κἂν δικαιοτάτος
- 123 ᾗ, προσάψηται. φυγὴν οὖν κατὰ τοῦ κτείναντος ἀκουσίως ὤρισεν, οὐχ ὅπῃ τύχοι οὐδ' εἰς αἰεί πόλεις μὲν γὰρ ἐξ ἀπένειμεν, ὀγδόῃν μοῖραν ὧν ἔλαχεν ἡ ἱερωμένη φυλή, τοῖς ἀλοῦσιν, ἃς ἀπὸ τοῦ συμβεβηκότος ὠνόμασε “φυγαδευτηρίων”¹. χρόνον δὲ τῆς φυγῆς τὸν βίον τοῦ ἀρχιερέως προσενομοθέτησε κάθοδον μετὰ τὴν ἐκείνου τελευτὴν ἐπιτρέπων.
- 124 XXII. αἰτία δὲ τούτου μὲν² προτέρα ἦδε· ἡ λεχθεῖσα φυλὴ τὰς πόλεις εἴληφεν ἄθλον ἀνδροφονίας εὐαγοῦς, ἣν ἀριστείων ὅσαι πώποτε γεγόνασιν ἐπιφανεστάτην καὶ μεγίστην ὑποληπτέον.

¹ MSS. φυγαδευτήριον (-ου) (-α).

² The μὲν seems out of place. I suggest τούτου <ἡ> μὲν.

^a i.e. setting the slayer to be His executioner, God marks him as one of a less worthy type. Philo is assigning a reason for the φυγή, which he regards rather as a sentence of banishment than as an escape from vengeance.

THE SPECIAL LAWS, III. 121-124

truth is seen in perfect purity, which is not beclouded by verbal artifices, since it never accepts words at all but unveils motives and brings hidden intentions into open daylight. Partly, too, it lays the manslayer under the imputation, not indeed of murder, since he is held to have been the minister of divine judgment, but of a defilement of little note and quite insignificant, for which pardon may well be asked and granted.^a For in inflicting chastisement on 122 offenders whose deeds have been evil beyond all remedy God uses as His ministers those whose sins are few and easily remedied, though He does not show approval of them but merely takes them as suitable instruments of vengeance. For He would not wish that anyone whose whole life is stainless and his lineage also should set his hand to homicide however justly deserved. He therefore sentenced the 123 involuntary manslayer to go into exile, but not just anywhere nor yet for all time. For He assigned to persons convicted under this head six cities, an eighth part of those allotted to the consecrated tribe,^b a fact recorded in the name of "cities of refuge" which He gave to them, and by a further edict He limited the time of banishment to the life of the high priest, after whose death the exile should be permitted to return.^c

XXII. ^d The first reason for this is as 124 follows: the aforesaid tribe received the cities as a reward for a righteous slaughter which we must regard as the most illustrious act of heroism that has

^b Num. xxxv. 6, 11-15.

^c *Ibid.* 28.

^d For §§ 124-127 see Ex. xxxii. Philo here recurs to the story which he has already told at length in *Mos.* ii. 159 ff. and 270 ff., to say nothing of shorter accounts in *De Ebr.* 67, and above, i. 79.

- 125 ἡνίκα γὰρ ὁ προφήτης εἰς τὸ περιμηκέστατον καὶ
 ἱερώτατον τῶν κατ' ἐκείνον τὸν τόπον ὁρῶν ἀνα-
 κληθεὶς ἐθεσπίζετο τὰ γένη τῶν ἐν εἵδει νόμων
 καὶ πλείους ἦν ἀφανὴς ἡμέρας, οἱ μὴ τὰς φύσεις
 εἰρηνικοὶ τῶν ἐξ ἀναρχίας κακιῶν¹ πάντα κατ-
 ἐπλησαν καὶ τέλος προσέθηκαν ἀσέβειαν· τὰς μὲν
 ἀρίστας καὶ καλὰς ὑφηγήσεις περὶ τῆς τοῦ ὄντως
 ὄντος θεοῦ τιμῆς χλευάσαντες, ταῦτον δὲ κατα-
 σκευασάμενοι χρυσοῦν, Αἰγυπτιακοῦ μίμημα τύφου,
 θυσίας ἀνῆγον ἀθύτους καὶ ἐορτὰς ἀνεόρτους καὶ
 χοροὺς ἀχορεύτους ἐπετέλουν σὺν ᾠδαῖς καὶ ὕμνοις
 126 ἀντὶ θρήνων. ἡ δὲ λεχθεῖσα φυλὴ πάνυ χαλεπῶς
 ἐνεγκοῦσα τὴν αἰφνίδιον ἐκδιαίτησιν καὶ ζήλω
 πυρωθεῖσα διὰ μισοπόνηρον πάθος, ὑπόπλεω πάντες
 ὀργῆς, μεμνηότες, ἐνθουσιῶντες, ὡς ἀφ' ἐνὸς
 συνθήματος ὀπλισάμενοι, διττὴν μεθύοντας μέθην,
 τὴν μὲν ἀσεβεία, τὴν δὲ οἴνῳ, μάλα καταφρονη-
 τικῶς ἐπιστροφάδην ἀνῆρουν, ἀπὸ τῶν οἰκειοτάτων
 καὶ φιλτάτων ἀρξάμενοι, φίλον καὶ συγγένειαν ἐν
 τὸ θεοφιλὲς εἶναι νομίζοντες· καὶ βραχεὶ μέρει
 ἡμέρας τέσσαρες πρὸς ταῖς εἴκοσι χιλιάδες ἀνηρέ-
 θησαν, ὧν αἱ συμφοραὶ τοὺς συναπονοεῖσθαι μέλ-
 λοντας ἐνουθέτησαν, δέει τοῦ μὴ τὰ παραπλήσια
 127 παθεῖν. ταύτην τὴν στρατείαν ἐθελουργὸν καὶ
 αὐτοκέλευστον ὑπὲρ εὐσεβείας καὶ ὁσιότητος τῆς²

¹ MSS. κακῶν.

² MSS. τῇ.

^a This certainly is the sense required for this passive (or middle?) of *θεσπίζω*, but no other examples seem forthcoming, unless *De Abr.* 262 οὗς Μωυσῆς ἐθεσπίσθη, is to be taken in the sense of "was inspired to give" instead of "prophesied." See note there.

THE SPECIAL LAWS, III. 125-127

ever been achieved. When the prophet, summoned 125
up to the highest and most sacred mountain in that
region, was receiving^a from God the heads which sum
up the particular laws, and had disappeared for several
days, the born enemies of peace had diffused through
every part of the camp the vices that spring up in
the ruler's absence and had crowned them with
impiety. They mocked at the most excellent and
admirable injunctions which bade them honour the
truly existing God, constructed a golden bull in
imitation of the vanity of Egypt, offered sacrifices
which were no sacrifices, held feasts which were no
feasts and danced dances of death with songs and
hymns which should have been dirges.^b Then this 126
same tribe, sorely distressed at the sudden backsliding
and fired with zeal by their heart-felt hatred of evil,
every man of them filled with rage, frenzied, pos-
sessed, took arms as if at one signal,^c and despising
all thoughts of danger mowed down their foes drunk
with the twofold intoxication of impiety and wine.
They began with their nearest and dearest, for they
acknowledged no love nor kinship but God's love, and
in the space of a few hours 24,000^d had fallen whose
fate served as a warning through fear that they might
suffer the like to those who were on the brink of
sharing their delusion. This campaign, waged spon- 127
taneously and instinctively on behalf of piety and

^b Much the same phraseology as in *Mos.* ii. 162, except that there the *χοροὺς* coupled with *ἱστασάν* signifies the dancers rather than, as here, the dances.

^c The same phrase as in *Mos.* ii. 170.

^d A slip for 3000 (given correctly *De Ebr.* 67 and *Mos.* ii. 274), induced by confusion with Num. xxv. 9, where Philo saw a similar slaughter rather than a plague. See *Mos.* i. 304 and note.

εἰς τὸν ὄντως ὄντα θεὸν γενομένην οὐκ ἄνευ μεγάλων κινδύνων τοῖς ἀραμένοις τοὺς ἀγῶνας αὐτοὺς ὁ πατήρ τῶν ὄλων ἀπεδέξατο καὶ τοὺς ἀνελόντας δικάσας παρ' αὐτῷ καθαροὺς εἶναι παντὸς ἄγους |
 [321] καὶ μιάσματος ἱερωσύνην τῆς ἀνδραγαθίας τούτοις
 128 ἀντιδωρεῖται. XXIII. τὸν οὖν ἀκούσιον

δράσαντα φόνον κελεύει φυγεῖν εἰς ἐνίας ὧν ἔλαχον οὗτοι πόλεις ἕνεκα παρηγορίας καὶ ὑπὲρ τοῦ μὴ ἀπογινώσκειν τὴν εἰς ἅπαν ἀσφάλειαν, ὑπομιμνησκόμενον ἐκ τοῦ τόπου τὸ ἄφοβον καὶ λογιζόμενον, ὅτι τοῖς ἐκουσίως ἀπεκτονόσιν οὐ μόνον ἀμνηστία δέδοται ἀλλὰ καὶ γέρα μεγάλα καὶ περιμάχῃτα καὶ πολλῆς εὐδαιμονίας, εἰ δὲ τούτοις, πολὺ μᾶλλον τοῖς μὴ ἐκ προνοίας ἀνελούσιν, εἰ καὶ μηδὲν τῶν ἐπὶ τιμῇ, ἀλλ' αὐτὸ γοῦν τὸ πανύστατον, μὴ ἀνταναιρεθῆναι· δι' οὗ παρίσταται τὸ μὴ πᾶσαν ἀνδροφονίαν ἐπίληπτον ἀλλὰ τὴν σὺν ἀδικίᾳ μόνην εἶναι, καὶ τῶν ἄλλων ἐπαινετὴν μὲν τὴν κατὰ πόθον καὶ ζῆλον ἀρετῆς, οὐ ψεκτὴν δὲ τὴν ἀκούσιον.

129 ἥδε μὲν αἰτία προτέρα λελέχθω, δευτέραν δ' αὐτίκα μηνυτέον· βούλεται ὁ νόμος τὸν ἀκουσίως ἀποκτείναντα διασώζειν, εἰδὼς γνώμην μὲν οὐκ ἔνοχον χερσὶ δὲ ὑπηρετήσαντα τῇ τῶν ἀνθρωπίνων ἐφόρῳ δίκῃ πραγμάτων· ἐφεδρεύουσι γὰρ ἐχθροὶ φονῶντες οἱ τοῦ τεθνεώτος ἀγχιστεῖς, οἱ δι' ὑπερβάλλοντα οἶκτον καὶ πένθος ἀπαρηγόρη-

^a The first reason for the choice of the Levitical cities was that their history shewed that homicide was not necessarily a crime. The second was that their superior sanctity made them a more secure refuge.

THE SPECIAL LAWS, III. 127-129

holiness towards the truly existing God and fraught with much danger to those who undertook it, was approved by none other than the Father of all Who took it upon Himself to judge the cause of those who wrought the slaughter, declared them pure from any curse of bloodguiltiness and gave them the priesthood as a reward for their gallantry.

XXIII. So then he bids the unintentional homicide ¹²⁸ flee to some of the cities allotted to this tribe, there to gain consolation and be saved from despairing of salvation altogether. There the place will remind him of the fearless courage once shewn in the past ; there he may reflect that those who shed blood intentionally received not only full pardon but also rewards great and much to be desired and fraught with abundant happiness ; and that, if they fared thus, much more will those whose act was not premeditated receive, not indeed such privileges as confer honour, but at least the lowest and last that they do not pay for the blood they have shed with their own. This shews that not every kind of homicide is culpable but only that which entails injustice, and that as for the other kinds if it is caused by an ardent yearning for virtue it is laudable and if unintentional it is free from blame. ^{No 129}

more need be said about the first reason ; we must proceed at once to explain the second.^a The law wishes to preserve the unintentional homicide, as it recognizes that in intention he was free from guilt, and that with his hands he had been the servant of justice, the overseer of human affairs. It knows that watching and waiting for him are blood-thirsty enemies, the kinsmen of the dead man, urged on to vengeance by overwhelming pity and inconsolable

- τον ἵενται πρὸς ἄμυναν ἀλόγῳ φορᾷ τάληθες καὶ
 130 τὸ φύσει δίκαιον οὐκ ἐξετάζοντες. ἐπέτρεψεν οὖν
 τῷ τοιούτῳ καταφεύγειν οὔτε εἰς ἱερὸν ἅτε μήπω
 κεκαθαρμένῳ οὔτε εἰς ἡμελημένον καὶ ἀφανὲς
 χωρίον, ἵνα μὴ ῥαδίως ἐκδοθῇ καταφρονηθεῖς, ἀλλ'
 εἰς ἱερόπολιν, ἥτις ἐστὶν ἱεροῦ καὶ βεβήλου τόπου
 μεθόριος, τρόπον τινὰ δεύτερον ἱερόν· αἱ γὰρ τῶν
 ἱερωμένων πόλεις σεμνότεραι τῶν ἄλλων εἰσίν, ἐφ'
 ὅσον, οἶμαι, καὶ οἰκήτορες οἰκητόρων ἐντιμότεροι.
 βούλεται γὰρ τῇ τῆς ὑποδεξαμένης προνομία βε-
 βαιοτάτην ἀσφάλειαν περιποιῆσαι τῷ καταφυγόντι.
 131 χρόνον δ', ὡς ἔφην, ὥρισε τῆς καθόδου
 τὴν τοῦ μεγάλου ἱερέως τελευτὴν αἰτίας ἕνεκα
 τοιαύδε· ὥσπερ ἐνὸς ἐκάστου τῶν δολοφονηθέντων
 οἱ συγγενεῖς εἰσιν ἔφεδροι τῆς κατὰ τῶν δολο-
 φονησάντων δίκης καὶ τιμωρίας, οὕτως καὶ τοῦ
 σύμπαντος ἔθνους συγγενὴς καὶ ἀγχιστεὺς κοινὸς
 ὁ ἀρχιερεὺς ἐστι, πρυτανεύων μὲν τὰ δίκαια τοῖς
 ἀμφισβητοῦσι κατὰ τοὺς νόμους, εὐχὰς δὲ καὶ
 θυσίας τελῶν καθ' ἐκάστην ἡμέραν καὶ τὰ ἀγαθὰ
 αἰτούμενος ὡς ὑπὲρ ἀδελφῶν καὶ γονέων καὶ
 τέκνων, ἵνα πᾶσα ἡλικία καὶ πάντα μέρη¹ τοῦ
 ἔθνους ὡς ἐνὸς σώματος εἰς μίαν καὶ τὴν αὐτὴν
 ἀρμόζεται κοινωνίαν εἰρήνης καὶ εὐνομίας ἐφιεμένα.
 132 τοῦτον οὖν εὐλαβείσθω πᾶς ὁ ἀκουσίως ἀνελὼν ὡς
 ὑπέρμαχον καὶ προαγωνιστὴν τῶν ἀναιρεθέντων καὶ

¹ MSS. τὰ μέρη.

^a Philo's explanations in §§ 131-136 of "till the death of the high priest" are (1) that the high priest, as representing the nation, is bound to inflict the punishment which the

grief, and so carried away by unreasoning passion that they do not inquire what is true or essentially just. It therefore permitted such a one to fly for refuge, 130 not to the holy temple, since he had not yet been purged, nor yet to some obscure and insignificant place where he might easily be surrendered as one of little account, but to a holy city which comes midway between holy and profane ground and is in a sense a secondary temple. For the cities of the consecrated order compared with the others receive a higher reverence, corresponding, I consider, to the honour paid to their respective occupants. The law wished in fact to use the superior rank of the city which gave them shelter to put the safety of the fugitive on the firmest possible footing.

^a When, as 131 I said, it appointed the death of the high priest as the date for the exile's return, it did so for some such reason as this. Just as each single individual who is wilfully murdered has kinsmen to inflict vengeance on the murderer, so too the whole nation has a kinsman and close relative common to all in the high priest, who as ruler dispenses justice to litigants according to the law, who day by day offers prayers and sacrifices and asks for blessings, as for his brothers and parents and children, that every age and every part of the nation regarded as a single body may be united in one and the same fellowship, making peace and good order their aim. Everyone, then, who has slain another 132 unintentionally must fear the high priest as a champion and defender of the slain and keep himself fugitive incurs by leaving his refuge; (2) that he is a theoretically perfect character and will therefore refuse to tolerate the presence of even the involuntary offender. In the first case the *φυγή* is regarded as a refuge, in the second as exile (as in § 123). See further App. p. 638.

- εἶσω τῆς πόλεως εἰς ἣν κατέφυγε κατακεκλείσθω, |
 [322] μὴ ἐπιθαρρῶν ἕξω προέρχεσθαι τειχῶν, εἰ δὴ τινα
 ποιεῖται λόγον ἀσφαλείας καὶ τοῦ ζῆν ἀκινδύνως.
 133 ὅταν οὖν λέγῃ “ μὴ ἐπανίτω ὁ φυγάς, ἕως ἂν
 ἀποθάνῃ ὁ ἱερεὺς ὁ μέγας,” ἴσον τι τούτῳ φησὶν·
 ἕως ἂν ἀποθάνῃ ὁ πάντων κοινὸς ἀγχιστεύς, ᾧ
 μόνῳ καὶ τὰ τῶν ζώντων καὶ τὰ τῶν τετελευτη-
 134 κόντων ἐφείται βραβεύειν. XXIV. τὴν
 μὲν οὖν καὶ νεωτέρων ἀκοαῖς ἐφαρμόζουσιν αἰτίαν
 τοιαύτην εἶναι συμβέβηκεν. ἦν δὲ πρεσβυτέροις καὶ
 τελείοις τὸ ἦθος θέμις ἀναφέρειν, ἥδ' ἐστὶ τῶν μὲν
 ἐκουσίῳν ἀδικημάτων αὐτὸ μόνον ἰδιώτας καθ-
 αρεύειν ἐφείσθω, λεγέτω δ' εἰ βούλεται τις καὶ
 τοὺς ἄλλους ἱερεῖς, ἀμφοτέρων δ' ἐκουσίῳν τε καὶ
 ἀκουσίῳν κατὰ τὸν ἐξαίρετον λόγον τὸν ἀρχιερέα.
 135 προσάπτεσθαι γὰρ αὐτῷ μιάσματος τὸ σύνολον οὐ
 θεμιτόν, οὐτ' ἐκ προνοίας οὔτε κατὰ τροπὴν τῆς
 ψυχῆς ἀβούλητον, ἵνα ἱεροφάντης ὢν κοσμητῇ καθ'
 ἑκάτερον, διανοία τε χρώμενος ἀνεπιλήπτῳ καὶ
 136 εὐπραγίᾳ βίου, ᾧ μηδὲν ὄνειδος πρόσσεστι. τῷ δὲ
 τοιούτῳ γένοιτ' ἂν ἀκόλουθον ὑποβλέπεσθαι καὶ
 τοὺς ἀκουσίως ἀπεκτονότας οὐχ' ὡς ἐναγεῖς,
 ἀλλ' οὐχ ὡς καθαρούς καὶ παντὸς ἀμετόχους
 ἀμαρτήματος, καὶ εἰ τὰ μάλιστα τοῖς τῆς φύσεως

¹ Cohn expunged the οὐχ, quite wrongly, I think; see note b.

^a While the second explanation has something in common with the allegorical interpretation in *De Fuga* 108 f., it is difficult to see why as it stands it is more suitable for older ears than the other. Perhaps the idea is that it involves the theological and somewhat mystical distinction between voluntary and involuntary sins on which Philo often dwells in his allegorical disquisitions, cf. e.g. *De Ebr.* 125.

THE SPECIAL LAWS, III. 132-136

shut up within the city in which he has taken refuge, never venturing to shew himself outside the walls, that is, if he sets any value on his safety, or on a life secure from danger. When, then, he says that the 133 exile must not return till the death of the high priest, it is as much as to say till the death of the common kinsman of all, who alone has authority to arbitrate on the rights both of the living and the dead.

XXIV. Such is the reason which we find suitable to 134 younger ears, but for elders and those whose character is fully developed there is another which may properly be given.^a For laymen it may be allowed that it is enough to keep undefiled from voluntary misdeeds only, and anyone who likes may say the same of the other priests, but he must make an exception of the high priest and agree that he needs to be innocent of the involuntary as well as the voluntary. The contact with pollution of any kind is forbidden 135 to him, whether it is the result of definite purpose or of some movement of the soul which he has not willed, for only so can he take his place as revealer in both aspects, his motives blameless and his life so fortunate that no stigma attaches to it. It is a 136 necessary consequence that such a one should include in the objects of his displeasure the unintentional homicides, regarding them not indeed as accursed,^b but yet not pure or free from sin of every kind, however much they are admitted to have ministered to

^a Cohn's rejection of οὐχ, though accepted by Heinemann, seems to me unreasonable. ἐναιεῖς is a strong word, and to negative it perfectly agrees with the description of unintentional homicide as a pollution of little note (§ 121). Apart from this, ἀλλά does not suit the parallelism, which Cohn's text demands, between ἐναιεῖς and οὐ καθαρούς.

ὑπηρετῆσαι βουλήμασιν ἔδοξαν τισαμένης διὰ τούτων τοὺς ἀναιρεθέντας, ὧν ἀφανῶς αὐτῇ¹ δικάσασα παρ' ἑαυτῇ θάνατον κατέγνω.

XXV. Ταῦτα μὲν ἐπ' ἐλευθéroις καὶ ἀστοῖς· ἐξῆς δὲ καὶ περὶ οἰκετῶν νομοθετεῖται βιαίως ἀναιρεθέντων.

- 137 ²Θεράποντες τύχη μὲν ἐλάττονι κέχρηται, φύσεως δὲ τῆς αὐτῆς μεταποιοῦνται τοῖς δεσπόταις. τῷ δὲ θείῳ νόμῳ κανὼν τῶν δικαίων ἐστὶν οὐ τὸ τῆς τύχης ἀλλὰ τὸ τῆς φύσεως ἐναρμόνιον. διὸ προσήκει τοὺς κυρίους μὴ κατακόρως χρῆσθαι ταῖς ἐξουσίαις κατὰ τῶν οἰκετῶν, ἀλαζονείαν καὶ ὑπεροψίαν καὶ δεινὴν ὀμότητα ἐπιδεικνυμένους· ταῦτα γὰρ οὐκ ἔστι δείγματα ψυχῆς εἰρηνικῆς ἀλλ' ὑπὸ ἀκρασίας τὸ ἀνυπεύθυνον ζηλούσης κατὰ
- 138 τυραννικὴν δυναστείαν. ὁ γὰρ τὴν μὲν ἰδίαν οἰκίαν ὥσπερ ἄκραν ἐπιτειχίσας, παρρησίας δὲ τῶν ἐνδον μηδενὶ μεταδιδούς, ἀλλὰ πρὸς ἅπαντας ἡγριωμένος ὑπὸ τῆς ἐμφύτου τάχα δὲ καὶ ἐπιτετηδευμένης μισανθρωπίας, τύραννός ἐστιν ἐλάττοσι παρα-
- 139 σκευαῖς χρώμενος. ἐξ ὧν διελέγχεται μὴ στησόμενος ἐπὶ τῶν αὐτῶν, εἰ μειζόνων λάβοιτο χρημάτων· διαβήσεται γὰρ εὐθὺς ἐπὶ πόλεις τε καὶ χώρας καὶ ἔθνη τὴν αὐτοῦ πατρίδα προδουλώσας· εἰς ἔνδειξιν τοῦ μηδενὶ μέλλειν τῶν ἄλλων
- 140 ὑπηκόων ἡμέρως προσφέρεσθαι. σαφῶς οὖν ὁ τοιοῦτος ἴστω μὴ τὴν τοῦ συνεχῶς καὶ εἰς πολλοὺς
- [323] ἀμαρτάνειν | ἄδειαν ἔξω· ἐναντιώσεται γὰρ ἡ

¹ So mss.: Cohn corrects to αὐτῇ. In view of the common conjunction between αὐτός and the reflexive, I think the ms. reading is preferable.

² ms. heading Κατὰ τῶν οἰκέτας κτεινόντων.

THE SPECIAL LAWS, III. 136-140

Nature's will, who has used them as instruments of vengeance against those who have fallen by their hands, condemned to death in the secret tribunal where she sits as sole judge.

XXV. What has been said applies to free-born persons of citizen rank; the enactments which follow deal with slaves whose death is caused by violence.

^a Servants rank lower in fortune but in nature can 137 claim equality with their masters, and in the law of God the standard of justice is adjusted to nature and not to fortune. And therefore the masters should not make excessive use of their authority over slaves by showing arrogance and contempt and savage cruelty. For these are signs of no peaceful spirit, but of one so intemperate as to seek to throw off all responsibility and take the tyrant's despotism for its model. He who has used his private house as a 138 sort of stronghold of defiance and allows no freedom of speech to any of the inmates, but treats all with the brutality created by his native or perhaps acquired hatred for his fellow-men, is a tyrant with smaller resources. By his use of them he gives proof that he 139 will not stay where he is, if he gets more wealth into his hands, for he will pass on at once to attack cities and countries and nations, after first reducing his own fatherland to slavery, a sign that he will not deal gently with any of his other subjects. Such a one 140 must clearly understand that his misconduct cannot be prolonged or widely extended with immunity, for he will have for his adversary justice, the hater

^a Presumably these are non-Israelites, *cf.* ii. 123. For the sentiments expressed *cf.* ii. 69. For the following sections see Ex. xxi. 20, 21.

PHILO

- μισοπόνηρος αὐτῷ δίκη, ἢ βοηθὸς καὶ ὑπέρμαχος
τῶν ἀδικηθέντων, ἢ λόγον καὶ εὐθύνας αὐτὸν τῆς
- 141 περὶ τοὺς πεπονθότας συμφορᾶς ἀπαιτήσῃ· κἂν ἄρα
φάσκη πληγὰς ἔνεκα νουθεσίας ἐντείνει μὴ δια-
νοηθεὶς ἀνελεῖν, οὐκ εὐθὺς βαδιεῖται γεγηθώς, ἀλλ'
εἰς δικαστήριον ἀπαχθεὶς παρ' ἀκριβέσι λογισταῖς
τῆς ἀληθείας ἐξετασθήσεται, πότερον ἐκὼν ἀπ-
έκτεινεν ἢ ἄκων· κἂν ἐπιβεβουλευκὼς ἀνευρίσκηται
γνώμη ἀνοσίῳ, θνησκέτω, μηδὲν παρόσον δε-
σπότης ἐστὶ κερδαίνων εἰς τὸ σωθῆναι.
- 142 εἰ δὲ μὴ εὐθὺς ἐκ τῶν πληγῶν οἱ τυπτηθέντες
ἀναιρεθῶσιν, ἀλλὰ βιώσωσιν ἡμέραν μίαν ἢ καὶ δύο,
μηκέθ' ὁμοίως ὁ δεσπότης ὑπόδικος ἔστω φόνου,
πλεονέκτημα εἰς ἀπολογίαν πεπορισμένος τὸ μήτε
παραχρῆμα τύπτων ἀνελεῖν μήθ' ὕστερον, ἔχων
κατὰ τὴν οἰκίαν, ἀλλὰ ζῆν ἑάσας ὅσον βιοῦν οἰοί-
τε ἦσαν χρόνον, εἰ καὶ παντάπασιν ὀλίγον· χωρὶς
τοῦ μηδένα οὕτως ἡλίθιον εἶναι, ὥς λυπεῖν ἕτερον
- 143 ἐπιχειρεῖν, ἐν οἷς αὐτὸς ἀδικηθήσεται. κτείνων δέ
τις οἰκέτην πολὺ πρότερον ἑαυτὸν βλάπτει, ὑπ-

^a The thought of justice as the adversary and the legal process described in the next section probably spring from a misunderstanding of Ex. xxi. 20. There, where the E.V. has "he shall surely be punished," the LXX has *δίκη ἐκδικηθήσεται*. Philo, misunderstanding, as often, the Hebrew idiomatic way of strengthening the verb, takes this to mean "he shall be condemned by justice." He also interprets this to imply the death-penalty, though the text points rather to a fine (see Driver, *ad loc.*).

THE SPECIAL LAWS, III. 140-143

of evil, the defender and champion of the ill-used, who will call upon him to give an account for the unhappy condition of the sufferers.^a And if he 141 alleges that the stripes he inflicted were meant as a deterrent and not with the intention of causing death, he shall not at once depart with a cheerful heart, but will be brought before the court, there to be examined under strict investigators of the truth as to whether he meant to commit homicide or not ; and if he is found to have acted with intentional wickedness and with malice aforethought he must die, and his position as master will avail him nothing to escape the sentence.

^b But if the 142 sufferers do not die on the spot under the lash but survive for one or perhaps two days, the situation is different and the master is not to be held guilty of murder. In this case he is provided with a valuable plea, namely that he did not beat them to death at the time nor yet later when he had them in his house, but suffered them to live as long as they could, even though that was quite a short time. Furthermore he may argue that no one is so foolish as to try to harm another when he himself will be wronged thereby. And it is true that anyone who kills a slave 143 injures himself far more, as he deprives himself of

^b Ex. xxi. 21, "Notwithstanding if he continue (LXX διαβιώσῃ, "survive") a day or two, he shall not be punished ; for he is his money." Philo understands the first part of this to mean that the master will be acquitted on the grounds that if he had intended to kill the slave he would have done so at once. The last words, "for he is his money," which probably mean that the master will not be fined, as he anyhow loses his property, are construed as a plea that he cannot have intended to destroy a valuable possession. Philo fails to observe that the plea would have been equally applicable if the slave had died on the spot.

PHILO

ηρεσιῶν τε ὥς παρὰ ζῶντος εἶχε στερόμενος καὶ τὴν τιμὴν ζημιούμενος καὶ πλείστην ἴσως. ἐὰν μέντοι θανάτου πεπραχὼς ἄξια τυγχάνῃ, πρὸς τοὺς δικαστὰς ἀγέτω καὶ δηλούτω τὸ ἀδίκημα, τοὺς νόμους κυρίους ποιῶν τῆς τιμωρίας ἀλλὰ μὴ ἑαυτόν.

- 144 XXVI. ¹Ἐάν τινα ταῦρος ἀναπείρας ἀποκτείνῃ, καταλευέσθω—ἀσφαγῆς γὰρ ἱερείοις—καὶ ἄβρωτα ἔστω τὰ τούτου κρέα. διὰ τί; ὅτι τροφήν ἢ προσόψημα τροφῆς ἀνθρώπων γίνεσθαι τὰ τοῦ
- 145 κτείναντος ἀνθρώπου οὐχ ὅσιον. ἐὰν δὲ ὁ τοῦ κτήνους κύριος ἄγριον εἰδὼς καὶ ἀτίθασον μήτε καταδήσῃ μήτε κατακλείσας φυλάττῃ, τύχῃ δὲ καὶ παρ' ἐτέρων πεπυσμένος ὅτι οὐκ ἔστι χειρόηθες, ἄφετον ἑάσας ἐκνέμεσθαι ὥσπερ αἷτιος ὑπόδικος ἔστω· καὶ τὸ μὲν ἀναπείραν αὐτίκα θνησκέτω, ὁ δὲ κύριος προσαναιρείσθω ἢ λύτρα καὶ σῶστρα κατατιθέσθω, τὸ δὲ δικαστήριον ὃ τι χρὴ παθεῖν ἢ ἀποτίσαι διαγνώσεται. εἰ μέντοι δοῦλος ὁ ἀναιρεθεὶς εἴη, τὴν τιμὴν ἐπανορθούσθω τῷ δεσπότῃ.
- 146 ἐὰν δὲ μὴ ἀνθρώπου ἀλλὰ | κτήνος ἀναπείρῃ, τὸ
[324] τεθηγκὸς ὁ τοῦ κτείναντος λαβὼν δεσπότης τὸ ὅμοιον ἀποτισάτω, [διότι τὸ ἀνήμερον τοῦ ἰδίου

¹ MS. heading Κατὰ ζῶων ἀλόγων ἡ παραίτια γίνεται θανάτου.

^a For §§ 144-146 see Ex. xxi. 28-32 and 35, 36.

^b The stoning is probably to avoid contact, cf. Ex. xix. 13, "no hand shall touch him but he shall surely be stoned or
566

the service which he receives from him when alive and loses his value as a piece of property, which may be possibly very considerable. When the slave has committed some act worthy of death his master should bring him before the judges and state the offence, thus leaving the decision of the penalty with the laws instead of keeping it in his own hands.

XXVI. ^aIf a bull gores a man and kills him, it must ¹⁴⁴ be stoned,^b since it is not fit to be slaughtered as a sacrifice, and its flesh must not be eaten. Why is this? It is required by the law of holiness that the flesh of an animal that has killed a man should not be used as a foodstuff for men or to make their food more palatable. If the owner of the animal knowing ¹⁴⁵ that it is savage and wild has not tied it up nor kept it shut up under guard,^c or if he has had information from others that it is unmanageable, he must be held guilty as responsible for the death by allowing it to range at large. And while the aggressive animal is to be put to death at once, the owner must also forfeit his life or else redeem it by a ransom, what punishment he must suffer or what compensation he must pay being left to the decision of the court. If, however, it is a slave who is killed, he must make good his value to the owner and if it has gored not a man ¹⁴⁶ but one of the live-stock, here too the owner of the beast which has caused its death must pay like for

shot through" (with a dart). Philo seems to understand it that any animal killed in the ordinary way is suitable for sacrifice.

^c So E.V. "hath not kept him in." The LXX has ἀφανίστη αὐτόν = "removed" or "kept him out of the way." Heine-mann notes that here Philo is nearer to the Hebrew than to the LXX. But this may be merely accidental. His interpretation of ἀφανίστη is a very natural one.

προαισθανόμενος οὐκ ἐφυλάξατο· καὶ αὐτὸ μέντοι τὸ
θρέμμα ἀλλότριον ἀνέλη, πάλιν ὁμοιον ἀποτινέτω,]¹
χάριν εἰδὼς ἐπὶ τῷ μὴ πλείονα ζημίαν ὑπομένειν
ἄρξας ἐπηρείας.

- 147 XXVII. ² Ὁρύγματα γῆς εἰώθασί τινες εὖ μάλα
βαθύνειν ἢ φλέβας πηγαζούσας ἀναστέλλοντες ἢ
πρὸς ὑποδοχὴν ὁμβρίου ὕδατος, εἴθ' ὑπονόμους
εὐρύναντες ἀφανεῖς, δέον τὰ στόμια ἢ περιοικο-
δομῆσαι ἢ περιπωμάσαι, κατὰ τινα δεινὴν ῥαθυμίαν
ἢ φρενοβλάβειαν ἐπ' ὀλέθρῳ τινῶν εἴασαν ἀχανῆ.
148 εἰάν οὖν τις τῶν ὁδῶ παριόντων μὴ προαισθόμενος
κατὰ κενοῦ ἐπιβὰς ἐνεχθῇ καὶ τελευτήσῃ, ἐπι-
γραφέσθωσαν οἱ βουλόμενοι ὑπὲρ τοῦ τετελευτη-
κότος πρὸς τοὺς τὸ ὄρυγμα ποιησαμένους καὶ
τιμάτω τὸ δικαστήριον ὃ τι χρὴ παθεῖν ἢ ἀποτίσαι.
εἰάν δὲ θρέμμα κατενεχθὲν ἀποθάνῃ, τὴν ἀξίαν τιμὴν
ὡς ζῶντος ἐπανορθοῦσθωσαν τῷ δεσπότη τὸ νεκρὸν
149 αὐτοὶ λαβόντες. ἀδελφὸν δὲ καὶ συγγενὲς ἀδίκημα
δρῶσι τῷ λεχθέντι καὶ ὅσοι κατασκευάζοντες οἰκίας
ισόπεδα καταλείπουσι τὰ τέγη, περιστεφανοῦν
θωρακίοις δέον ὑπὲρ τοῦ μή τινα κατακρημνισθῆναι
λαθόντα· φόνον γάρ, εἰ δεῖ τάληθὲς εἰπεῖν, δρῶσι,

¹ The words in brackets only appear in two mss. See note a.

² ms. heading *Περὶ ὀρυγμάτων*.

^a Ex. xxi. 36, "pay bull for bull." Philo, I think, rightly interprets this to pay compensation enough to buy another bull (or whatever the animal killed is), not as Goodenough, to hand over his own (and vicious) bull to the other. The words expunged by Cohn (see note 1), "because having foreknowledge of the savageness of his own animal he has not taken precautions; and if it kills the beast of another, he must pay the like as compensation," are absurdly super-

THE SPECIAL LAWS, III. 146-149

like,^a taking the dead animal for his own, and be thankful that as the original cause of the wanton mischief he does not suffer a greater loss.^b

XXVII. ^c It is a common practice with some people 147 to dig deep holes in the ground either when they are opening veins of spring water or making receptacles for the rain water. Then after widening the tunnels out of sight, instead of walling the mouths in or covering them up with a lid as they should, through some fatal carelessness or mental aberration they leave them gaping as a death-trap. If, then, some person walking 148 along does not notice them in time but steps on a void and falls down and is killed, anyone who wishes may bring an indictment on behalf of the dead man against the makers of the pit, and the court must assess what punishment they must suffer or what compensation they must pay. But if anyone of the cattle falls down and is killed, they must make good to the owners the value of the animal as if it were alive and keep the dead body for themselves.^d Of the 149 same family as the above is the offence committed by those who in building their houses leave their roofs flat instead of ringing them in with parapets to prevent anyone being precipitated unawares over the edge. Indeed they are to the best of their ability

fluous. Cohn (*Hermes*, 1908, p. 206) also considers that the Greek has faults of which Philo would not have been guilty.

^b Philo passes over the case (*v.* 36) where the bull has not been known to be vicious, when the two owners divide the loss between them.

^c For §§ 147-148 see Ex. xxi. 33, 34, which, however, legislates for cases where death is thus caused to an animal, not to a man. See App. p. 638.

^d Deut. xxii. 8, where, though no penalty is prescribed, it is implied that the omission will constitute bloodguiltiness (*לxx ποιήσεις φόνον*). See App. pp. 638-639.

κἂν μηδεὶς ὑποσურεὶς ἀποθάνῃ, τό γε ἐπ' αὐτοὺς ἦκον μέρος. κολαζέσθωσαν οὖν ἐν ἴσῳ τοῖς ἀχανῇ τὰ στόμια τῶν ὀρυγμάτων καταλείπουσι.

- 150 XXVIII. Λύτρα παρὰ ἀνδροφόνου, ὃν δέον τεθνάναι, διαγορεύει ὁ νόμος μὴ ἐξεῖναι λαμβάνειν ἐπὶ μειώσει τῆς τιμωρίας ἢ ὑπαλλαγῇ φυγῆς ἀντὶ θανάτου· αἵματι γὰρ αἷμα καθαίρεται, τῷ τοῦ
- 151 κτείναντος τὸ τοῦ ἐπιβουλευθέντος. ἐπεὶ δ' ὄρον οὐκ ἔχουσιν οἱ πονηροὶ τὰς φύσεις τοῦ πλημμελεῖν, ἀλλ' αἰεὶ μεγαλουργοῦσι προσυπερβάλλοντες καὶ τὰς κακίας ἐπιτείνουνσι καὶ διαίρουσι πρὸς τὸ ἄμετρον καὶ ἀπερίγραφον, μυρίους μὲν θανάτους, εἴπερ οἶόν τε ἦν, ὥρισεν ἂν κατ' αὐτῶν ὁ νομοθέτης· ἐπεὶ δὲ τοῦτ' οὐκ ἐνεδέχετο, τιμωρίαν ἄλλην προσδιατάττεται κελεύων τοὺς ἀνελόντας ἀνασκολοπίζεσθαι.
- 152 καὶ τοῦτο προστάξας ἀνατρέχει πάλιν ἐπὶ τὴν αὐτοῦ φιλανθρωπίαν, ἡμερούμενος πρὸς τοὺς ἀνήμερα εἰργασμένους, καὶ φησι· μὴ ἐπιδυέτω ὁ ἥλιος ἀνεσκολοπισμένοις, ἀλλ' ἐπικρυπτέσθωσαν γῇ πρὸ δύσεως καθαιρεθέντες. ἦν γὰρ ἀναγκαῖον τοὺς ἅπασιν τοῖς μέρεσι τοῦ κόσμου πολεμίους μετεωρίσαντας εἰς τοῦμφανὲς ἐπιδείξασθαι μὲν αὐτοὺς

^a Num. xxxv. 31, 32. In the second of these verses, where the E.V. has "ye shall take no ransom for him that is fled to his city of refuge, that he should come again to dwell in the land until the death of the priest," the LXX has οὐ λήψεσθε λύτρα τοῦ φυγεῖν εἰς πόλιν κτλ., which might easily be wrongly taken to mean "ye shall not accept a ransom so that he shall fly." Philo's phrase in "substitute banishment for death" suggests that he did take it so, meaning presumably that the voluntary homicide might purchase a leave to use the city of refuge.

THE SPECIAL LAWS, III. 149-152

murderers, even if no one is killed by the force of the fall. They must receive the same penalty as those who leave the mouths of their pits wide open.

XXVIII. ^a The law forbids the acceptance of 150 ransom-money from a murderer deserving of death, in order to mitigate his punishment or substitute banishment for death, for blood is purged with blood,^b the blood of the wilfully murdered with the blood of the slayer. Since there are no bounds to the in- 151 iquities of evil natures, and they are ever committing a superabundance of enormities and extending and exalting their vices beyond all measure and all limit, the lawgiver would, if he could, have sentenced them to die times beyond number. But since this was impossible he ordained another penalty as an addition, and ordered the manslayers to be crucified.^c Yet 152 after giving this injunction he hastened to revert to his natural humanity and shews mercy to those whose deeds were merciless when he says "Let not the sun go down upon the crucified but let them be buried in the earth before sundown."^d For while it was necessary that the enemies of every part of the universe should after punishment be set on high and

^b *Ibid.* v. 33 "the land shall not be purged from the blood shed upon it but by the blood of him that shed it."

^c Or simply "hanged up." But in the other two places where Philo uses the word, *De Post.* 61 and *De Som.* ii. 213, it is definitely coupled with nailing, and he probably understood the *κρεμάσθητε ἐπὶ ξύλου* of the LXX to mean "affix to something wooden," as also did Paul in *Gal.* iii. 13. Probably he understood that it is only the corpse of the malefactor which is so affixed, though he does not make it absolutely clear.

^d *Deut.* xxi. 22, 23. Philo treats the text very freely. It does not enjoin the "hanging," but merely that if it is done, the body shall be buried the same day. Nor is it specified that it is a punishment for murderers in particular.

ἡλίῳ καὶ οὐρανῷ καὶ ἀέρι καὶ ὕδατι καὶ γῇ |
 [325] κολασθέντας, πάλιν δὲ εἰς τὸν νεκρῶν χώρον
 ὑποσῦραί τε καὶ καταχῶσαι, ὅπως μὴ τὰ ὑπὲρ γῆν
 μαιίνωσι.

153 XXIX. Παγκάλως μέντοι καὶ κεῖνο διατέτακται,
 πατέρας ὑπὲρ υἱῶν μὴ ἀποθνήσκειν μηδ' υἱοὺς
 ὑπὲρ γονέων, ἀλλ' ἕκαστον τῶν ἄξια θανάτου
 δεδρακότων αὐτὸν ἰδίᾳ μόνον ἀναιρεῖσθαι, διὰ τοὺς
 ἢ βίαν τοῦ δικαίου προτιμῶντας ἢ πάνυ φιλο-

154 στόργους. οὗτοι μὲν γὰρ διὰ περιττὴν καὶ ὑπερ-
 βάλλουσιν εὐνοίαν ἐθελήσουσι πολλάκις ἄσμενοι
 προαποθνήσκειν, αὐτοὺς ἐπιδιδόντες ὑπὲρ τῶν
 ἐνόχων οἱ ἀνυπαίτιοι, μέγα κέρδος νομίζοντες τὸ
 μὴ ἐπιδεῖν κολαζομένους ἢ τοὺς γεννήσαντας υἱοὶ
 ἢ τοὺς παῖδας γονεῖς, ὥς ἀβίωτον καὶ παντὸς
 ἀργαλεώτερον θανάτου τὸν αὐθις χρόνον βιωσό-

155 μενοι. πρὸς οὓς λεκτέον· “ ἡ εὐνοία ὑμῶν οὐκ
 ἔχει καιρὸν, τὰ δ' ὅσα μὴ ἐν καιρῷ ψέγεται
 δεόντως, ἐπεὶ καὶ τὰ καίρια ἐπαινέται. χρή
 μέντοι φιλεῖν τοὺς ἄξια φιλίας δρῶντας, πονηρὸς
 δ' οὐδεὶς πρὸς ἀλήθειαν φίλος. συγγενεῖς δὲ καὶ
 ἐν συγγενέσι φίλους καλουμένους ἡλλοτριώσαν αἱ
 μοχθηρίαι πλημμελοῦντας· συγγένεια γὰρ οἰκειοτέρα
 τῆς πρὸς αἵματος ἢ πρὸς δικαιοσύνην καὶ πᾶσαν
 ἀρετὴν ὁμολογία, ἣν ἐκλιπὼν τις οὐκ ἐν ὀθνεῖοις
 καὶ ξένοις μόνον ἀλλὰ καὶ ἐν ἀσπόνδοις ἐχθροῖς

156 ἀναγράφεται. τί οὖν κατεψευσμένον ὄνομα εὐνοίας
 ὃ τι χρηστὸν καὶ φιλόανθρωπόν ἐστιν ὑποδύεσθε,
 τὰλθῆθι μαλακίαν καὶ ἀνανδρίαν παρακαλυπτόμενοι;
 ἢ οὐκ ἄνθρωποι τὰς φύσεις, παρ' οἷς οἴκτου λο-

^a Deut. xxiv. 16.

THE SPECIAL LAWS, III. 152-156

exhibited to the sun and heaven and air and water and earth, it was equally necessary that they should be thrust down into the place of the dead and there entombed, that nothing above the earth might be polluted by them.

XXIX. Another excellent ordinance is that fathers 153 should not die for their sons nor sons for their parents, but each person who has committed deeds worthy of death should suffer it alone and in his own person.^a This order has in view those who either set violence before justice or are strongly influenced by family affection. These last in their excessive and over- 154 whelming devotion will often be willing and glad to sacrifice their guiltless selves for the guilty and die in their stead. They count it a great gain to be spared from seeing, parents their children and sons their parents, undergoing a punishment which they feel will make their after-life intolerable and more painful than any death. To these we should answer 155 "your devotion is mistimed and the mistimed deserves censure just as the rightly timed deserves praise. It is right indeed to shew friendship to those whose actions are worthy of friendship, but no evil-doer is a true friend. Those whom we call our kinsfolk or within the circle of kinsmen our friends are turned into aliens by their misconduct when they go astray ; for agreement to practise justice and every virtue makes a closer kinship than that of blood, and he who abandons this enters his name in the list not only of strangers and foreigners but of mortal enemies. Why, 156 then, under the false name of devotion do you assume to be all that is kind and humane and cloak the realities, your weakness and unmanliness ? For unmanly is the nature you shew in letting compassion

γισμὸς ἡττᾶται; καὶ ταῦθ' ἵνα διπλοῦν ἀδίκημα
δράσητε, τοὺς μὲν ὑπαιτίους ῥυόμενοι τῆς τιμωρίας,
αὐτοὺς δ' ἐπὶ μηδενὶ μεμφθέντας τὸ παράπαν
οἰόμενοι δεῖν αὐτ' ἐκείνων κολάζειν;''

- 157 XXX. ἀλλ' οὗτοι μὲν ὑποτίμησιν ἔχουσι τὸ μηδέν¹
θηρᾶσθαι ἐπ' ὠφελείᾳ καὶ τὸ λίαν πρὸς τοὺς
ἐγγυτάτῳ γένους φιλόστοργον, ὑπὲρ ὧν τῆς
158 σωτηρίας ἀποθνήσκειν ἄσμενοι διανοοῦνται. τοὺς
δὲ ὠμοθύμους καὶ τὴν φύσιν θηριώδεις τίς οὐκ
ἂν προβάλοιτο τῶν οὐ λέγω μετρίων ἀλλὰ καὶ τῶν
μὴ σφόδρα ἀτιθάσων τὴν ψυχὴν, οἳ ἢ λάθρα τεχνά-
ζουσιν ἢ ἐπιθαρροῦσι φανερώς ἑτέροις ἀνθ' ἑτέρων
τὰς μεγίστας ἐπανατείνεσθαι συμφοράς, φιλίαν ἢ
συγγένειαν ἢ κοινωνίαν ἢ τι ὁμοιότροπον ἐπ'
ὀλέθρῳ τῶν οὐδὲν ἡδικηκότων προφασιζόμενοι;
καὶ ταῦτα δρῶσιν ἔστιν ὅτε μηδὲν πεπονθότες
δεινόν, ἔνεκα δὲ πλεονεξίας ἢ ἀρπαγῆς.

- 159 πρῶν τις ἐκλογεὺς φόρων ταχθεὶς παρ' ἡμῶν,
ἐπειδὴ τινες τῶν δοξάντων ὀφείλουν διὰ πενίαν
ἔφυγον δέει τιμωριῶν ἀνηκέστων, γύναια τούτων
[326] | καὶ τέκνα καὶ γονεῖς καὶ τὴν ἄλλην γενεὰν
ἀπαγαγὼν πρὸς βίαν, τύπτων καὶ προπηλακίζων
καὶ πάσας αἰκίας αἰκιζόμενος, ἢν' ἢ τὸν φυγόντα
μηνύσωσιν ἢ τὰ ὑπὲρ ἐκείνου καταθῶσιν οὐδέτερον
δυνάμενοι, τὸ μὲν ὅτι ἡγνόουν, τὸ δ' ὅτι οὐχ ἡττον
τοῦ φυγόντος ἀπόρως εἶχον, οὐ πρότερον ἀνῆκεν,

¹ MSS. μηδενός.

THE SPECIAL LAWS, III. 156-159

overcome your reason, only to commit a double wrong in trying to deliver the guilty from chastisement and in thinking it right that you should be punished in their stead when no blame at all has been cast upon you."

XXX. Still these 157
can plead in their defence that they seek no profit and are moved by exceeding affection for their nearest of kin, to save whom they propose cheerfully to lay down their lives. But the other 158
kind, the cruel of heart and bestial of nature, would be spurned, I need not say by all respectable people, but by any who are not thoroughly uncivilized in soul. I mean those who either secretly and craftily or boldly and openly threaten to inflict the most grievous sufferings on one set of persons in substitution for another and seek the destruction of those who have done no wrong on the pretext of their friendship or kinship, or partnership, or some similar connexion, with the culprits. And they sometimes do this without having suffered any grievous harm but merely through covetousness and rapine.

An 159
example of this was given a little time ago in our own district by a person who was appointed to serve as a collector of taxes. When some of his debtors whose default was clearly due to poverty took flight in fear of the fatal consequences of his vengeance, he carried off by force their womenfolk and children and parents and their other relatives and beat and subjected them to every kind of outrage and contumely in order to make them either tell him the whereabouts of the fugitive or discharge his debt themselves. As they could do neither the first for want of knowledge, nor the second because they were as penniless as the fugitive, he continued this treatment until while

PHILO

- ἡ βασάνοις καὶ στρέβλαις τὰ σώματα κατατείνων
ἀποκτείνειν κεκαινουργημέναις ἰδέαις θανάτου·
- 160 ἄμμου σπυρίδα πλήρη βρόχοις ἐκδησάμενος ἀνήρτα
κατὰ τῶν αὐχένων, βαρύτατον ἄχθος, ἰστάς ἐν
ὑπαίθρῳ κατὰ μέσσην ἀγοράν, ἔν' οἱ μὲν ἀθρόαις
τιμωρίαις, ἀνέμῳ καὶ ἡλίῳ καὶ τῇ ἀπὸ τῶν παρ-
ιόντων αἰσχύνῃ καὶ τοῖς ἐκκρεμαμένοις ἄχθεσι,
βιαζόμενοι χαλεπῶς ἀπαγορεύωσιν, οἱ δὲ θεώμενοι
- 161 τὰς τούτων τιμωρίας προαλγῶσιν· ὧν ἔνιοι τρανό-
τερον τῆς διὰ τῶν ὀφθαλμῶν τὴν διὰ τῆς ψυχῆς
λαβόντες αἰσθήσιν, ὥς ἐν τοῖς ἐτέρων σώμασιν
αὐτοὶ κακούμενοι, τῷ βίῳ προαπετάξαντο ξίφεσιν
ἢ φαρμάκοις ἢ ἀγχόναις, μεγάλην ὥς ἐν κακο-
πραγίαις νομίζοντες ἐπιτυχίαν τὴν ἄνευ βασάνων
- 162 τελευτήν· οἱ δὲ μὴ φθάσαντες ἑαυτοὺς διαχρήσασθαι
καθάπερ ἐν ταῖς τῶν κλήρων ἐπιδικασίαις, κατὰ
στοιχὸν ἤγοντο οἱ ἀπὸ τοῦ γένους πρῶτοι καὶ μετ'
αὐτοὺς δεύτεροι καὶ τρίτοι μέχρι τῶν ὑστάτων·
καὶ ὅποτε μηδεὶς λοιπὸς εἴη τῶν συγγενῶν,
διέβαινε τὸ κακὸν καὶ ἐπὶ τοὺς γειτνιῶντας, ἔστι
δ' ὅτε καὶ ἐπὶ κώμας καὶ πόλεις, αἱ ταχέως ἔρημοι
καὶ κεναὶ τῶν οἰκητόρων ἐγένοντο μετανισταμένων
καὶ σκεδαννυμένων ἔνθα λήσεσθαι προσεδόκων.
- 163 ἄλλ' οὐδὲν ἴσως θαυμαστόν, εἰ φορο-
λογίας ἔνεκα βάρβαροι τὰς φύσεις, ἡμέρου παιδείας
ἄγευστοι, δεσποτικοῖς πειθαρχοῦντες ἐπιτάγμασι
τοὺς ἐτησίους ἀναπράττουσι δασμούς, οὐ μόνον
ἐκ τῶν οὐσιῶν ἀλλὰ καὶ ἐκ τῶν σωμάτων, ἄχρι
καὶ ψυχῆς τοὺς κινδύνους ἐπιφέροντες ὑπὲρ ἐτέρων

THE SPECIAL LAWS, III. 159-164

wringing their bodies with racks and instruments of torture he finally dispatched them by newly-invented methods of execution. He filled a large 160 basket with sand and having hung this enormous weight by ropes round their necks set them in the middle of the market-place in the open air, in order that while they themselves sank under the cruel stress of the accumulated punishments, the wind, the sun, the shame of being seen by the passers-by and the weights suspended on them, the spectators of their punishments might suffer by anticipation. Some of 161 these, whose souls saw facts more vividly than did their eyes, feeling themselves maltreated in the bodies of others, hastened to take leave of their lives with the aid of sword or poison or halter, thinking that in their evil plight it was a great piece of luck to die without suffering torture. The others 162 who had not seized the opportunity to dispatch themselves were brought out in a row, as is done in the awarding of inheritances, first those who stood in the first degrees of kinship, after them the second, then the third and so on till the last. And when there were no kinsmen left, the maltreatment was passed on to their neighbours and sometimes even to villages and cities which quickly became desolate and stripped of their inhabitants who left their homes and dispersed to places where they expected to remain unobserved.

Yet perhaps it is not to be wondered at 163 if uncivilized persons who have never had a taste of humane culture, when they have to collect the revenue in obedience to imperious orders levy the annual tributes not only on property but on bodies, and even on the life when they bring their terrors to bear upon these substitutes for the proper debtors. Indeed in 164

- 164 *ἐτέροις. ἤδη δὲ καὶ οἱ τῶν δικαίων ὄροι καὶ κανόνες, αὐτοὶ οἱ νομοθέται, πρὸς δόξαν μᾶλλον ἢ πρὸς ἀλήθειαν ἀπιδόντες, τῶν ἀδικωτάτων ὑπέμειναν γενέσθαι, κελεύσαντες τοῖς μὲν πρόδοταις τοὺς παῖδας συναναιρεῖσθαι, τοῖς δὲ τυράν-*
- 165 *νοις τὰς ἐγγυτάτω πέντε οἰκίας. διὰ τί; φαίην ἂν εἰ μὲν γὰρ συνεξήμαρτον, καὶ συγκολαζέσθωσαν, εἰ δὲ μήτε κατεκοινώνησαν μήτε ζηλωταὶ τῶν ὁμοίων ἐγένοντο μήτε ταῖς τῶν οἰκείων εὐτυχίαις ἐπαρθέντες ἐνδυπάθησαν, τίνος χάριν ἀναιρεθῆ-
σονται; ἢ δι' ἐν τούτῳ μόνον, ὅτι συγγενεῖς εἰσι;*
- [327] *γένους γὰρ ἢ | παρανομημάτων αἱ τιμωρίαι;*
- 166 *χρηστῶν ἴσως ὑμεῖς, ὧ σεμνοὶ νομοθέται, τῶν οἰκείων ἐλάχετε· μοχθηροὶ δ' εἴπερ ἐγένοντο, δοκεῖτέ μοι μηδ' ἂν εἰς νοῦν ποτε βαλέσθαι τὰς τοιαύτας προστάξεις, ἀλλὰ καὶ γράφοντας ἑτέρους δυσχερᾶναι, διὰ τὴν τοῦ μηδὲν ἀνήκεστον παθεῖν προφυλακὴν * * *¹ τὸν ἐν ἀσφαλεῖ βίῳ διάγοντα μετὰ τῶν κινδυνευόντων σκοπεῖν καὶ ἐν ταῖς ἴσαις κακοπραγίαις ἐξετάζεσθαι· τὸ μὲν γὰρ ἔχει δέος, ὃ φυλαττόμενός τις οὐδ' ἂν ἕτερον περιῦδοι, τὸ δ'*

¹ The text here is very difficult. I have not altered the form printed by Cohn, who, as also Mangey, supposed a lacuna after *προφυλακὴν*, but I doubt whether the error lies here. Something like *τὸν διάγοντα ἐν ἀσφαλεῖ βίῳ* is required as subject to *παθεῖν*, for the legislator is not supposed to be guarding against his own ruin, but that of his relations. If *σκοπεῖν* is omitted, or some other infinitive = *ἀλῶναι* dependent on *κινδυνευόντων* substituted, and *μη* inserted before *ἐξετάζεσθαι*, the sentence, though very awkward, will be translatable. In that case *ἐξετάζεσθαι* is co-ordinate with *παθεῖν* and the sense as given in the translation. Heinemann, accepting the lacuna, suggested filling it by *δεινὸν γὰρ*, i.e. "it would be terrible to see the safe man in such a plight," but this, I think, would require *ἐξεταζόμενον*.

THE SPECIAL LAWS, III. 164-166

the past the legislators themselves, who are the landmarks and standards of justice, have not shrunk from acting as such^a to the greatest injustice. With an eye to men's opinions rather than to truth they have ordained that the fate of traitors and tyrants should be shared by the children in the first case and by the next five families in the second.^b Why, one might ask? If they were companions in 165 error let them also be companions in punishment, but if they had no association with the others, never followed the same objects, never let elation at the success of their kinsmen tempt them to a life of ease and pleasure, why should they be put to death? Is their relationship the one sole reason? Then is it birth or lawless actions which deserve punishment? Probably you, most reverend 166 lawgivers, had worthy people for relations. If they had been bad, I do not think the idea of such enactments would have entered your minds. Indeed you would have been indignant if others had proposed them, for you would have taken precautions that the man who lives in safety should not suffer ruin with those who run into danger, nor be set on a level with them in misfortune.^c Of the two situations^d one involves a danger which you would guard against and not allow another to incur: the other has nothing to

^a τῶν ἀδικωτάτων depends on ὅροι καὶ κανόνες understood.

^b Heinemann impossibly translates "die fünf nächsten Verwandten ihres Hauses." For the law see App. pp. 639-640.

^c The translation is based, as stated in note 1, on the conjecture that σκοπεῖν is to be omitted. Though the idea of the passage is fantastic, the general meaning seems clear, however uncertain the details of the text.

^d I understand τὸ μὲν "as having bad," τὸ δέ "as having good" relations.

ἐστὶν ἄφοβον, ὅφ' οὗ πολλάκις ἀνεπείσθησάν τινες ἀλογεῖν ἀνθρώπων ἀνυπαιτίων ἀσφαλείας.

- 167 Ταῦτ' οὖν ἐκλογισάμενος ὁ ἡμέτερος νομοθέτης καὶ τὰ παρὰ τοῖς ἄλλοις ἁμαρτήματα συνιδὼν ὡς φθοροποιὰ τῆς ἀρίστης πολιτείας ἀπεστράφη καὶ διεμίσησε [καὶ] τοὺς χρωμένους εἴτε ῥαθυμίαις εἴτε ἀπανθρωπίαις καὶ κακίαις καὶ οὐδέποτε τινα τῶν συμβεβιωκότων ἐξέδωκεν ἐπὶ τιμωρία προσθήκην ποιησάμενος αὐτὸν ἀδικημάτων ἐτέρων.
- 168 διόπερ ἄντικρυς ἀπεῖπεν υἱοὺς ἀντὶ γονέων ἢ γονεῖς ἀντὶ υἱῶν ἀναιρεῖσθαι, δικαιοῦσας ὧν τὰ ἁμαρτήματα τούτων εἶναι καὶ τὰς τιμωρίας, εἴτε ζημίας χρημάτων εἴτε καὶ πληγὰς καὶ βιαιοτέρας ὕβρεις εἴτε τραύματα καὶ πηρώσεις καὶ ἀτιμίας καὶ φυγὰς καὶ ὅσα ἄλλα τῶν ἐπὶ δίκαις· ἐνὸς γὰρ τοῦ μὴ ἕτερον ἀνθ' ἐτέρου κτείνειν μνησθεῖς καὶ τὰ ἡσυχασθέντα προσπεριέλαβεν.

- 169 XXXI. ¹ Ἀγοραὶ καὶ βουλευτήρια καὶ δικαστήρια καὶ θίασοι καὶ σύλλογοι πολυανθρώπων ὁμίλων καὶ ὁ ἐν ὑπαίθρῳ βίος διὰ λόγων καὶ πράξεων κατὰ πολέμους καὶ κατ' εἰρήνην ἀνδράσιν ἐφ' ἀρμόζουσι, θηλείαις δὲ οἰκουρία καὶ ἡ ἔνδον μονή, παρθένοις μὲν εἴσω κλισιάδων τὴν μέσσυλον ὄρον πεποιημέναις, τελείαις δὲ ἤδη γυναιξὶ τὴν αὐλειον.

¹ ms. heading *Περὶ τοῦ μὴ ἀναισχυντεῖν γυναῖκας.*

^a At this point Philo, having hitherto discussed actions which lead, or are intended to lead, to the loss of human life, turns to the question of assaults which do not necessarily have, nor are intended to have, that result. That these should be included under his seventh commandment is perfectly rational, and indeed he has stated this in *De Dec.* 170. They may

THE SPECIAL LAWS, III. 166-170

fear and a sense of security often persuades people to neglect insuring the safety of the innocent.

So then our legislator took these things into con- 167
sideration and observing the errors current among
other nations regarded them with aversion as ruinous
to the ideal commonwealth; persons whose conduct
shewed any kind of sloth or inhumanity or vice he
detested and would not ever surrender anyone whose
life had been passed in their company to be punished
with them and thus made an appendix to the crimes
of others. He therefore expressly forbade that sons 168
should be slain instead of fathers or fathers instead of
sons. Thereby also he gave it as his judgement that
persons who had sinned should be the persons who
were punished, whether the punishment consisted of
monetary fines or stripes and injurious treatment of a
still more violent kind, or wounds and maiming and
disfranchisement and exile or any other kind of
sentence. For in the single statement that one man
should not be killed instead of another he included
also the cases which he left unmentioned.

XXXI. "Market-places and council-halls and law- 169
courts and gatherings and meetings where a large
number of people are assembled, and open-air life
with full scope for discussion and action—all these are
suitable to men both in war and peace. The women
are best suited to the indoor life which never strays
from the house, within which the middle door is taken
by the maidens as their boundary, and the outer door
by those who have reached full womanhood. Organ- 170
involve other matters. Thus the law discussed in the next
twelve sections, though it gives rise to a disquisition on female
modesty, is primarily directed against an assault, just as the
"eye for eye" of § 184 is preceded by the discussion of equal
punishment in §§ 181 f.

- 170 διττὸν γὰρ πόλεων εἶδος, μειζόνων καὶ βραχυτέρων· αἱ μὲν οὖν μείζους ἄσται καλοῦνται, οἰκίαι δ' αἱ βραχύτεραι. τὴν δ' ἐκατέρων προστασίαν διειλήχασιν ἄνδρες μὲν τῶν μειζόνων, ἧς ὄνομα πολιτεία, γυναῖκες δὲ τῶν βραχυτέρων, ἧς ὄνομα οἰκονομία.
- 171 μηδὲν οὖν ἔξω τῶν κατὰ τὴν οἰκονομίαν πολυπραγμονεῖτω γυνὴ ζητοῦσα μοναυλίαν μηδ' οἶα νομᾶς κατὰ τὰς ὁδοὺς ἐν ὄψεσιν ἀνδρῶν ἐτέρων ἐξεταζέσθω, πλὴν εἰς ἱερὸν ὁπότε δέοι βαδίζειν, φροντίδα ποιουμένη καὶ τότε μὴ πληθυνούσης ἀγορᾶς, ἀλλ' ἐπανεληλυθότων οἴκαδε τῶν πλείστων, ἐλευθέρας τρόπον καὶ τῷ ὄντι ἀστῆς ἐν ἡρεμίᾳ
- [328] θυσίας | ἐπιτελοῦσα καὶ εὐχὰς εἰς ἀποτροπὴν
- 172 κακῶν καὶ μετουσίαν ἀγαθῶν. τὸ δὲ λοιδορομένων ἢ συμπλεκομένων ἀνδρῶν ἐπεκθεῖν τολμᾶν κατὰ πρόφασιν συμμαχίας ἢ βοηθείας γυναῖκας ἐπίληπτον καὶ οὐ μετρίως ἀναίσχυντον, ἃς οὐδ' ἐν πολέμοις καὶ στρατείαις καὶ τοῖς ὑπὲρ πάσης τῆς πατρίδος κινδύνοις ἐδικαίωσεν ὁ νόμος ἐξετάζεσθαι, τὸ πρέπον ἰδὼν, ὅπερ ἀκίνητον αἰεὶ καὶ πανταχοῦ φυλάττειν διενόηθη, νομίσας αὐτὸ τοῦτ' εἶναι καθ' αὐτὸ νίκης καὶ ἐλευθερίας καὶ πάσης
- 173 ἁμεινον εὐτυχίας. εἰ μὲντοι καὶ πυθομένη τις ὑβρίζεισθαι τὸν ἄνδρα, πόθω τῷ πρὸς ἐκείνον ἡττηθεῖσα φιλανδρίας, ὑπὸ τοῦ παραστάντος πάθους ἐξορμῆσαι βιασθῇ, μὴ πλεόν τῆς φύσεως ἀρρε-

^a There was of course no Jewish temple in Alexandria. Philo may mean the synagogue, but surely no sacrifice could be offered there. It seems to me more probable that he is giving advice to the female population in general and does not feel any necessity to speak disrespectfully of their religious observances. But see App. p. 640.

^b Lit. "a citizeness," carrying with it something of the idea

THE SPECIAL LAWS, III. 170-173

ized communities are of two sorts, the greater which we call cities and the smaller which we call households. Both of these have their governors; the government of the greater is assigned to men under the name of statesmanship, that of the lesser, known as household management, to women. A woman, 171 then, should not be a busybody, meddling with matters outside her household concerns, but should seek a life of seclusion. She should not shew herself off like a vagrant in the streets before the eyes of other men, except when she has to go to the temple,^a and even then she should take pains to go, not when the market is full, but when most people have gone home, and so like a free-born lady^b worthy of the name, with everything quiet around her, make her oblations and offer her prayers to avert the evil and gain the good. The audacity of women who when men are exchanging 172 angry words or blows hasten to join in, under the pretext of assisting their husbands in the fray, is reprehensible and shameless in a high degree. And so in wars and campaigns and emergencies which threaten the whole country they are not allowed to take their place according to the judgement of the law, having in view the fitness of things, which it was resolved to keep unshaken always and everywhere and considered to be in itself more valuable than victory or liberty or success of any kind. If indeed 173 a woman learning that her husband is being outraged is overcome by the wifely feeling inspired by her love for him and forced by the stress of the emotion to hasten to his assistance, she must not unsex herself by a boldness beyond what nature

of ἀστέϊος. Cf. ἀσταί τε καὶ ἀστέϊαι, *De Mig.* 99, also *De Cong.* 63.

νούσθω θρασυνομένη, μενέτω δὲ καὶ ἐν οἷς βοηθεῖ
 γυνή· πάνδεινον γάρ, εἰ βουλομένη τις ὑπεξέλεσθαι
 τὸν ἄνδρα ὕβρεως ὑβρισθήσεται πρὸς ἑαυτῆς
 κατάπλεων ἀποφαινούσης τὸν ἴδιον βίον αἰσχύνης
 καὶ μεγάλων ὀνειδῶν τῶν ἐπ' ἀνιάτῳ θρασύτητι.

174 λοιδορήσεται γὰρ γυνή κατ' ἀγορὰν ῥῆμά τέ τι
 τῶν ἀπηγορευμένων φθέγγεται, ἐτέρου δὲ κακ-
 ηγοροῦντος οὐκ ἀποδραμεῖται τὰ ὦτα ἐπιφράξασα;
 νυνὶ δὲ προβαίνουσί τινες, ὡς μὴ μόνον ὑπὸ
 γλωσσαλγίας ἐν ἀνδρῶν ὄχλῳ γυναῖκες¹ κακηγορεῖν
 καὶ προπηλακίζειν,² ἀλλὰ καὶ τὰς χεῖρας ἐπιφέρειν
 τὰς ὑφάσμασι καὶ ταλασίαις ἀλλ' οὐ πληγαῖς καὶ
 ὕβρεσι καθάπερ παγκρατιαστῶν καὶ πυκτῶν ἐν-

175 ασκουμένας. καὶ τὰ μὲν ἄλλα [οἷσθαι
 καὶ] φέρειν ἂν τις δύναιτο· χαλεπὸν δ' ἐκεῖνο,
 εἴ τις γυνή τοσοῦτον καταθρασύνοιτο, ὡς δια-
 δράξασθαι τῶν τοῦ διαφερομένου γεννητικῶν· μὴ
 γάρ, παρόσον ἀνδρὶ βοηθοῦσα δοκεῖ τοῦτο πράττειν,
 ἀφείσθω, τῆς δ' ἄγαν θρασύτητος ἐπεχέσθω
 τίνουσα δίκην, ὅφ' ἥς αὐτὴ μὲν τὰ ὅμοια ἐξαμαρ-
 τάνειν ἐθέλουσα αἰθῆς οὐκ ἂν δύναιτο, τῶν δ' ἄλλων
 ὅσαι προπετέστεραι φόβῳ μετριάσουσιν· ἔστω δ'
 ἡ δίκη χειρὸς ἀποκοπὴ τῆς ἀψαμένης ὧν οὐ θέμις.

¹ Cohn brackets γυναῖκες, or would transfer it to after προ-
 βαίνουσι. It seems to me in its antithetical position very
 idiomatic. Mangey's correction to γυναῖκας is, I think, inferior
 Greek.

² In the mss. καὶ προπηλακίζειν is placed after ἐπιφέρειν.

THE SPECIAL LAWS, III. 173-176

permits but limit herself to the ways in which a woman can help. For it would be an awful catastrophe if any woman in her wish to rescue her husband from outrage should outrage herself by befouling her own life with the disgrace and heavy reproaches which boldness carried to an extreme entails. What, is a 174 woman to wrangle in the market-place and utter some or other of the words which decency forbids? Should she not when she hears bad language stop her ears and run away? As it is, some of them go to such a length that, not only do we hear amid a crowd of men a woman's bitter tongue venting abuse and contumelious words, but see her hands also used to assault—hands which were trained to weave and spin and not to inflict blows and injuries like pancratiasts and boxers.

And while all else might be 175 tolerable, it is a shocking thing, if a woman is so lost to a sense of modesty, as to catch hold of the genital parts of her opponent.^a The fact that she does so with the evident intention of helping her husband must not absolve her.^b To restrain her over-boldness she must pay a penalty which will incapacitate herself, if she wishes to repeat the offence, and frighten the more reckless members of her sex into proper behaviour. And the penalty shall be this—that the hand shall be cut off which has touched what decency forbids it to touch. The managers of gymnastic 176

approval to this law, and if he realizes that it is open to the same objections as he made to a similar enactment in ii. 244, he does not say so. Still one may perhaps see some hesitation. The phrase *ἔστω δ' ἡ δίκη* may not mean more than that the law says so. In § 178 of the literal explanation he merely says that is what is commonly given, not that it is true, and his preference for the allegorical is not disguised.

^b So Deuteronomy, "Thine eye shall have no pity."

- 176 ἄξιον ἐπαινεῖν καὶ τοὺς τῶν γυμνικῶν ἀγώνων ἀθλοθέτας, οἱ τῆς θεᾶς ἀνείρξαν γυναῖκας, ἵνα μὴ γυμνουμένοις ἀνδράσι παρατυγχάνουσαι τὸ δόκιμον αἰδοῦς νόμισμα παρακόπτωσιν ἀλογοῦσαι φύσεως θεσμῶν, οὓς ὥρισεν ἑκατέρῳ τμήματι τοῦ γένους ἡμῶν. οὐδὲ γὰρ ἄνδρας, ἀποτιθεμένων ἐσθῆτας γυναικῶν, ἐμπρεπὲς παρατυγχάνειν, ἀλλ' ἑκατέρους τὰς τῶν ἐτέρων ὄψεις ἐκτρέπεσθαι γυμνουμένων
- 177 τοῖς τῆς φύσεως βουλήμασιν ἐπομένους. εἰθ' ὧν ἡ ὄψις ἐπίληπτος, οὐ πολὺ μᾶλλον αἱ χεῖρες ὑπαίτιοι; ὀφθαλμοὶ μὲν γὰρ καὶ ἃ μὴ βουλόμεθα πολλάκις ὁρᾶν ἀπελευθεριάζοντες ἀποβιάζονται, χεῖρες δ' ἐν τῇ τῶν ὑπηκόων τάξει τεταγμέναι |
- [329] μερῶν πειθαρχοῦσαι τοῖς ἡμετέροις ἐπιτάγμασιν ὑπηρετοῦσιν.
- 178 XXXII. Ἦδε μὲν αἰτία ἥ¹ παρὰ πολλοῖς εἶωθε λέγεσθαι· ἑτέραν δὲ ἤκουσα θεσπεσίων ἀνδρῶν τὰ πλεῖστα τῶν ἐν τοῖς νόμοις ὑπολαμβανόντων εἶναι σύμβολα φανερά ἀφανῶν καὶ ῥητὰ ἄρρητων. ἦν δὲ τοιάδε· ψυχῆς, ὥσπερ ἐν ταῖς συγγενείαις, ἡ μὲν ἐστὶν ἄρρην καὶ πρὸς ἀνδρῶν, ἡ δὲ θήλεια καὶ πρὸς γυναικῶν· ἄρρην μὲν ἡ μόνῳ θεῷ προσκληροῦσα ἑαυτὴν ὡς πατρὶ καὶ ποιητῇ τῶν ὅλων καὶ πάντων αἰτίῳ, θήλεια δὲ ἡ ἐκκρεμαμένη τῶν ἐν γενέσει καὶ φθορᾷ καὶ ἀποτείνουσα καθάπερ χεῖρα τὴν δύναμιν αὐτῆς, ἵνα τυφλῶς τῶν ἐπιτυχόντων ἐφάπτηται, γένεσιν δεξιουμένη τὴν τροπαῖς ἀμυθίοις χρωμένην καὶ μεταβολαῖς, δέον τὴν ἀμετάβλητον καὶ μακαρίαν καὶ τρισευδαίμονα θείαν

¹ Perhaps omit ἡ with one ms.

^a See App. p. 640.

^b The text is allegorized in substantially the same way in

THE SPECIAL LAWS, III. 176-178

competitions also deserve praise for debarring women from the spectacle,^a in order that they may not be present, when men are stripping themselves naked, nor debase the sterling coin of modesty, by disregarding the statutes of nature which she has laid down for each section of our race. For men too cannot with propriety be present when women are taking off their clothes. Each sex should turn away from seeing the nakedness of the other and so comply with what nature has willed. Surely, then, if it is 177 reprehensible for them to use their sight, their hands are far more guilty. For the eyes often take liberties and compel us to see what we do not wish to see, but the hands are ranked among the parts which we keep in subjection, and render obedient service to our orders.

XXXII. This is the explanation commonly and 178 widely stated, but I have heard another from highly gifted men who think that most of the contents of the law-book are outward symbols of hidden truths, expressing in words what has been left unsaid. This explanation was as follows.^b There is in the soul a male and female element just as there is in families, the male corresponding to the men, the female to the women. The male soul assigns itself to God alone as the Father and Maker of the Universe and the Cause of all things. The female clings to all that is born and perishes ; it stretches out its faculties like a hand to catch blindly at what comes in its way, and gives the clasp of friendship to the world of created things with all its numberless changes and transmutations, instead of to the divine order, the immutable, the

De Som. ii. 68, 69, though the point of the "female soul" is not there brought out.

- 179 φύσιν. εικότως οὖν τὴν ἐφαψαμένην χεῖρα τῶν διδύμων ἀποκόπτειν διείρηται συμβολικῶς, οὐχ ὅπως ἀκρωτηριάζεται τὸ σῶμα στερόμενον ἀναγκαιοτάτου μέρους, ἀλλ' ὑπὲρ τοῦ τῆς ψυχῆς πάντας τοὺς ἀθέους ἐκτέμνειν λογισμοὺς ἐπιβάθρα χρωμένους ἅπασιν ὧν γένεσις ἐστὶ· δίδυμοι γὰρ σύμβολον σπορᾶς καὶ γενέσεως. ἐπόμενος δ' ἀκολουθία φύσεως καὶ ἐκείνο λέξω, ὅτι μονὰς μὲν ἐστὶν εἰκὼν αἰτίου πρώτου, δυὰς δὲ παθητῆς καὶ διαιρετῆς ὕλης· ὅς ἂν οὖν δυάδα πρὸ μονάδος τιμήσῃ καὶ δεξιώσῃται, μὴ ἀγνοεῖτω <τὴν> ὕλην ἀποδεχόμενος μᾶλλον ἢ θεόν. ἥς χάριν αἰτίας ἐδικαίωσεν ὁ νόμος ταύτην τὴν ἐπιβολὴν τῆς ψυχῆς ἀποκόπτειν οἷα χεῖρα· μεῖζον γὰρ οὐκ ἔστιν ἀσέβημα ἢ τῷ παθητῷ τὴν τοῦ δρῶντος ἀνατιθέσθαι δύναμιν.
- 181 XXXIII. Μέμφεται' ἂν τις δεόντως τοὺς ἀνόμοια τοῖς ἀδικήμασι τάττοντας ἐπιτίμια κατὰ τῶν εἰργασμένων, ζημίας χρημάτων ἐπ' αἰκίαις ἢ ἐπὶ τραύμασι καὶ πηρώσεσιν ἀτιμίας ἢ ἐπ' ἀνδροφονίαις ἐκουσίοις ἐλάσεις ὑπερορίους καὶ τὰς εἰς αἰὲν φυγὰς ἢ δεσμοὺς ἐπὶ κλοπαῖς· τὸ γὰρ ἀνώμαλον καὶ ἄνισον ἐχθρόν πολιτείας ζηλούσης τὴν ἀλήθειαν
- 182 ἰσότητος δὲ ὑψηγῆς ὁ ἡμέτερος νόμος τὰ ὅμοια κελεύων τοὺς ἀμαρτάνοντας ὑπομένειν οἷς ἔδρασαν, ἐκ τῶν οὐσιῶν, εἰς περὶ τὰς οὐσίας ἀδικοπραγῶσι τῶν πλησίον, ἐκ τῶν σωμάτων, εἰς τὰ σώματα

^a As noted on *De Som.* ii. δίδυμοι is the LXX translation of the word translated "secrets" in E.V.

^b Heinemann "in natürlichem Zusammenhang." I hardly think φύσεως can bear this meaning. I understand it of the higher truths of nature, which the allegorist (ὁ φυσικός) contemplates. See note on *De Abr.* 99, and the references there given.

blessed, the thrice happy. Naturally therefore we 179
 are commanded in a symbol to cut off the hand which
 has taken hold of the "pair,"^a not meaning that the
 body should be mutilated by the loss of a most
 essential member, but to bid us excise from the soul
 the godless thoughts which take for their basis all
 that comes into being through birth ; for the "pair"
 are a symbol of seed-sowing and birth. I will add 180
 another thought, following where the study of nature
 leads me.^b The monad is the image of the first cause,
 the dyad of matter passive and divisible. Therefore
 one who honours the dyad before the monad should
 not fail to know that he holds matter in higher esteem
 than God. It is for this reason that the law judged
 it right to cut off this tendency of the soul as if it
 were a hand, for there is no greater impiety than to
 ascribe to the passive element the power of the active
 principle.

XXXIII. The legislators deserve censure who 181
 prescribe for malefactors punishments which do
 not resemble the crime, such as monetary fines for
 assaults, disfranchisement for wounding or maiming
 another, expulsion from the country and perpetual
 banishment for wilful murder or imprisonment for
 theft.^c For inequality and unevenness is repugnant
 to the commonwealth which pursues truth. Our 182
 law exhorts us to equality^d when it ordains that the
 penalties inflicted on offenders should correspond
 to their actions, that their property should suffer
 if the wrongdoing affected their neighbour's property,
 and their bodies if the offence was a bodily injury,

^c See App. p. 640.

^d For the *ius talionis* see Ex. xxi. 24, Lev. xxiv. 19-21,
 Deut. xix. 21, and cf. Matthew v. 38.

- ἐξαμαρτάνωσι κατὰ μέρη καὶ μέλη καὶ τὰς
 [330] αἰσθήσεις· κἂν ἄχρι | μέντοι τῆς ψυχῆς ἐπιβου-
 λεύσωσιν, εἰς ψυχὴν τιμωρεῖσθαι κελεύει· ὑπο-
 μένειν γὰρ ἀνθ' ἑτέρων ἕτερα μηδεμίαν ἔχοντα
 κοινωνίαν ἀλλὰ τοῖς εἶδεσιν ἀπηρτημένα κατα-
 183 λυόντων νόμους ἐστίν, οὐ βεβαιούντων. ταυτὶ
 δέ φαμεν τῶν ἄλλων [οὐχ] ὁμοίως ἐχόντων· οὐ
 γὰρ ταῦτόν ἀλλοτρίῳ καὶ πατρὶ πληγὰς ἐμφορῆσαι
 οὐδὲ ἄρχοντα ἢ ἰδιώτην κακῶς εἰπεῖν οὐδὲ ἐργά-
 σασθαί τι τῶν μὴ ἐφειμένων ἐν βεβήλοις ἢ ἱεροῖς
 χωρίοις οὐδ' ἐν ἐορταῖς καὶ πανηγύρεσι καὶ δημο-
 τελέσι θυσίαις καὶ πάλιν ἐν ἡμέραις αἷς μηδὲν
 πρόσεστι τῶν εἰς ἐκεχειρίαν ἢ καὶ συνόλως ἀπο-
 φράσι, καὶ ὅσα ἄλλα τοιουτότροπα διερευνητέον
 εἰς συναύξησιν ἢ μείωσιν κολάσεως.
- 184 Πάλιν ἂν τις, φησίν, ὀφθαλμὸν οἰκέτου ἢ
 θεραπαίνης ἐκκόψῃ, ἐλευθέρους ἀφιέτω. διὰ τί;
 ὥσπερ τὴν τοῦ σώματος ἡγεμονίαν ἢ φύσιν ἀνῆψε
 κεφαλῇ χαρισαμένη καὶ τόπον οἰκειότατον ὡς
 βασιλεῖ τὴν ἄκραν—ἄνω γὰρ αὐτὴν ἐπ' ἀρχὴν
 παραπέμφασα ἰδρύσατο καθάπερ ἀνδριάντι βάσιν
 ὑποθεῖσα τὴν ἀπ' αὐχένος ἄχρι ποδῶν ἅπασαν
 ἀρμονίαν—, οὕτως καὶ τῶν αἰσθήσεων τὸ κράτος
 ἀνέδωκεν ὀφθαλμοῖς· ὑπεράνω γοῦν καὶ τούτοις
 ὡς ἀρχουσιν ἀπένειμεν οἴκησιν, βουλευθεῖσα μὴ

^a The translation assumes that the subject of ὑπομένειν is to be understood out of καταλυόντων κτλ. But perhaps in view of the ὑπομένειν above it may be better, though looser, to take it "that a man should suffer."

THE SPECIAL LAWS, III. 182-184

the penalty being determined according to the limb, part or sense affected, while if his malice extended to taking another's life his own life should be the forfeit. For to tolerate a system ^a in which the crime and the punishment do not correspond, have no common ground and belong to different categories, is to subvert rather than uphold legality. In saying this I ¹⁸³ assume that the other conditions are the same, for to strike a stranger is not the same as to strike a father nor the abuse of a ruler the same as abuse of an ordinary citizen. Unlawful actions differ according as they are committed in a profane or sacred place, or at festivals and solemn assemblies and public sacrifices as contrasted with days which have no holiday associations or are even quite inauspicious.^b And all other similar facts must be carefully considered with a view to making the punishment greater or less.

Again he says that if anyone knocks out the eye of ¹⁸⁴ a manservant or maidservant he must set him or her at liberty.^c Why is this? Just as nature conferred the sovereignty of the body on the head when she granted it also possession of the citadel as the most suitable position for its kingly rank, conducted it thither to take command and established it on high with the whole framework from neck to foot set below it, like the pedestal under the statue, so too she has given the lordship of the senses to the eyes. Thus to them too as rulers she has assigned a dwelling right above the others in her wish to give them

^b *i.e.* (apparently) for religious observances. This seems somewhat different from the usual meaning of the phrase which signifies days on which secular business was forbidden = "dies nefasti." See App. p. 641.

^c Ex. xxi. 26.

μόνον τοῖς ἄλλοις ἀλλὰ καὶ χωρίῳ περισημοτάτῳ
καὶ περιφανεστάτῳ τούτους γεράραι.

- 185 XXXIV. τὰς μὲν οὖν χρείας καὶ ὠφελείας, ἃς
παρέχουσι τῷ γένει ἡμῶν ὀφθαλμοί, μακρὸν ἂν
εἴη καταριθμείσθαι· μίαν δὲ τὴν ἀρίστην λεκτέον.
φιλοσοφίαν ὥμβρησε μὲν ὁ οὐρανός, ἐχώρησε δὲ ὁ
ἀνθρώπινος νοῦς, ἐξενάγησε δὲ ὄψις· πρώτη γὰρ
αὕτη κατείδε τὰς λεωφόρους ἐπ' αἰθέρος¹ ὁδούς.
186 ἀγαθῶν δέ, ὅσα πρὸς ἀλήθειαν ἀγαθά, πηγὴ
φιλοσοφία· ἥς ὁ μὲν ἀρυτόμενος εἰς κτῆσιν καὶ
χρῆσιν ἀρετῆς ἐπαινετός, ὁ δ' ἔνεκα πανουργίας
καὶ τοῦ κατασοφίσασθαι² τινα ψεκτός· ἔοικε γὰρ
ὁ μὲν ἀνδρὶ συμποτικῶ καὶ ἑαυτὸν καὶ τοὺς
συνεστιωμένους πάντας εὐφραίνοντι, ὁ δὲ τῷ τὸν
ἄκρατον εἰς παροινίαν καὶ ὕβριν ἑαυτοῦ τε καὶ τῶν
187 πλησίον ἐμφορουμένῳ. ὅτῳ δ' οὖν³ τρόπῳ φιλο-
σοφίαν ἐξενάγησεν ὄψις, ἥδη λεκτέον. ἀναβλέψασα
εἰς αἰθέρα κατείδεν ἥλιον καὶ σελήνην καὶ πλάνητας
καὶ ἀπλανεῖς ἀστέρας, τὴν ἱεροπρεπεστάτην οὐρανοῦ
στρατιάν, κόσμον ἐν κόσμῳ, εἴτ' ἀνατολὰς καὶ
δύσεις καὶ χορείας ἐμμελεῖς καὶ τεταγμέναις
188 χρόνων περιόδοις συνόδους, ἐκλείψεις, ἐπιλάμψεις,
εἴτ' αὐξήσεις καὶ μειώσεις σελήνης, ἡλίου κινήσεις
τὰς κατὰ πλάτος, ἀπὸ μὲν τῶν νοτίων ἐπὶ τὰ
βόρεια προσιόντος, ἀπὸ δὲ τῶν βορείων ἐξανα-
[331] χωροῦντος | πρὸς τὰ νότια, εἰς καιρῶν τῶν ἐτησίων

¹ MSS. ἀπ' αἰθέρος.

² MSS. καταψηφίσασθαι.

³ MSS. γοῦν.

^a See App. p. 641.

amongst other privileges the most conspicuous and distinguished situation.^a XXXIV. Now as 185 for the services and benefits which the eyes render to the human race, it would take a long time to enumerate them, but one, the best, must be mentioned. Philosophy was showered down by heaven and received by the human mind, but the guide which brought the two together was sight, for sight was the first to discern the high roads which lead to the upper air.^b Now philosophy is the fountain 186 of good things, all that are truly good, and he who draws from that spring deserves praise, if he does so for the acquisition and practice of virtue, but blame, if it is for knavish ends and to outwit another with sophistry. For in the first case he resembles the convivial man who makes himself and all his fellow-guests merry, in the second the drinker who swills himself with strong wine, only to play the sot and insult himself and his neighbours. Now let us 187 describe the way in which sight acted as guide to philosophy ; sight looked up to the ethereal region and beheld the sun and moon and the fixed and wandering stars, the host of heaven in all its sacred majesty, a world within a world ; then their risings and settings, their ordered rhythmic marchings, their conjunctions as the appointed times recur, their eclipses, their reappearances ; then the waxing and 188 waning of the moon, the courses of the sun from side to side^c as it passes from the south to the north and returns from the north to the south, thus producing

^b For this often repeated thought, originally, as has been noted before, derived from *Timaeus* 47 A, cf. i. 339 above, *De Abr.* 164 and *De Op.* 54 f. and notes.

^c Lit. "along a broad space" (?), Heinemann "ausgedehnten," Mangey "transversos (motus)."

γένεσιν, οἷς¹ τὰ πάντα τελεσφορεῖται, καὶ πρὸς
τούτοις μυρία ἄλλα θαυμάσια· καὶ περιαθρήσασα
κατὰ τε γῆν καὶ κατὰ θάλατταν καὶ ἀέρα τάδε
189 πάντα τῷ νῶ μετὰ σπουδῆς ἐπεδείξατο. ὁ δ'
ἄπερ οὐχ οἷός τ' ἦν δι' αὐτοῦ καταλαβεῖν διὰ τῆς
ὁράσεως ἰδὼν οὐκ ἐπὶ τῶν ὁραθέντων αὐτὸ μόνον
ἔστη, ἀλλ' ἄτε φιλομαθῆς καὶ φιλόκαλος, ἀγάμενος
τὴν θέαν, λογισμὸν εἰκότα ἐλάμβανεν, ὅτι ταῦτα
οὐκ ἀπαυτοματισθέντα συνέστη φοραῖς ἀλόγοις,
ἀλλὰ διανοίᾳ θεοῦ, ὃν πατέρα καὶ ποιητὴν ὀνομάζειν
θέμις, καὶ ὅτι οὐκ ἔστιν ἄπειρα, πεπέρασται δὲ
ἐνὸς κόσμου περιγραφῇ, πόλεως τρόπον τῇ τῶν
ἀπλανῶν ἐξωτάτῳ σφαίρᾳ περιλαμβανόμενα, καὶ
ὥς ὁ γεννήσας πατὴρ νόμῳ φύσεως ἐπιμελεῖται
τοῦ γενομένου, προνοούμενος καὶ τοῦ ὅλου καὶ
190 τῶν μερῶν. εἶτα προσεπεσκέψατο, τίς οὐσία τοῦ
ὁρατοῦ καὶ εἰ πάντων ἢ αὐτῇ τῶν κατὰ τὸν κόσμον
ἢ ἐτέρων ἐτέρα καὶ ἐκ τίνων ἕκαστα ἐτελέσθη, καὶ
τὰς αἰτίας δι' αἷς ἐγένετο καὶ δυνάμεις αἷς συν-
191 ἔχεται καὶ πότερον αὗται σώματα ἢ ἀσώματοι. ἢ
γὰρ περὶ τούτων καὶ τῶν παραπλησίων ἔρευνα
τί ἂν ἄλλο ἢ φιλοσοφία προσαγορεύοιτο; τί δὲ
τῷ σκοπούμενῳ ταῦτα θεῖτο ἂν τις οἰκειότερον
ὄνομα ἢ φιλόσοφον; τὸ γὰρ περὶ θεοῦ σκοπεῖν
καὶ κόσμου καὶ τῶν ἐν αὐτῷ κοινῶς ζώων τε καὶ
φυτῶν καὶ περὶ νοητῶν παραδειγμάτων καὶ πάλιν
αἰσθητῶν ἀποτελεσμάτων καὶ τῆς καθ' ἕκαστον
τῶν γεγονότων ἀρετῆς τε καὶ κακίας φιλομαθῇ

¹ MSS. ὡς.

THE SPECIAL LAWS, III. 188-191

the yearly seasons by which all things are brought to their consummation. Numberless other marvels did it behold, and after it had gazed around over earth and sea and the lower air, it made speed to shew all these things to the mind. The mind, having discerned through the faculty of sight what of itself it was not able to apprehend, did not simply stop short at what it saw, but, drawn by its love of knowledge and beauty and charmed by the marvellous spectacle, came to the reasonable conclusion that all these were not brought together automatically by unreasoning forces, but by the mind of God Who is rightly called their Father and Maker ; also that they are not unlimited but are bounded by the ambit of a single universe, walled in like a city by the outermost sphere of the fixed stars ; also that the Father Who begat them according to the law of nature takes thought for His offspring, His providence watching over both the whole and the parts. Then it went on to inquire what is the substance of the world which we see and whether its constituents are all the same in substance or do some differ from others ; what are the elements of which each particular part is composed, what are the causes which brought them into being, and what are the forces or properties which hold them together and are these forces corporeal or incorporeal. We may well ask what title we can give to research into these matters but philosophy and what more fitting name than philosopher to their investigator. For to make a study of God and the Universe embracing all that is therein, both animals and plants, and of the conceptual archetypes and also the works which they produce for sense to perceive, and of the good and evil qualities in every created thing—shews a dis-

- καὶ φιλοθεάμονα καὶ τῷ ὄντι φιλόσοφον διάθεσιν
 192 ἐμφαίνει. μέγιστον μὲν δὴ τοῦτο τῷ
 βίῳ τῶν ἀνθρώπων ἀγαθὸν ὅψις παρέχεται· δοκεῖ
 δέ μοι ταύτης ἡξιῶσθαι τῆς προνομίας, ἐπειδὴ
 τῶν ἄλλων αἰσθήσεων συγγενεστέρα ψυχῇ καθ-
 έστηκεν· ἅπασαι μὲν γὰρ τὴν πρὸς διάνοιαν
 ἔχουσιν οἰκειότητα, αὕτη δὲ καθάπερ ἐν ταῖς
 οἰκίαις τὴν ἐγγυτάτῳ γένους πρώτην καὶ ἀνωτάτῳ
 193 τάξιν εἴληχε. τεκμηριώσαιο δ' ἂν τις ἐκ πολλῶν·
 τίς γὰρ οὐκ οἶδεν, ὅτι χαιρόντων μὲν ὀφθαλμοὶ
 γανοῦνται καὶ μειδιῶσι, λυπουμένων δὲ συννοίας
 γέμουσι καὶ κατηφείας; εἰ δὲ πλεονάζοι καὶ πιέζοι
 καὶ ἀναθλίβοι τὸ ἄχθος, ἐκδακρύουσι καὶ κρα-
 τούσης μὲν ὀργῆς οἰδοῦσι καὶ ὕφαιμον καὶ
 πυρωπὸν ἐμβλέπουσιν, ἴλεων δὲ καὶ εὐμενές, εἰ
 194 χαλάσαι ὁ θυμός. καὶ ἐν μὲν τῷ λογίζεσθαι
 καὶ σκοπεῖν αἱ κόραι πεπήγασι τρόπον τινὰ συν-
 εννοοῦσαι, τῶν δὲ εὐηθεστέρων ὑπ' ἡλιθιότητος
 [332] πλάζεται καὶ ἡ ὄρασις οὐκ ἡρεμοῦσα· | καὶ συνόλως
 τοῖς τῆς ψυχῆς πάθεσι συμπάσχουσιν ὀφθαλμοὶ
 καὶ ταῖς ἀμυθήτοις τροπαῖς συμμεταβάλλειν πε-
 φύκασιν διὰ τὴν οἰκειότητα· δοκεῖ γὰρ μοι μηδὲν
 οὕτως ὁ θεὸς ἐμφανὲς ἀφανοῦς ἀπεργάσασθαι
 μίμημα ὡς ὅψιν λογισμοῦ.
- 195 XXXV. Ἐάν τις οὖν εἰς τὴν ἀρίστην καὶ ἡγε-
 μονικωτάτην τῶν αἰσθήσεων ὄρασιν ἢ ἐπιβεβου-
 λευκῶς τῷ καὶ καταφανῇ μὲν ἐλευθέρου ὀφθαλμὸν
 ἐκκόψας, τὰ αὐτὰ ἀντιπασχέτω, δούλον δὲ μή·
 οὐχ ὅτι συγγνώμης ἐστὶν ἄξιος ἢ ἔλαττον ἀδικεῖ,

^a i.e. "to the mind," regarded as the head of the family.

^b Cf. *De Abr.* 151 f.

^c Philo reads Ex. xxi. 26 as limiting the previous verse,

THE SPECIAL LAWS, III. 191-195

position which loves to learn, loves to contemplate and is truly wisdom-loving or philosophical.

This is the greatest boon which sight bestowed on 192 human life, and I think that this pre-eminence has been awarded to it because it is more closely akin to the soul than the other senses. They are all of the same family as the mind, but, just as it is with families, the place which is closest in birth^a and first and highest, is held by sight. We may find many 193 proofs of this, for who does not know that when we rejoice the eyes are bright and smiling, when we are sad they are full of anxiety and dejection, and, if the burden is magnified and presses and crushes, they break out into tears ; when anger prevails they swell and their look is bloodshot and fiery ; when the temper dies down it is gentle and kindly ; when we 194 are reflecting or inquiring the pupils are set and seem to share our thoughts, while in persons of little sense their silliness makes their vision roaming and restless. In general the emotions of the soul are shared by the eyes, and as it passes through its numberless phases they change with it, a natural consequence of their affinity.^b Indeed it seems to me that nowhere else in God's creations is the inward and invisible so well represented by the outward and visible as reason is by sight.

XXXV. If, then, anyone has maliciously injured 195 another in the best and lordliest of his senses, sight, and is proved to have struck out his eye, he must in his turn suffer the same, if the other is a free man,^c but not if he is a slave. Not that the offender deserves pardon or is less in the wrong, but because

“eye for eye, tooth for tooth . . . but (δέ) if he strikes out the eye of a slave,” etc.

- ἀλλ' ὅτι πονηροτέρῳ χρήσαιτ' ἂν ὁ πεπονθὼς ἀντιπηρωθέντι τῷ δεσπότη, μνησικακήσονται¹ τῆς συμφορᾶς τὸν αἰεὶ χρόνον καὶ ἀμυνομένῳ καθ' ἐκάστην ἡμέραν ὡς ἐχθρὸν ἄσπονδον ἀφορήτοις καὶ βαρυτέροις τῆς δυνάμεως ἐπιτάγμασιν, οἷς
 196 πιεζόμενος καὶ τὴν ψυχὴν ἀπορρήξει. προϋνόησεν οὖν ὁ νόμος τοῦ μήτε τὸν ἐπιβεβουλευκότα ἀθῶον ἀφεθῆναι μήτε τὸν πεπηρωμένον προσαδικηθῆναι κελεύσας, εἴ τις ἐκκόψειε θεράποντος ὀφθαλμόν,
 197 ἀνενδοιάστως ἐλευθερίας μεταδιδόναι.² οὕτως γὰρ ὁ μὲν ἀνθ' ὧν ἔδρασε διττὴν ἐνδέχεται³ ζημίαν, ἅμα τῇ τιμῇ καὶ τὴν ὑπηρεσίαν ἀφαιρεθεῖς, καὶ τρίτον ἐκατέρου τῶν λεχθέντων χαλεπώτερον, ἀναγκαζόμενος ἐν τοῖς μεγίστοις εὐεργετεῖν ἐχθρόν, ὃν ἴσως ἠϋχeto κακοῦν αἰεὶ δύνασθαι, ὁ δὲ ἀνθ' ὧν ὑπέμεινε παρηγορίαν ἔξει διπλὴν, οὐ μόνον ἐλευθερωθεῖς ἀλλὰ καὶ ἀργαλέον καὶ ὠμὸν δεσπότην ἐκφυγών.
- 198 XXXVI. Προστάττει δὲ καὶ εἴ τις ὁδόντα θεράποντος ἐκκόψειεν, ἐλευθερίαν χαρίζεσθαι τῷ θεράποντι. διὰ τί; ὅτι ζωὴ μὲν τίμιον, ὄργανα δὲ ζωῆς ἐτεκτῆνατο ἢ φύσις ὁδόντας, οἷς τὴν τροφὴν οἰκονομεῖσθαι συμβέβηκεν. ὁδόντες δὲ οἱ μὲν εἰσι τομίαι τῷ τέμνειν σιτία καὶ ὅσα ἄλλα ἐδώδιμα,⁴ διὰ τοῦτο ταύτης τῆς προσηγορίας

¹ MSS. μνησικακήσαντι.

² MSS. μεταδιδότω or μεταδιδῶ.

³ MSS. ἐνδείχεται or ἐνδέχεται et alia.

⁴ The construction is somewhat difficult, as εἰσι τῷ τέμνειν = "are for the purpose of cutting" is hardly Greek. Heine- mann and Cohn (doubtfully) suggest omitting διὰ τοῦτο with F. In this case it would be almost necessary to omit ταύτης also. If the text is kept, perhaps understand τροφὴν οἰκο- νομοῦντες from the sentence before.

THE SPECIAL LAWS, III. 195-198

if the master is mutilated as a punishment the injured slave will find him worse than before. He will harbour a perpetual grudge for his misfortune and avenge himself on one whom he regards as a mortal enemy by setting him every day to tasks of an intolerable kind and beyond his powers to cope with, the oppressive weight of which will break his spirit also. The law, therefore, provided 196 on the one hand that a master should not go unpunished for his malicious assault and on the other that the servant should not suffer further wrong in addition to the loss of his eye. It effected this by enacting that if anyone struck out his servant's eye he should without hesitation grant him his liberty, for 197 in this way the master will incur a double penalty ; he will lose the value of the slave as well as his services, and a third affliction more severe than either of these two is that he will be forced to confer a benefit that touches his highest interest on an enemy whom he probably hoped to be able to maltreat indefinitely. The servant will receive a double solatium for his suffering ; he is not only set at liberty but has escaped from a harsh and cruel master.

XXXVI. A further command is that if anyone 198 strikes out a servant's tooth he must grant him his liberty.^a Why is this ? Because life is precious and the means contrived by nature for the preservation of life are teeth by which the food is subjected to the processes necessary for dealing with it. Now the teeth are divided into the cutters and the grinders ; the former do their part by cutting or biting the bread-stuffs and all other comestibles, whence their appropriate name of cutters, the latter by their

^a Ex. xxi. 27.

- ἀξιοθέντες, οἱ δὲ μύλαι τῷ τὰ διατμηθέντα εἰς
 199 μείονα λεαίνειν δύνασθαι. παρ' ἣν αἰτίαν
 ὁ ποιητῆς καὶ πατὴρ οὐδὲν εἰωθὼς δημιουργεῖν,
 ὁ μὴ πρὸς τινι τέτακται χρεία, τοὺς ὀδόντας οὐχ
 ὥσπερ τῶν ἄλλων μερῶν ἕκαστον κατὰ τὴν πρώτην
 γένεσιν εὐθὺς εἰργάζετο, διανοηθεὶς ὅτι βρέφει μὲν
 γαλακτοτροφεῖσθαι μέλλοντι περιττὸν ἄχθος γενή-
 σονται, μαστοῖς δὲ πηγάζουσιν, οἷς ἄρδεται ἡ
 τροφή, χαλεπὴ ζημία κατὰ τὴν ὁλκὴν τοῦ γάλακτος
 200 ὀδαξωμένοις. τὸν ἐπιτήδειον οὖν καιρὸν προ-
 ἰδόμενος—ἔστι δ' οὗτος, ἡνίκα τὸ βρέφος ἀπότιτθον
 γίνεται—τὴν ἔκφυσιν τῶν ὀδόντων, ἣν ἐταμιεύ-
 σατο πρότερον, ἀνέφηνεν * * *¹ ἤδη τῆς τε-
 λειοτέρας ἀνέχεσθαι τροφῆς ὀργάνων ὦν εἶπον
 δεομένης τὴν διὰ τοῦ γάλακτος ἀποστρεφόμενον.
 201 Ἐὰν οὖν τις εἰζας ἀλαζονείᾳ | θεραπείντος ὀδόντα
 [333] ἐκκόψῃ τὸν ὑπὸν ὑπὸν καὶ ὑποδιάκονον τῶν ἀναγ-
 καιοτάτων, τροφῆς τε καὶ ζωῆς, ἐλευθερούτω τὸν
 ἀδικηθέντα, στερόμενος καὶ αὐτὸς τῆς ἐκ τοῦ
 πεπονθότος λατρείας τε καὶ ὑπηρεσίας. ἰσότημον
 202 οὖν, φήσιν² τις, ὁδοὺς ὀφθαλμῶ; πρὸς ᾧ γέγονεν
 ἐκάτερον, εἴποιμι' ἄν, ἰσότημον, πρὸς μὲν τὰ ὁρατὰ
 ὀφθαλμός, πρὸς δὲ τὰ ἐδώδιμα ὁδοὺς. εἰ δὲ καὶ
 συγκρίναί τις ἐβελήσῃ, σεμνότατον μὲν εὐρήσει
 τῶν ἐν σώματι μερῶν ὀφθαλμὸν ἅτε θεωρὸν ὄντα
 τοῦ σεμνοτάτου τῶν κατὰ τὸν κόσμον, οὐρανοῦ,
 χρήσιμον δὲ ὀδόντα ὡς ἂν τροφῆς, τοῦ χρησιμω-

¹ Something is wanted to complete the construction. Cohn inserts ὅτε δύναται. I suggest ἐνόν (impersonal participle) as more easily lost after ἀπέφηνεν.

² MSS. φησί.

THE SPECIAL LAWS, III. 198-202

capacity for reducing the bitten pieces into smaller particles. This is the reason why the 199
Maker and Father, Whose way is to frame nothing that does not serve some purpose, did not make the teeth straight away at birth like each of the other parts. He bore in mind that they would be a superfluous burden to the infant who would be fed on milk, and would also bring serious trouble to the breasts, the fountain through which the liquid sustenance flows, as they would be galled during the suction of the milk. He 200
looked forward, therefore, to the proper time, that is, to when the infant is weaned from the breast, and brought out that supplementary growth of teeth, which He hitherto kept in storage, only when the infant would refuse to take food in the form of milk and could bear the more mature kind which requires the instruments which I have mentioned.

If, then, anyone gives way to insolent presumption 201
and strikes out his servant's tooth which ministers obediently to his most essential needs, sustenance and survival, he must set at liberty the victim of his injustice and suffer himself the loss of the services and ministries of the injured party.^a Is a tooth then, I shall be asked, of the same value as an eye? They 202
are both, I should reply, of the same value for the purposes for which they were made, the eye being made for what is visible, the tooth for what is edible. And if anyone cares to compare these, he will find that the eye is the noblest of the body's members because it contemplates the heaven which is the noblest part of the universe, while the tooth is useful as the operator

^a Thus the *ius talionis* is preserved, as both lose a servant.

PHILO

- τάτου πρὸς τὸ ζῆν, ἐργάτην· καὶ ὁ μὲν τὰς ὄψεις ἀποβαλὼν οὐ κεκώλυται βιοῦν, τῷ δὲ ἐκκοπέντι
 203 τοὺς ὀδόντας ἐφεδρεύει θάνατος οἰκτιστος. εἰ δὴ τις ἐπιβουλεύει περὶ τὰ μέρη ταῦτα τοῖς οἰκέταις, μὴ ἀγνοεῖτω λιμὸν ἐν εὐθηνία καὶ εὐετηρία κατασκευάζων τούτοις χειροποίητον· τί γὰρ ὄφελος ἀφθονίαν μὲν εἶναι τροφῶν, τὰ δὲ πρὸς τὴν διοίκησιν αὐτῶν ὄργανα σεσυλῆσθαι καὶ ἀποβεβληκῆναι χαλεπῶν ἔνεκα καὶ ἀμειλίκτων καὶ ὠμοθύμων
 204 δεσποτῶν; διὰ τοῦτο καὶ ἐτέρωθι παρὰ χρεωστῶν ἀπαγορεύει δανεισταῖς μύλον ἢ ἐπιμύλιον ῥύσιον αἰτεῖν, ἐπειπὼν ὅτι ὁ τοῦτο δρῶν ψυχὴν ἐνεχυριάζει· ὁ γὰρ τὰ τοῦ ζῆν ὄργανα ἀφαιρούμενος ἐπ' ἀνδροφονίαν ἵεται, μέχρι καὶ ψυχῆς ἐπιβουλεύειν διανοηθείς.
- 205 Τοσαύτην δὲ πρόνοιαν ἐποιήσατο τοῦ μηδένα παραίτιόν τινι γενέσθαι θανάτου, ὥς καὶ τοὺς προσαψαμένους νεκροῦ σώματος, ὃ τελευτήν ἐνδέδεκται τὴν κατὰ φύσιν, οὔεται δεῖν μὴ εὐθὺς¹ εἶναι καθαρούς, μέχρις ἂν περιρρανάμενοι καὶ ἀπολουσάμενοι καθαρθῶσιν. εἰς μέντοι τὸ ἱερὸν οὐδὲ τοῖς σφόδρα καθαροῖς ἐφῆκεν εἰσιέναι ἐντὸς ἡμερῶν

¹ Cohn, while retaining εὐθὺς, adds *excludendum videtur*. See note c.

^a Deut. xxiv. 6. See App. p. 641.

^b Numbers xix. 11 ff. Philo here, in concluding the treatise, leaves the discussion of acts of violence and recurs to murder in the proper sense. The argument in the next three sections is exactly similar to that of § 63, viz. that if a thing when

THE SPECIAL LAWS, III. 202-205

of what is most useful for maintaining life, namely food. Also anyone who has lost his sight is not thereby prevented from living, but one who has had his teeth struck out has only a most miserable death awaiting him. So if anyone takes steps to injure his servants in this part of their bodies he must recognize that the effect of his act upon them is a famine artificially created in the midst of abundance and plenty. For what use have they for a generous supply of food if they have been robbed of the instruments needed for dealing effectively with it, lost to them through the actions of hard, cruel and merciless masters? And therefore elsewhere the lawgiver forbids creditors to demand that their debtors should give their mill or upper millstone as a surety, and he adds that anyone who does so takes the life to pledge.^a For one who deprives another of the instruments needed to preserve existence is well on the way to murder, since his hostile intentions extend to attacking life itself.

^b So careful was the lawgiver to guard against anyone helping to bring about the death of another that he considers that even those who have touched the corpse of one who has met a natural death must remain unclean^c until they have been purified by aspersions and ablutions. Indeed he did not permit even the fully cleansed to enter the temple within

caused naturally and innocently produces defilement, how much more defiling must it be if caused in a sinful way!

^c If *εὐθὺς* is retained in its present position, it should mean they are not straight away (*i.e.* necessarily) clean, as might be expected since what they have done is natural and innocent. This is very strained. The sense to be expected is that they are *ipso facto* unclean, but this would be rather *εὐθὺς μὴ*. To omit the word would certainly simplify the sense.

ἐπτά, τρίτη καὶ ἑβδόμη κελεύσας ἀφαγνίζεσθαι.
 206 ἔτι μέντοι καὶ τοῖς εἰσιούσιν εἰς οἰκίαν, ἐν ᾗ
 τετελεύτηκέ τις, προστάττει μηδενὸς ἄπτεσθαι,
 μέχρις ἂν ἀπολούσωνται καὶ τὰς ἐσθῆτας αἷς
 ἀμπίσχοντο προσαποπλύναντες· σκευή δὲ καὶ
 ἔπιπλα καὶ ὅσα ἄλλα ἔνδον εἶναι συμβέβηκε πάνθ'
 207 ὥς ἔπος εἰπεῖν ἀκάθαρτα ἡγεῖται. ψυχὴ γὰρ ἀν-
 θρώπου τίμιον, ἥς μετανισταμένης καὶ μετοικι-
 ζομένης τὰ ἀπολειφθησόμενα πάντα μαινεται
 στερόμενα θείας εἰκόνος, ἐπειδὴ θεοειδῆς ὁ
 ἀνθρώπινος νοῦς πρὸς ἀρχέτυπον ἰδέαν, τὸν ἀνω-
 208 τάτω λόγον, τυπωθεῖς. ἔστω δέ, φησίν,
 ἀκάθαρτα καὶ τὰ ἄλλα ὧν ἂν ὁ ἀκάθαρτος
 προσάψηται, μετουσίᾳ τοῦ μὴ καθαροῦ μαινόμενα.
 καθολικωτέραν δ' ἀπόφασιν ὁ χρησμὸς οὗτος ἔοικέ
 πως δηλοῦν, οὐκ ἐπὶ σώματος αὐτὸ μόνον ἰστά-
 μενος, ἀλλὰ ἦθη καὶ τρόπους προσδιερευνώμενος
 209 ψυχῆς. ἀκάθαρτος γὰρ κυρίως ὁ ἄδικος καὶ
 [334] ἀσεβής, ὅτω μήτε τῶν ἀνθρωπίνων μήτε | τῶν
 θείων αἰδώς τις εἰσέρχεται, πάντα φύρων καὶ
 συγγέων διὰ τε τὰς ἀμετρίας τῶν παθῶν καὶ τὰς
 τῶν κακιῶν ὑπερβολάς, ὥστε ὧν ἂν ἐφάψηται
 πραγμάτων πάντ' ἐστὶν ἐπίληπτα τῇ τοῦ δρώντος

^a Philo's account differs from Numbers in that he implies that, except to get admission to the temple, a purification at 604

THE SPECIAL LAWS, III. 206-209

seven days and ordered them to purge themselves on the third and seventh.^a Further too, those who 206 enter a house in which anyone has died are ordered not to touch anything until they have bathed themselves and also washed the clothes which they were wearing.^b And all the vessels and articles of furniture, and anything else that happens to be inside, practically everything is held by him to be unclean.^c For a man's soul is a precious thing, and when it 207 departs to seek another home, all that will be left behind is defiled, deprived as it is of the divine image. For it is the mind of man which has the form of God, being shaped in conformity with the ideal archetype, the Word that is above all.

Everything else too, he says, that the unclean person 208 touches must be unclean, being defiled by its participation in the uncleanness.^d This pronouncement may be thought to include a more far-reaching veto, not merely stopping short with the body but extending its inquiry to matters of temperament and characteristics of soul. For the unjust and impious 209 man is in the truest sense unclean. No thought of respect for things human or divine ever enters his mind. He puts everything into chaos and confusion, so inordinate are his passions and so prodigious his vices, and thus every deed to which he sets his hand is reprehensible, changing in conformity with

the time is enough, and the man is then "fully cleansed." In Numbers everyone who touches the corpse is impure for seven days and requires the purging on the third and seventh. The exclusion from the temple only appears (*vv.* 13 and 20), in the words "whosoever . . . purifieth not himself defileth the tabernacle of the Lord."

^b *Ibid.* v. 14: "washing the clothes," v. 19.

^c *Ibid.* v. 15.

^d *Ibid.* v. 22.

PHILO

συμμεταβάλλοντα μοχθηρία· καὶ γὰρ κατὰ τοῦ-
ναντίον αἱ πράξεις τῶν ἀγαθῶν ἐπαινεταί, βελ-
τιούμεναι ταῖς τῶν ἐνεργούντων ἀρεταῖς, ἐπειδὴ
πέφυκέ πως τὰ γινόμενα τοῖς δρῶσιν ἐξομοιοῦσθαι.

^a These last two sections are not really germane to the sub-

THE SPECIAL LAWS, III. 209

the worthlessness of the doer. For conversely all the doings of the good are laudable, gaining merit through the virtues of the agents in accordance with the general law that the results of actions assimilate themselves to the actors.^a

ject. The point is introduced because of the spiritual lesson which can be drawn from it.

ΠΕΡΙ ΤΩΝ ΕΝ ΜΕΡΕΙ ΔΙΑΤΑΓΜΑΤΩΝ

ΠΕΡΙ ΤΩΝ ΑΝΑΦΕΡΟΜΕΝΩΝ ΕΝ ΕΙΔΕΙ
ΝΟΜΩΝ ΕΙΣ ΤΡΙΑ ΓΕΝΗ ΤΩΝ ΔΕΚΑ
ΛΟΓΙΩΝ, ΤΟ ΟΓΔΟΟΝ ΚΑΙ ΤΟ ΕΝΑΤΟΝ
ΚΑΙ ΤΟ ΔΕΚΑΤΟΝ, ΤΟ ΠΕΡΙ ΤΟΥ ΜΗ
ΚΛΕΠΤΕΙΝ ΚΑΙ <ΜΗ> ΨΕΥΔΟΜΑΡΤΥ-
ΡΕΙΝ ΚΑΙ ΜΗ ΕΠΙΘΥΜΕΙΝ, ΚΑΙ ΠΕΡΙ
ΤΩΝ ΕΙΣ ΕΚΑΣΤΟΝ ΑΝΑΦΕΡΟΜΕΝΩΝ,
ΚΑΙ ΠΕΡΙ ΔΙΚΑΙΟΣΥΝΗΣ, Η ΠΑΣΙ ΤΟΙΣ
ΔΕΚΑ ΛΟΓΙΟΙΣ ΕΦΑΡΜΟΖΕΙ, Ο ΕΣΤΙ
ΤΗΣ ΟΛΗΣ ΣΥΝΤΑΞΕΩΣ <ΤΕΛΟΣ>

- 1 I. Τὰ μὲν ἐπὶ μοιχείᾳ καὶ ἀνδροφονίᾳ καὶ ὅσα
[335] | ἐκατέρα τούτων ὑποστέλλει νόμιμα μετὰ πάσης
ἀκριβείας, ὥς γε ἑμαυτὸν πείθω, λέλεκται πρό-
τερον. τὸ δ' ἐπόμενον τῇ τάξει συνεπισκεπτέον, ὃ
τι τρίτον μὲν ἐστὶ τῶν ἐπὶ τῇ δευτέρᾳ στήλῃ, τῶν
δ' ἐν ἀμφοτέραις ὀγδοον, περὶ τοῦ μὴ κλέπτειν.
2 ὃς ἂν ἄγῃ ἢ φέρῃ τὰ ἑτέρου, μὴ δέον, ἐὰν μὲν βία
καὶ φανερώς τοῦτο ποιῇ, κοινὸς ἀναγραφέσθω
[336] πολέμιος, | [γεγράφθω] παρανομία συνυφαίνων

^a See App. p. 425.

^b In the phrase ἄγειν καὶ φέρειν, ἄγειν, according to the

THE SPECIAL LAWS

BOOK IV

THE SPECIAL LAWS WHICH FALL UNDER THREE OF THE TEN COMMANDMENTS, THE EIGHTH AGAINST STEALING, THE NINTH AGAINST BEARING FALSE WITNESS, THE TENTH AGAINST COVETOUSNESS, AND ON LAWS WHICH FALL UNDER EACH, AND ON JUSTICE WHICH IS PROPER TO ALL TEN, WHICH CONCLUDES THE WHOLE TREATISE.^a

I. The laws directed against adultery and murder 1 and the offences which fall under either head have been already discussed with all possible fullness as I venture to think. But we must also examine the one which follows next in order, the third in the second table or eighth in the two taken together, which forbids stealing. Anyone who carries off 2 any kind of property ^b belonging to another and to which he has no right must be written down as a public enemy,^c if he does so openly and with violence, because he combines shameless effrontery with

lexicon, applies properly to animals, *φέρειν* to other property. But the phrase seems to have become almost proverbial to cover any kind of misappropriation.

^c For the kind of punishment which this term implies see § 23.

PHILO

ἀναίσχυντον θράσος, ἐὰν δὲ κρύφα, λανθάνειν ἐπιχειρῶν φωρὸς τρόπον, αἰδῶ προκάλυμμα ποιούμενος τῶν ἁμαρτημάτων [τὸ σκότος],¹ ἰδίᾳ κολαζέσθω μόνον ὧν ὑπόδικος ὧν ἐπεχείρησε βλάπτειν καὶ κατατιθέτω διπλοῦν τὸ φῶριον, ἄδικον ὠφέλειαν
 3 ἐξιώμενος βλάβῃ δικαιοτάτῃ. ἐὰν δὲ ἄπορος ὧν ἐκτίνειν ἀδυνατῇ τό γε ἐπιτίμιον, πιπρασκέσθω—θέμις γὰρ ἐλευθερίας στέρεσθαι τὸν ὑπομείναντα κέρδους παρανομωτάτου δοῦλον εἶναι—, ἵνα μὴδ' ὁ πεπονθὼς κακῶς ἀπαρηγόρητος ἀφελθεῖς διὰ τὴν τοῦ κεκλοφότος ἀχρηματίαν ὀλιγωρεῖ-
 4 σθαι δοκῇ. ἀλλὰ μὴδεις ἀπανθρωπίαν καταγνώτω τοῦ διατάγματος· ὁ γὰρ πρᾶθεις οὐκ εἰς ἅπαν ἔαται δοῦλος, ἀλλ' ἐντὸς ἑπταετίας ἀπαλλάττεται κοινῶ

¹ So Heinemann. Mangey <καὶ> τὸ σκότος. Cohn <δι'> αἰδῶ. As the thief does not necessarily steal in the dark, τὸ σκότος is absurd, and the insertion may be easily accounted for from § 7. As it is here printed, the phrase, as Heinemann points out, is exactly the same as *Spec. Leg.* iii. 54, of the guilty wife who confesses her sin and thus avoids the culminating guilt of ἀναισχυντία.

^a Philo could hardly have justified this from Ex. xxii., unless perhaps he argues that the permission to kill the housebreaker shows that the law took a severer view of violence. For analogies in Roman and other law see App. p. 425.

^b This I think must be the meaning, though it gives the phrase a somewhat different sense from what it bears in § 7. Heinemann has merely "veils his crime in shame"; Good-enough "making a veil of shame for his sin."

THE SPECIAL LAWS, IV. 2-4

defiance of the law.^a But if he does it secretly and tries to avoid observation like a thief, since his ashamedness serves to palliate his misdeeds,^b he must be punished in his private capacity, and, as he is liable only for the damage which he has attempted to work, he must repay the stolen goods twofold^c and thus by the damage which he most justly suffers make full amends for the injustice of his gains. If his lack of means makes³ the payment of this penalty impossible he must be sold,^d since it is only right that one who has allowed himself to become a slave to profit-making of an utterly lawless kind should be deprived of his liberty. And in this way the injured party also will not be turned away without a solatium or seem to have his interest neglected through the impecuniosity of the thief. No one should denounce this sentence as⁴ inhuman, for the person sold is not left a slave for all time but he is released at or before the seventh year^e under the general proclamation as I have shown

^c Ex. xxii. 4. LXX "if the thing stolen be left and found in his hand, from an ass to a sheep alive, he shall repay them double." Philo's generalization is supported by v. 7, where it says of goods stolen from a neighbour to whom they have been given to keep "if the thief is found, he shall repay double." So also v. 9. See also App. p. 425.

^d Ex. xxii. 3, though this properly applies to the house-breaker.

^e Heinemann translates "at the beginning of the seventh year," which will make better sense if *ἐντός* can mean this. I have understood it to mean that he is to be released at the sabbatical year, whether he has served a full six or not. But this involves a contradiction of Ex. xxi. 2, and of Philo's own statement in *Spec. Leg.* ii, 122, where liberation independent of the time served only applies to the Jubile, not to the sabbatical year.

- κηρύγματι, καθάπερ ἐν τοῖς περὶ ἑβδομάης¹ ἐδήλωσα.
- 5 καὶ ἀγαπάτω διπλοῦν ἐκτίνων τὸ φώριον
 ἢ καὶ πιπρασκόμενος, ἀδικῶν οὐκ ὀλίγα· πρῶτον μὲν
 ὅτι τοῖς οὖσιν οὐκ ἀρκούμενος περιττοτέρων ὀρέγεται,
 πλεονεξίαν, ἐπίβουλον καὶ δυσίατον πάθος, ἐπιτει-
 χίζων· δεύτερον δ' ὅτι τοῖς ἀλλοτρίοις προσοφθαλ-
 μιῶν καὶ ἐπικεχηνῶς τὰς ἐπὶ νοσφισμῷ πάγας
 τίθεται, τοὺς κυρίους ὧν ἔχουσιν ἀφαιρούμενος·
 τρίτον δ' ὅτι καὶ λανθάνειν ἐπιτηδεύων τὰς² μὲν ἐκ
 τοῦ πράγματος ὠφελείας μόνος ἔστιν ὅτε καρποῦ-
 ται, τὰ δ' ἐγκλήματα τρέπει πρὸς τοὺς ἀναιτίους,
 τυφλὴν ἀπεργαζόμενος τὴν ἔρευναν τῆς ἀληθείας.
- 6 ἔοικε δέ πως καὶ αὐτὸς ἑαυτοῦ κατηγορεῖν, ὑπὸ
 τοῦ συνειδότος ἐλεγχόμενος ἐν οἷς ὑφαιρεῖται λάθρα,
 πάντως αἰσχυρόμενος ἢ εὐλαβούμενος, ὧν τὸ μὲν
 ἔστι σημεῖον τοῦ τὴν πράξιν αἰσχυρὰν ὑπειληφέναι
 —τὰ γὰρ αἰσχυρὰ αἰσχύνην ἐπιφέρει—τὸ δὲ τοῦ
 κολάσεως ἄξιον νομίζεσθαι, δέος γὰρ ἐμποιοῦσιν
 αἱ κολάσεις.
- 7 II. Ἐάν τις ἔρωτι τῶν ἀλλοτρίων ἐπιμανεὶς
 κλέπτειν ἐπιχειρῇ καὶ μὴ δυνάμενος εὐπετῶς ὑφαι-
 ρεῖσθαι τοιχωρυχῇ νύκτωρ, προκαλύμμα ποιού-
 μενος ὧν ἀδικεῖ τὸ σκότος, ἀλοὺς μὲν ἐπ'
 αὐτοφώρῳ, πρὶν ἥλιον ἀνίσχειν, ἐν αὐτῷ τῷ δι-
 ορύγματι πρὸς τοῦ δεσπότης οἰκίας ἀναιρείσθω,

¹ So Mangey and Cohn for mss. ἑβδομάδος. But see note on *De Dec.* 158 (vol. vii. p. 613) on the interchange of the two words.

² mss. ἐπιτηδεύοντας.

THE SPECIAL LAWS, IV. 5-7

in the treatise on the seventh day.^a Nor 5
need he complain because he has to repay twice
the value of the stolen goods, or even if he
is sold. For he is guilty in several ways. First
because dissatisfied with what he has he desires a
greater abundance and thus fortifies the malignant
and well-nigh deadly passion of coveteousness.
Secondly because it is the property of others which
he eyes so avidly and sets his snares to secure for
himself and deprive the owners of their possession.
Thirdly because the concealment which he also
practises, while it secures him the profits of the
business often for his sole enjoyment, leads him
to divert the charge in each case to innocent persons
and so blindfold the quest for the truth. It would 6
seem too that he is his own accuser, since his con-
science convicts him when he filches in this stealthy
way, for he must be actuated by shame or fear.
Shame is a sign that he feels his conduct to be dis-
graceful, for only disgraceful actions are followed
by shame. Fear would show that he considers
himself to deserve punishment, for it is the thought
of punishment which produces terror.

II. If anyone crazed with a passion for other 7
people's property sets himself to take it by theft
and, because he cannot easily manage it by stealth,
breaks into a house during the night, using the
darkness to cloak his criminal doings, he may, if
caught in the act before sunrise, be slain by the
householder in the very place where he has broken

^a See *Spec. Leg.* ii. 122. The general proclamation appar-
ently refers to that mentioned in Lev. xxv. 10, though that
also applies only to the year of Jubile, and not to the ordinary
sabbatical year. But see App. p. 426.

[337] τὸ μὲν προηγούμενον | ἔργον ἔλαττον ἐξεργαζόμενος, κλοπὴν, τὸ δ' ἐπόμενον μεῖζον, ἀνδροφονίαν, <διανοούμενος, εἰ> διακωλύοι τις, ὀρυκτῆρσιν οἷς ἐπιφέρεται σιδηροῖς καὶ ἐτέροις ὅπλοις ἀμύνεσθαι παρεσκευασμένος· εἰ δ' ἥλιος ἀνάσχοι, μηκέθ' ὁμοίως αὐτοχειρίᾳ κτεινέσθω, πρὸς δὲ τοὺς ἄρχοντας καὶ δικαστὰς ἀγέσθω δώσων δίκας, ἃς ἂν
 8 ἐπικελεύωσιν οὗτοι. νύκτωρ μὲν <γὰρ> οἴκοι διατριβόντων καὶ τετραμμένων πρὸς ἀνάπαυλαν ἀρχόντων ὁμοῦ καὶ ἰδιωτῶν, οὐδεμία τῷ πλημμελουμένῳ καταφυγὴ πρὸς βοήθειαν, ὅθεν αὐτὸς ἔστω κύριος τῆς τιμωρίας, ὑπὸ τοῦ καιροῦ κατα-
 9 σταθεὶς ἄρχων καὶ δικαστής. μεθ' ἡμέραν μέντοι ἀναπέπταται δικαστήρια καὶ βουλευτήρια, ἐπλήθυνε δὲ τῶν συλληψομένων ἢ πόλις, ὧν οἱ μὲν φύλακες τῶν νόμων κεχειροτόνηνται, οἱ δ' ἄνευ χειροτονίας μισοπονήρῳ πάθει τὴν ὑπὲρ τῶν ἡδίκημένων αὐτοκέλευστοι τάξιν αἰροῦνται· πρὸς οὓς τὸν κλέπτην ἀκτέον· οὕτως γὰρ τὰς ἐπ' αὐθαδεῖα καὶ προπετεῖα φεύγων αἰτίας δημοκρατικώτερον αὐτῷ
 10 δόξει βοηθεῖν. ἐὰν ὑπὲρ γῆν ὄντος ἡλίου τὸν φῶρά τις αὐτοχειρίᾳ κτείνῃ πρὸ δίκης, ἔνοχος ἔστω, θυμὸν λογισμοῦ προτιμήσας καὶ τοὺς νόμους τῆς ἰδίας ἐπιθυμίας ἐν ὑστέρῳ θείς. μὴ γάρ, ἐπειδὴ νύκτωρ ἡδίκησαι, φαίην ἂν, ὦ οὗτος, ὑπὸ κλέπτου,

^a Or "in the very act of breaking in." See Ex. xxii. 2, where the LXX has, as here, ἐὰν ἐν τῷ διόρυγματι εὕρεθῇ (E.V. "found breaking in"). Josephus, *Ant.* iv. 271, has καὶ ἡ πρὸς διόρυγματι τειχίου and understands it to mean "even though he has got no farther than the breach." So possibly also Philo by his αὐτῷ. On the exact meaning of διόρυγμα and illustrations of the law on this point see App. p. 426.

THE SPECIAL LAWS, IV. 7-10

in.^a Though actually engaged on the primary but minor crime of theft he is intending the major though secondary crime of murder, since he is prepared if prevented by anyone to defend himself with the iron burglar's tools which he carries and other weapons. But if the sun has risen the case is different; he must not be killed off hand^b but taken before magistrates and judges to pay such penalties as they prescribe. For in the night time when 8 rulers and ordinary citizens alike are settled down at home and retiring to rest, the aggrieved person cannot seek out any one to succour him, and therefore he must take the punishment into his own hands, as the occasion appoints him to be magistrate and judge. In the day time however law courts 9 and council chambers stand wide open and there are plenty of people to help him in the city, some of them elected to maintain the laws, others who without such election are so moved by their hatred of evil that they need none to bid them to take the rôle of championing the injured. Before these must the thief be brought, for in this way the owner will escape the charges of wilfulness and recklessness and show that he protects himself in the spirit of true democracy. And if the sun is above the 10 horizon he must be held guilty if he anticipates justice by killing him off hand. He has preferred angry passion to reason and subordinated the law to his personal desire for vengeance. "My friend," I would say to him, "do not because you have been

^b Or "with his own hand," which is the only meaning admitted by the lexicon, but see note on *Spec. Leg.* iii. 91, where the meaning of "offhand" or "on the spot" seems required by the sense.

διὰ τοῦτο μεθ' ἡμέραν κλοπὴν αὐτὸς ἀπεργάζου χαλεπωτέραν, οὐ τὴν ἐν χρήμασιν, ἀλλὰ τὴν ἐν τοῖς δικαίοις, καθ' ἃ συμβαίνει τὴν πολιτείαν διατετάχθαι.

- 11 III. Τὰ μὲν οὖν ἄλλα φώρια τετίμηται διπλῇ καταθέσει. βοῦν δὲ ἢ πρόβατον εἴ τις ὑφέλοιτο, μείζονος ἡξίωσε δίκης προνομίαν διδοὺς ζώοις, ἃ καλλιστεύει τῶν ἐν ταῖς ἡμέροις ἀγέλαις οὐ μόνον εὐμορφία σώματος ἀλλὰ καὶ ταῖς περὶ τὸν ἀνθρώπινον βίον ὠφελείαις. ἥς χάριν αἰτίας οὐδ' ἐπ' ἀμφοῖν τὴν ποσότητα τῶν ἐπιτιμιῶν ἴσην ὥρισεν, ἀλλὰ τὰς χρείας διαριθμησάμενος, ἃς ἐκάτερον παρέχεται τῶν εἰρημένων, ἀνάλογον καὶ τὴν ἔκτισιν
- 12 ἐνομοθέτησε. κελεύει γὰρ τέτταρα μὲν πρόβατα ἀποτίνειν βοῦς δὲ πέντε τὸν κλέπτην ἀνθ' ἑνὸς τοῦ ὑφαιρεθέντος, ἐπειδὴ πρόβατον μὲν φέρει δασμοὺς τέτταρας, γάλα καὶ τυρὸν καὶ ἔρια καὶ ἐτησίους ἄρνας, ὁ δὲ βοῦς πέντε, τρεῖς μὲν τοὺς αὐτοὺς ἐν γάλακτι καὶ τυρῷ καὶ γεννήμασι, δύο δ' ἐξαιρέτους, ἄροτον γῆς καὶ ἀλοητόν, ὧν ὁ μὲν ἐστὶν ἀρχὴ
- [338] σπορᾶς καρπῶν, | ὁ δὲ τέλος εἰς κάθαρσιν τῶν συγκομισθέντων πρὸς ἐτοιμοτέραν τροφῆς χρήσιν.
- 13 IV. Κλέπτῃς δὲ τίς ἐστι καὶ ὁ ἀνδραποδιστής, ἀλλὰ τοῦ πάντων ἀρίστου, ὅσα ἐπὶ γῆς εἶναι συμβέβηκεν. τὰ μὲν οὖν ἄψυχα καὶ τῶν ζώων ἃ μὴ μεγάλας ὠφελείας παρέχεται τῷ βίῳ διπλᾷ προσ-

^a Ex. xxii. 1. Philo, as also Jos. *Ant.* iv. 272, ignores the fact that the additional payment only applies if the animal has been killed or sold.

^b For the supposed connexion of this explanation with Stoic doctrine see App. p. 426.

THE SPECIAL LAWS, IV. 10-13

wronged by a thief in the night time commit in daylight a more grievous theft, in which the spoil is not money but the principles of justice, on which the ordering of the commonwealth is based."

III. Other stolen goods then are to be paid for ¹¹ at twice their value, but if the thief has taken a sheep or an ox the law estimates them worthy of a larger penalty, thus giving precedence to the animals which excel all the other domesticated kinds not only in comeliness of body but in the benefits they bring to human life.^a This was the reason why he made a difference even between the two just named in the amount of the penalty to be paid. He reckoned up the services which each of them renders and ordained that the compensation should correspond thereto. The thief has ¹² to pay four sheep but five oxen for the one that he has stolen because the sheep renders four contributions, milk, cheese, wool and the lambs which are born every year, while the ox makes five, three the same as the sheep, of milk, cheese and offspring, and two peculiar to itself, ploughing and threshing, the first of them being the beginning of the sowing of the crops, the second their end, serving to purge them when harvested and make them more ready to be used as food.^b

IV. The kidnapper ^c too is a kind of thief who ¹³ steals the best of all the things that exist on the earth. In the case of lifeless articles and such animals as do not render high benefits to life, the

^a See Ex. xxi. 16, Deut. xxiv. 7. In Exodus the death penalty is decreed for manstealing in general according to the Hebrew, but in the LXX only if the person stolen is an Israelite. In Deuteronomy both versions limit it to Israelites. See App. p. 427 on this and § 19.

- τέταχεν ἀποδίδοσθαι παρὰ τῶν ὑφελομένων τοῖς κυρίοις, ὡς ἐλέχθη πρότερον, καὶ πάλιν τετραπλάσια καὶ πενταπλάσια ἐν ταῖς ἡμερωτάταις ἀγέλαις
- 14 βοῶν τε καὶ προβάτων. ἄνθρωπος δέ, ὡς ἔοικε, τὸν καλλιστεύοντα κλῆρον ἔλαχεν ἐν ζώοις, ἀγχίσπορος ὢν θεοῦ καὶ συγγενῆς κατὰ τὴν πρὸς λόγον κοινωνίαν, ὃς αὐτὸν καίτοι θνητὸν εἶναι δοκοῦντα ἀπαθανατίζει. διὸ καὶ πᾶς, ὅτῳ ζῆλος ἀρετῆς εἰσέρχεται, τραχὺς ἐστὶ τὴν ὀργὴν καὶ παντελῶς ἀμείλικτος κατὰ ἀνδραποδιστῶν, οἱ δουλείαν ἕνεκα κέρδους ἀδικωτάτου τοῖς γένει μὲν ἐλευθέροις φύσεως δὲ μετέχουσι τῆς αὐτῆς ἐπάγειν τολμῶ-
- 15 σιν. εἰ γὰρ ἐπαινετὸν πρᾶγμα δεσπόται ποιοῦσιν οἰκότριβας καὶ ἀργυρωνήτους, πολλάκις οὐκ ἐν μεγάλοις ὀνήσαντας, τῆς κατεχούσης δουλείας ἀπαλλάττοντες ἕνεκα φιλανθρωπίας ἥ κέχρηται, πόσης ἄξιοι κατηγορίας τυγχάνειν εἰσὶν οἱ τὸ πάντων ἄριστον κτῆμα, τὴν ἐλευθερίαν, ἀφαιρούμενοι τοὺς ἔχοντας, ὑπὲρ ἧς ἀποθνήσκειν καλὸν
- 16 τοῖς γεννηθεῖσιν εὖ καὶ τραφεῖσιν; ἥδη τινὲς τὴν σύμφυτον μοχθηρίαν προσαύξοντες καὶ τὸ ἐπίβουλον ἦθος αὐτῶν τρέποντες εἰς τὸ ἄσπονδον οὐκ [ἐπ'] ἀλλοδαποῖς μόνον καὶ ἀλλογενέσιν ἀνδραποδισμὸν κατεσκεύασαν, ἀλλὰ καὶ τοῖς ἀπὸ τοῦ αὐτοῦ ἔθνους, ἔστι δ' ὅτε καὶ δημόταις καὶ φυλῆταις, ἀλογήσαντες κοινωνίας νόμων τε καὶ ἐθῶν, οἷς ἐκ πρώτης ἡλικίας ἐνετράφησαν, ἅπερ βεβαιο-

^a Cf. Plato, *Rep.* iii. 391 E, and note to *Mos.* i. 279.

THE SPECIAL LAWS, IV. 13-16

value by order of the law has to be repaid twofold to the owner by the purloiners, as I have said above, and again fourfold and fivefold in the case of the most domesticated kinds of livestock, sheep and oxen. But it is the lot of man, as we see, to occupy 14 the place of highest excellence among living creatures because his stock is near akin to God,^a sprung from the same source in virtue of his participation in reason which gives him immortality, mortal though he seems to be. And therefore everyone who is inspired with a zeal for virtue is severe of temper and absolutely implacable against men-stealers, who for the sake of a most unrighteous profit do not shrink from reducing to slavery those who not only are freemen by birth but are of the same nature as themselves. If it is a praiseworthy 15 action when masters in the humaneness of their hearts release from the yoke of servitude their home-bred or purchased slaves, though often they have brought them no great profit, how great a condemnation do they deserve who rob those who enjoy liberty of that most precious of all possessions for which men of noble birth and breeding feel that it is an honour to die. Indeed we 16

have known of some who improve on their inborn depravity and developing the malice of their disposition to complete heartlessness have directed their man-stealing operations, not only against men of other countries and other races but also against those of their own nation, sometimes their fellow wardsmen or tribesmen. They disregard their partnership in the laws and customs in which they have been bred from their earliest years, customs which stamp the sense of benevolence so firmly on

- τάτην ταῖς ψυχαῖς εὖνοιαν ἐνσφραγίζεται τῶν μὴ
 17 λίαν ἀτιθάσων καὶ μὴ ἐπιτηδευόντων ὠμότητα· οἱ
 χάριν κέρδους ἐκνομωτάτου πιπράσκουσιν ἀνδρα-
 ποδοκαπήλοις καὶ οἷς ἂν τύχῃ δουλεύοντας ἐπὶ
 ξένης ἀνεπανάκτους, μηδ' ὄναρ τὸ τῆς πατρίδος
 ἔδαφος ἔτι προσκυνήσοντας ἢ χρηστῆς ἀπογευσο-
 μένους ἐλπίδος. ἦττον γὰρ ἂν ἡδίκουν ὑπηρετού-
 μενοι πρὸς τῶν ἀνδραποδισθέντων· νυνὶ δὲ
 διπλάσιον ἀδίκημα δρώσιν ἀπεμπολοῦντες, ἀνθ'
 ἐνὸς δύο δεσπότης καὶ διττὰς δουλείας ἐπιτειχί-
 18 ζοντες ἐφέδρους. αὐτοὶ μὲν γὰρ ἐπιστάμενοι τὴν
 παλαιὰν εὐτυχίαν τῶν ὑπηγμένων ἴσως ἂν μετα-
 [339] νοήσαιεν ὁπὲ λαβόντες οἶκτον τῶν ἐπταικότων, |
 τὸ τῆς τύχης¹ ἄδηλον καὶ ἀτέκμαρτον καταιδεσθέν-
 τες· οἱ δὲ πριάμενοι δι' ἄγνοιαν τοῦ γένους ὡς ἐκ
 πατέρων καὶ προπάππων οἰκετῶν ὀλιγωρήσουσιν,
 οὐδὲν ἄγωγόν ἐν ταῖς ψυχαῖς ἔχοντες εἰς ἡμερότητα
 καὶ φιλανθρωπίαν, ἣν εἰκὸς ἐπὶ τοῖς ἐλευθέροις
 19 σῶζεσθαι φύσει. δίκη δ' ἔστω κατὰ μὲν
 τῶν ἑτεροεθνεῖς ἀνδραποδισαμένων, ἣν ἂν τιμήση-
 ται τὸ δικαστήριον, κατὰ δὲ τῶν τοὺς ὁμοφύλους
 πρὸς τῷ ἀνδραποδίσασθαι καὶ πεπρακότων θάνατος
 ἀπαραίτητος· ἥδη γὰρ οὗτοί γε συγγενεῖς εἰσιν οὐ
 πόρρω τῶν ἀφ' αἵματος κατὰ² μείζονα περιγραφὴν
 γειννιώντες.
- 20 V. “Καὶ ἐν ἀγρῷ” καθάπερ εἶπέ τις τῶν πάλαι
 “φύονται δίκαι,” ἐπειδὴ πλεονεξία καὶ ὁ τῶν
 ἀλλοτρίων ἡμερος οὐκ ἐν ἄστει μόνον ἀλλὰ καὶ ἔξω
 πόλεως ἐστίν, ἅτε μὴ τόπων διαφοραῖς ἀλλὰ δια-

¹ MSS. ψυχῆς.² MSS. καὶ τὰ.^a Source unknown.

THE SPECIAL LAWS, IV. 16-20

the souls of all who are not exceedingly barbarous nor make a practice of cruelty. For the sake of an 17 utterly unlawful profit they sell their captives to slave dealers or any chance comers to live in slavery in a foreign land never to return, never even to dream of again saluting the soil of their native country or to know the taste of comforting hope. Their iniquity would be less if they themselves retained the services of their captives. As it is, their guilt is doubled when they barter them away and raise up to menace them two masters instead of one and two successive servitudes. For they 18 themselves, as they know the former prosperity of those who are now in their power, might perhaps come to a better mind and feel a belated pity for their fallen state, remembering with awe how uncertain and incalculable fortune is, while the purchasers knowing nothing of their origin and supposing them to have generations of servitude behind them will despise them, and have nothing in their souls to incline them to that natural gentleness and humanity which they may be expected to maintain in dealing with the free born. The 19 punishment for kidnapping, if the captives belong to foreign nations, should be such as is adjudged by the court ; if they are fellow nationals whom they have not only kidnapped but sold, it is death without hope of reprieve. Yes indeed, for such persons are kinsfolk, bound by a tie closely bordering on blood relationship though with a wider compass.

V. "In the country also lawsuits spring up," says 20 one of the ancients.^a Examples of greed and the desire for other people's property are found not only in the town but also outside its walls, since

- νοίαις ἀκορέστων <καὶ> φιλαπεχθημόνων ἀνδρῶν
 21 ἐνιδρυμένος. ἀφ' οὗ καὶ τῶν πόλεων αἱ εὐνομώτα-
 ται διττοὺς ἐπιμελητὰς καὶ ἄρχοντας αἰροῦνται τῆς
 κοινῆς εὐκοσμίας καὶ ἀσφαλείας, τοὺς μὲν ἐντὸς
 τοῦ τείχους, οὓς ἀστυνόμους προσαγορεύουσι, τοὺς
 δ' ἐκτός, οἷς ὄνομα οἰκεῖον τίθενται, καλοῦσι γὰρ
 αὐτοὺς ἀγρονόμους· ἀγρονόμων δὲ τίς ἂν ἦν χρεία
 τὸ πᾶν, εἰ μὴ καὶ τοῖς χωρίοις ἡσάν τινες ἐπὶ λύμῃ
 22 τῶν πλησίον ζῶντες; εἰ οὖν τις ποιμὴν ἢ αἰπόλος
 ἢ βουκόλος ἢ συνόλως ἀγελάρχης ἀγρὸν ἐτέρου
 βόσκη καὶ κατανέμῃ φειδῶ μηδεμίαν ποιούμενος
 μήτε καρπῶν μήτε δένδρων, ὅμοιον ἀποτινέτω
 23 κτῆμα¹ προσόδου τῆς ἴσης. καὶ ἀγαπάτω τοῦθ'
 ὑπομένων, ἐπιεικοῦς καὶ σφόδρα συγγνώμονος τυ-
 χῶν τοῦ νόμου, ὃς αὐτὸν τὰ πολεμίων ἀσπόνδων
 ἐργασάμενον, οἷς τὰς ἀρούρας δηοῦν ἔθος καὶ φυτὰ
 ἡμερα διαφθείρειν, οὐχ ὥς κοινὸν ἐχθρὸν ἐτιμωρή-
 σατο θάνατον ἢ φυγὴν ἢ τὸ γοῦν τελευταῖον,
 ἀπάσης στέρησιν τῆς οὐσίας, ὀρίσας, ἀλλ' αὐτὸ
 μόνον δικαίως ἐπανορθώσασθαι τὸ βλάβος τῷ
 24 κυρίῳ. προφάσεις γὰρ αἰεὶ ζητῶν, αἷς ἐπελαφριεῖ
 τὰ ἀτυχήματα, δι' ὑπερβάλλουσιν ἡμερότητα καὶ

¹ So MSS. Possibly *τμήμα* or *τίμημα*.

^a For what is known about this official title see App. p. 427.

^b Ex. xxii. 5. E.V. "of the best of his own field and of the best of his own vineyards shall he make restitution." The LXX has "he shall repay from his field according to its produce," a vague expression which might mean (or Philo might take it to mean) either that he made compensation with a piece of land or with the fruits. Heinemann, supposing that Philo meant the former, adopted Cohn's suggestion of *τμήμα* 20

THE SPECIAL LAWS, IV. 20-24

that desire is based not on differences of situation but on the thoughts of insatiable and quarrelsome men. And therefore the most law-abiding states 21 elect two kinds of superintendents and magistrates to maintain the general safety and good order, one kind to act within the walls called "town warden," the other outside them bearing the appropriate name of "country warden,"^a and what need could there be of the last if there were not people in the landed estates also who lived to do harm to their neighbours? So if anyone in charge of sheep or goats or a herd 22 of any kind feeds and pastures his beasts in the fields of another and does nothing to spare the fruits or the trees, he must recoup the owner in kind by property of equal value.^b And he must suffer this without 23 complaining. The law has shown itself reasonable and exceedingly forgiving in its treatment of him. Though his actions are such as are committed in internecine war, where it is customary to lay waste arable fields and destroy the cultivated plants, it has not punished him as a public enemy by sentencing him to death or banishment, or at the very least ^c to forfeiture of his whole property, but merely called upon him to make good the damage to the owner. For since it always seeks pretexts for 24 alleviating the state of the unfortunate, so vast is

"a slice" for κτήμα. κτήματα (plural)=landed possessions, *De Virt.* 90, 100, and elsewhere, but κτήμα (singular) is a strange word for a piece of land. Philo possibly uses it because he feels uncertain between the two alternatives. If emendation is needed τίμημα might be worth considering. I take ὁμοιον to mean that the compensation is not paid in money.

^c τὸ τελευταῖον, "the extreme of clemency," cf. *De Ios.* 249 and my note.

τὴν ἐκ φύσεως καὶ μελέτης φιланθρωπίαν, εὗρεν ἀπολογίαὺς οὐκ ἀπωδὸν ὑπὲρ τοῦ νομέως, τὴν φύσιν τῶν θρεμμάτων ἄλογον οὖσαν καὶ ἀπειθῆ, καὶ
 25 μάλισθ' ὅταν ὀρέγεται τροφῆς. ἔστω μὲν οὖν ὑπόδικος, ὅτι τὴν ἀρχὴν ἤλασε τὴν ἀγέλην εἰς ἀνεπιτήδειον χωρίον· μὴ πάντων δὲ τῶν συμβεβηκότων ἐχέτω τὰς αἰτίας, εἰκὸς γὰρ αὐτὸν μὲν τοῦ κακοῦ
 [340] | λαβόντα τὴν αἴσθησιν ἐξελαύνειν ἐπιχειρεῖν τάχιστα, τὴν δ' ἅτε χλοηφαγοῦσαν, ἀπαλῶν τε¹ καρπῶν καὶ βλαστῶν ἐμπορουμένην, ἀντιφιλονεικεῖν.

- 26 VI. Βλάπτουσι δ' οὐ μόνον κατανέμοντες βοσκήμασιν ἀλλοτρίας κτήσεις, ἀλλὰ καὶ πῦρ ἀπερισκέπτως καὶ ἀπροοράτως ἀναφλέγοντες. ἡ γὰρ τοῦ πυρὸς δύναμις ὕλης λαβομένη πανταχόσε ἄττουσα νέμεται τε καὶ χεῖται, καὶ ἐπειδὰν ἅπαξ κρατήσῃ, σβεστηρίων ὅσα ἂν ἐπιφέρῃ τις ἀλογεῖ καταχρωμένη καὶ τούτοις ἀντὶ τροφῆς εἰς συναύξησιν, ἕως ἂν πάντα ἐξαναλώσασα αὐτὴ δαπανηθῇ πρὸς αὐτῆς.
 27 προσήκει δὲ μήτ' ἐν οἰκίαις μήτ' ἐπαύλεσιν ἀφύλακτον πῦρ εἶναι, ἐπισταμένους ὅτι σπινθὴρ ἐντυφόμενος εἰς πολλάκις ἀνερριπίσθῃ καὶ μεγάλας ἐνέπρησε πόλεις, καὶ μάλιστα ἐπιφόρῳ πνεύματι
 28 ῥυείσης τῆς φλογός. ἐν γοῦν τοῖς ἀσυμβάτοις πολέμοις ἡ πρώτη καὶ μέση καὶ τελευταία δύναμις ἐστὶ διὰ πυρός, ἢ πιστεύουσι μᾶλλον ἢ ταῖς πεζῶν καὶ ἱππέων καὶ ναυμάχων τάξεσι καὶ ταῖς ὀπλῶν καὶ μηχανημάτων² ἀφθόνοις παρασκευαῖς· πυρφόρον

¹ MSS. ἅτε.² MSS. ναυμαχητῶν.

THE SPECIAL LAWS, IV. 24-28

the gentleness and humanity which it owes to nature and practice, it discovered a well-sounding plea to defend the grazier in the irrational and refractory nature of cattle, particularly when they hanker for food. The trespasser must therefore be held re-²⁵sponsible to justice for originally driving the herd into a field where they ought not to be, but should not bear the guilt of all its results, for it may well be that when he perceived the harm they were doing he tried to drive them out as fast as he could, but they as they were browsing on the herbage and taking their fill of tender fruits and plants resisted his efforts.

VI. But people do damage not merely by grazing²⁶ their cattle on the property of others but also by starting a fire without circumspection or foresight.^a For the force of fire when it has caught hold of the inflammable stuff shoots out in every direction and spreads itself abroad, and when it has once got the mastery it takes no account of any extinguishers applied to it and indeed makes full use of them as fuel to foster its growth until it has consumed them all and dies out from self-exhaustion. Now no one²⁷ should ever leave a fire unguarded either in house or outbuilding as he knows that a single smouldering spark is often fanned into a blaze and sets fire to great cities, particularly when the flame streams along under a carrying wind. Thus in bitterly con-²⁸tested wars the chief instrument of efficiency first intermediate and final is fire, and on this combatants rely more than on their squadrons of infantry and cavalry and marines and their lavishly provided equipments of arms and engines. For a conflagra-

^a Ex. xxii. 6.

- γάρ τις οἷστον βαλὼν καιρίως εἰς πολὺν νηῶν
στόλον αὐτοῖς ἐπιβάταις κατέφλεξεν ἢ στρατόπεδα
πολυάνθρωπα μετὰ τῶν παρασκευῶν, ἐφ' αἷς ἐπ-
29 ποίηοντο τὰς τοῦ νικᾶν ἐλπίδας, ἐξανάλωσεν. εἰάν
οὖν εἰς ἀκανθώδη φορυτὸν πῦρ ἐμβάλη τις, ὁ δ'
ἀναφλεχθεὶς προσεμπρήσῃ ἄλλω πυρῶν ἢ κριθῶν ἢ
ὀρόβων ἢ δράγματα ἀσταχύων συγκεκομισμένα ἢ
βαθύγειον πεδιάδα χλοηφοροῦσαν, ἀποτινύτω τὸ
βλάβος ὁ τὸ πῦρ ἐμβαλὼν, ἢν' ἐκ τοῦ παθεῖν μάθῃ
τὰς πρώτας τῶν πραγμάτων ἐνστάσεις εὖ μάλα
φυλάττεσθαι καὶ μὴ δύναμιν ἀήττητον καὶ φύσει
φθοροποιὸν ἀνακινῇ καὶ ἀνεγείρῃ δυναμένην
ἡρεμεῖν.
- 30 VII. Ἱερώτατον παρακαταθήκη τῶν ἐν κοινωνίᾳ
πραγμάτων ἐστίν, ἐπὶ τῇ τοῦ λαβόντος κειμένη
πίστει. δάνεια μὲν γὰρ ἐλέγχεται διὰ συμβολαίων
καὶ γραμμάτων, τὰ δ' ἄνευ δανείων ἐν χρήσει
φανερῶς διδόμενα τοὺς θεασαμένους ἔχει μάρτυρας.
- 31 παρακαταθηκῶν δ' οὐχ οὗτος ὁ τρόπος, ἀλλὰ μόνος
τις αὐτὸς δίδωσι μόνῳ κρύφα, περιβλεπόμενος τὸν
τόπον, μηδ' ἀνδράποδον ἔνεκα τοῦ διακομίσαι προσ-
παραλαβῶν, εἰ καὶ τύχοι φιλοδέσποτον· εἰς γὰρ
τὸ ἀναπόδεικτον ἐκάτερος σπεύδειν ἔοικεν, ὁ μὲν
ἵνα λάθῃ δούς, ὁ δὲ ἵνα ἀγνοῇται λαβῶν. ἀοράτω
[341] δὲ πράγματι | πάντως ἀόρατος μεσιτεύει θεός, ὃν

^a Ex. xxii. 6, "If fire having gone forth finds thorns." The thorns were set as a hedge round the field (Driver).

^b Editors quote Jos. *Ant.* iv. 285 παρακαταθήκην ὥσπερ ἱερὸν τι καὶ θεῖον χρῆμα (cf. § 33 below) ὁ παραλαβὼν φυλακῆς ἀξιούτω. Josephus goes on to emphasize the testimony of God.

THE SPECIAL LAWS, IV. 28-31

tion caused by a man shooting a fire-bearing arrow at the right place into a great fleet of ships has been known to consume it with the troops on board or to annihilate armies of considerable strength with the equipments on which they had rested their hopes of victory. Accordingly if a single 29 person sets a heap of thorns^a alight and they burst into a flame which goes on to ignite a threshing floor full of wheat or barley or vetch or stacked sheaves of corn in the ear or rich soiled meadow land where herbage is growing, the person who lighted the fire must pay for the damage and thus learn by experience to guard carefully against the first beginnings of things and to refrain from stirring up and setting in action an invincible and naturally destructive force which might otherwise remain in quiescence.

VII. The most sacred of all the dealings between 30 man and man is the deposit on trust,^b as it is founded on the good faith of the person who accepts it. Formal loans are guaranteed by contracts and written documents, and articles lent openly without such formality have the testimony of the eye-witnessess. But that is not the method of deposits. 31 There a man gives something with his own hands secretly to another when both are alone. He looks carefully all round him and does not even bring a slave, however loyal, with him to act as carrier, for the object which both of them evidently pursue is that it should be impossible to show what has happened. The one wishes that nobody should observe his gift, the other that no one should know of his acceptance. And this unseen transaction has assuredly the unseen God as its intermediary,

εἰκὸς ὑπ'¹ ἀμφοῖν μάρτυρα καλεῖσθαι, τοῦ μὲν ὡς ἀποδώσοντος ὅταν ἀπαιτῇται, τοῦ δ' ἐν καιρῷ
 32 κομιουμένου. μέγιστον οὖν ἀδίκημα δρῶν ὁ παρα-
 καταθήκην ἀρνούμενος μὴ ἀγνοεῖτω, ψεύσας μὲν
 ἐλπίδος τὸν ἐπιτρέψαντα, μοχθηρὰ δ' ἦθη κατα-
 σκεπάσας² λόγοις ἐπιεικέσιν, ἀπιστίαν δὲ καθυπο-
 κρινάμενος νόθην πίστιν, ἀσυμβάτους ἀποφήνας
 δεξιὰς καὶ ἀτελεῖς ὅρκους· ὡς ἀνθρωπεύων τε καὶ
 θείων ὀλιγωρηκένοι καὶ διττὰς ἀρνεῖσθαι παρα-
 καταθήκας, τὴν μὲν τοῦ τὰ οἰκεῖα ἐπιτρέψαντος,
 τὴν δὲ τοῦ ἀψευδεστάτου μάρτυρος, ὅς τὰ πάντων
 ἐφορᾷ καὶ τὰ πάντων ἐπακούει καὶ προαιρουμένων
 33 καὶ μὴ θελόντων. ἐὰν δ' ὁ μὲν λαβὼν ὡς ἱερὸν
 χρῆμα παρακαταθήκην ἄψευστον οἴηται δεῖν φυλάτ-
 τειν, σέβων ἀλήθειάν τε καὶ πίστιν, οἱ δὲ τῶν
 ἀλλοτρίων ἔφεδροι βαλαντιοτόμοι καὶ τοιχωρύχοι
 παρεισφθαρέντες ὑφέλονται, συλληφθέντες ἐκτι-
 νέτωσαν ἐπιτίμια διπλᾶ [τὰ κλεπτῶν εὐρεθέντα].³
 34 εἰ δὲ μὴ συλληφθεῖεν οὗτοι, προσίτω⁴ γνώμη
 ἔκουσίῳ ὁ λαβὼν εἰς τὸ θεῖον δικαστήριον καὶ
 ἀνατείνας τὰς χεῖρας εἰς οὐρανὸν ὁμνύτω κατ'

¹ MSS. ἐπ'.² MSS. κατασκευάσας.³ These words are expelled as a gloss by Cohn following Mangey. But what did the supposed gloss mean? Mangey himself suggested as an alternative τὰ κατὰ κλεπτῶν ὀρισθέντα (cf. §§ 2 and 11 above), which I should be inclined to adopt.⁴ MSS. προεῖτω or προίτω.

^a i.e. whether their actions and words are genuine or not. This no doubt gives a rather strained meaning to τῶν μὴ θελόντων. Perhaps as Mangey "cum voluntarie tum involuntarie agentium." But this, though an antithesis constantly recurring in Philo, seems irrelevant here. Heinemann, "whether they wish (to be seen and heard) or not," "mag es

THE SPECIAL LAWS, IV. 31-34

to whom both naturally appeal as their witness, one that he will restore the property when demanded, the other that he will recover it at the proper time. So then he who repudiates a deposit 32 must be assured that he acts most wrongfully. He deceives the hopes of the friend who confided his goods to him. He has disguised under fair words the vileness of his character. In the faithlessness of his heart he has assumed the mask of a bastard faithfulness. The assurance of the hands given and taken is rendered null and void, the oaths are unfulfilled. Thus he has set at nought both the human and the divine and repudiated two trusts, one that of him who consigned his property, the other that of the most veracious of witnesses who sees and hears all whether they intend or do not wish to do what they say.^a But if the deposit, which 33 the receiver accepts as something sacred and feels bound to keep unharmed because of his reverence for truth and good faith, is purloined by stealthy mischievous intruders, cutpurses and burglars on the watch to take what does not belong to them, the offenders if caught must pay a fine of double the value.^b If they are not caught the receiver of 34 the trust must go of his own freewill to the court of God^c and with hands stretched out to heaven

ihnen lieb oder unlieb sein," also seems pointless and besides misses the sense of intention in *προαιρουμένων*.

^b See Ex. xxii. 7.

^c Ex. xxii. 8 "come near unto God," v. 9 "before God." LXX in both places *ἐνώπιον θεοῦ*, a phrase which, whatever it may have meant in the original, is interpreted by Philo as appealing to the judgement of God. The phrase *δικαστήριον θεῶν* frequently appears in Philo; see in this volume *De Virt.* 171, *De Praem.* 69.

PHILO

ἐξωλείας ἑαυτοῦ, μήτε τι μέρος τῆς παρακαταθήκης νοσφίσασθαι μήτε ἑτέρῳ κοινοπραγῆσαι μήτε ὅλως συνεπιψεύσασθαι κλοπὴν οὐ γενομένην· ἀτοπον γὰρ ἢ τὸν μηδὲν ἡδικηκότα ζημιοῦν ἢ τὸν συνδραμόντα εἰς φίλου πίστιν ὑφ' ἑτέρων ἀδικηθέντα βλάβης αἴτιον ἐκείνῳ γενέσθαι.

- 35 Παρακαταθῆκαι δ' οὐ μόνον ἐν αἰσχύοις εἰσίν, ἀλλὰ καὶ ζώοις, ὧν διττὸς ὁ κίνδυνος, ὁ μὲν πρὸς τὰ αἰσχυὰ κοινὸς διὰ κλοπῆς, ὁ δὲ ἴδιος καὶ ἐξαίρετος διὰ θανάτου. λέλεκται μὲν οὖν περὶ τοῦ προτέρου, χρή δὲ καὶ περὶ τοῦ δευτέρου προσνομο-
36 θετεῖν. εἰ οὖν <ἐν> παρακαταθήκῃ θρέμματα τελευτήσῃ, μεταπεμφάσθω τὸν ἐπιτρέψαντα ὁ λαβὼν καὶ ἐπιδεικνύτω, φαύλης ὑπονοίας ῥυόμενος ἑαυτόν· εἰ δὲ ἔκδημος ὧν τυγχάνοι, καλεῖν μὲν

^a A phrase borrowed from Demosthenes. See examples in lexicon.

^b Ex. xxii. 8. E.V. "to see whether he have not put his hand unto his neighbour's goods." LXX "that he has not acted wickedly about the whole (*i.e.* any part, Philo *τι μέρος*) of the deposit." Philo gives a very reasonable expansion of the oath.

^c *i.e.* if he is not allowed to exculpate himself by an oath.

^d The translation is an attempt to retain something of the curious double ἢ. The two things mentioned are not alternatives, but would both result if the depositary had to make good the theft.

^e For this section see Ex. xxii. 9-13. Philo's explanation is a simplification of what, particularly in the LXX, is a confusing passage. In v. 9 it is stated that in the case of any loss, animals included, the disputants will appear "before God" and the person convicted will pay compensation. The verse, which may be out of place, does not seem to refer particularly to deposits, but coming where it does, Philo would naturally conclude that it did so refer, and sup-

THE SPECIAL LAWS, IV. 34-36

swear under pain of his own perdition^a that he has not embezzled any part of the deposit nor abetted another in so doing nor joined at all in inventing a theft which never took place.^b Otherwise^c an innocent party would be mulcted and the person who ran to avail himself of the good faith of a friend would on account of the wrong he has suffered from others cause injury to that friend, and either of these is preposterous.^d

But deposits include not only inanimate things³⁵ but living animals who are liable to be endangered in two ways: one by theft which they share with the inanimate, the other by death which is peculiar to themselves. The first of these has been dealt with above and we must proceed to lay down laws for the second. ^e So if any animal left in trust dies³⁶ the person who has accepted the trust must send for the consigner and show him the dead body, thus shielding himself against any suspicion of dishonesty. If the consigner is absent from home, it would not be right for the caretaker to summon

pose that it means that the oath, unless shown to be false, would clear the depositary. Verses 10-12 state that if an animal deposited in trust has been wounded or dies or has been carried away captive, "and no one knows it," the oath will clear him, but adds that if it is stolen, the depositary must make it good. Verse 13 says that if it has been torn by wild beasts, he must take the owner to the fragments of the corpse (*ἀξει ἐπὶ τὴν θήραν*) and so clear himself. Philo ignores the difficulty in v. 12, "if it has been stolen he shall pay compensation," and falls back upon the general principle that the oath is to be trusted. Also from the statement that the fragments of the torn animal are sufficient evidence, he seems to argue that the same must hold good of any dead animal if the owner is accessible, and that therefore the oath in this case is not needed.

- ἑτέρους οὐχ ἁρμόττον, οὓς λανθάνειν ἐσπούδασεν
 ἴσως ὁ πιστεύσας, ὁμνῦναι δ' ἀναγκαῖον ἐπανήκοντι
 περὶ τοῦ μὴ ἐπισκιάζειν ἐψευσμένῳ θανάτῳ νο-
 37 σφισμὸν ἄδικον. ἔαν δὲ λάβῃ τις μὴ ὡς παρα-
 καταθήκην ἀλλ' ἔνεκα τοῦ χρήσασθαι δεόμενος
 σκεῦος ἢ ζῶον, ἔπειτα [εἰ τὰ]¹ ἀμφοτέρω κλαπῇ ἢ
 τὸ ζῶον ἀποθάνῃ, συνδιατρίβοντος μὲν τοῦ χρή-
 σαντος ὁ λαβὼν ὑπόδικος οὐκ ἂν γένοιτο, τοῦ μὴ
 σκήπτεσθαι μάρτυρι χρώμενος ἐκείνῳ, μὴ συν-
 38 διατρίβοντος δὲ ἀποτινύτω. διὰ τί; ὅτι ἐνδέχεται
 μὴ παρόντος τοῦ κυρίου τὸν χρώμενον ἢ πόνοις
 ἀποτρῦσαι συνεχέσι τὸ ζῶον, ὡς ἀποκτεῖναι, ἢ
 [342] παραρρῦναι | τὸ σκεῦος ὀλιγωρήσαντα τοῦ ἁλλο-
 τρίου, ταμιεύειν δέον καὶ μὴ παρέχειν εὐμάρειαν
 εἰς ὑφαίρεσιν κλέπταις.
- 39 Ἀκολουθίαν δ' εἰ καὶ τις ἄλλος δεινὸς ὢν θεάσα-
 σθαι πραγμάτων ἀπαγορεύσεις ἐπαλλήλους ἐξῆς
 νομοθετεῖ, στοχαζόμενος εἰρμοῦ καὶ συνῶδὰ τοῖς
 προτέροις τὰ ἐπόμενα συνυφαίνων. τὴν δὲ τῶν
 λέγεσθαι μελλόντων ἁρμονίαν χρησμῶ θεσπισθῆναι

¹ The ungrammatical εἰ τὰ with the subjunctive, which Cohn brackets, would easily slip in after ἔπειτα. Mangey retaining it has κλαπείη and ἀποθάνοι without ms. authority. Wendland suggested ἢ τὰ with fair probability. Stephanus states that ἀμφοτέρω preceded by the article is only found in N.T. and later writers. But see ταῖς ἀμφοτέραις, § 129.

^a For this section see Ex. xxii. 14, 15. lxx "If anyone ask from his neighbour and it is wounded (or broken) or die or is carried away captive, and the owner is not with it, he shall make compensation. But if the owner is with it, he shall not make compensation." Philo interprets the request (or borrowing) to apply to other things besides animals, and

THE SPECIAL LAWS, IV. 36-39

other people from whom the depositor may have wished to keep the matter secret, but when he has come home he must swear to him to show that he is not using a fictitious death to cloak an embezzlement. ^a But if any utensil or any animal has ³⁷ been received not as a trust but for his use in response to a request and then either ^b of these is stolen, or the animal dies, the borrower will not be responsible if the lender is living on the spot, since he can call him to witness that there is no pretence. If he is not living on the spot the borrower must make good the loss. Why is this? ³⁸ Because in the absence of the owner the borrower may either have worn out the animal by constantly overworking it and so have caused its death, or may have risked ^c the loss of the utensil out of carelessness for what is another man's property, whereas he is bound to keep it carefully and not provide thieves with facilities for carrying it off.

The lawgiver with his unsurpassed power of discerning how things follow each other gives a series of successive prohibitions in which he aims at logical connexion, and makes a harmonious combination of the subsequent with the preceding. He tells us that this accordance between each thing said and

"carried away captive" (*αἰχμάλωτον γένηται*) to include stealing, and "be with it," which presumably means that he is present when the mishap occurs, to mean as above, "be accessible." The last half of the verse, which is very obscure, he leaves alone.

^b Lit. "both," meaning that both are liable to be stolen, but not to die.

^c Heinemann "thrown aside." Mangey "temere proiecisse." The meaning given above, which is a quite common use of *παρὰρρίπτω*, seems to me more suitable to the context.

- φησιν ἐκ προσώπου τοῦ θεοῦ τὸν τρόπον τοῦτον·
 “οὐ κλέψετε καὶ οὐ ψεύσεσθε καὶ οὐ συκοφαντή-
 σετε τοὺς πλησίον ὑμῶν· καὶ οὐκ ὀμείσθε τῷ
 ὀνόματί μου ἐπ’ ἀδίκῳ καὶ τὸ ἐμὸν ὄνομα οὐ
 βεβηλώσετε”· παγκάλως καὶ σφόδρα παιδευτικῶς·
 40 ὃ τε γὰρ κλέπτῃς ὑπὸ τοῦ συνειδότος ἐλεγχόμενος
 ἀρνεῖται καὶ ψεύδεται, δεδιὼς τὰς ἐκ τοῦ ὁμολογῆ-
 σαι τιμωρίας, ὃ τε ἀρνούμενος ἐτέρῳ σπουδάζων
 προσβάλλειν τὸ ἔγκλημα συκοφαντεῖ καὶ τέχνας
 ἐπινοεῖ, δι’ ὧν εὐλογον εἶναι δόξει τὸ συκοφάντημα,
 πᾶς τε συκοφάντης εὐθύς ἐστιν ἐπίορκος, ὀλίγα
 φροντίζων εὐσεβείας· ἐπειδὴ γὰρ¹ ἐλέγχων ἀπορεῖ
 δικαίων, ἐπὶ τὴν ἄτεχνον λεγομένην πίστιν κατα-
 φεύγει, τὴν δι’ ὀρκων, ριζόμενος κατακλήσει θεοῦ
 πίστιν ἐργάζεσθαι τοῖς ἀκούουσιν· ἀνίερος δ’ ὁ τοι-
 οὔτος ὢν καὶ βέβηλος ἴστω, μιαινὼν τὸ ἀμίαντον
 φύσει ἀγαθὸν καὶ² θεῖον ὄνομα.

Οὐ ψευδομαρτυρήσεις³

- 41 VIII. "Ἐνατον μὲν ἐστὶ τουτὶ τῶν δέκα κεφα-
 λαίων, τῶν δὲ ἐν τῇ δευτέρᾳ στήλῃ τὸ τέταρτον
 ἀριθμῶ, μυρία δὲ τὸν ἀνθρώπινον βίον ὀνῆσαι δυνά-

¹ MSS. ἐπειδήπερ.

² Cohn rejects ἀγαθὸν καὶ, on the grounds that ἀγαθὸν is an unsuitable epithet, and Mangey's proposal of ἅγιον or ἀγαστὸν because of the hiatus after φύσει. See App. p. 428.

³ This heading stands on quite a different footing from the rest, as the allusion to it in τουτὶ below shows it to be indispensable. Possibly it should be printed in line with ἔνατον rather than as a heading.

^a Or simply as Heinemann and Mangey, "what is about to be said," or "has to be said." The translation given above is based on a feeling that as τῶν μελλόντων so taken

THE SPECIAL LAWS, IV. 39-41

each thing still to be said ^a is proclaimed in an oracle spoken by God in his own person in the following terms "Ye shall not steal and ye shall not lie and ye shall not bring false accusations against your neighbours and ye shall not swear in my name to an injustice and ye shall not profane my name." ^b Excellent indeed and full of instructions, for the 40 thief convicted by his conscience disowns the deed and lies through fear of the punishment which confession entails. Then he who disowns his deed in his eagerness to fasten the charge on someone else brings a false accusation and devises schemes to make the accusation seem probable. And every such accuser is necessarily a perjurer with little regard for piety, for since he lacks just arguments he takes refuge in the unscientific ^c method of proof, as it is called, namely that of oaths, because he thinks that by appeal to God he makes his hearers believe him. Such a one may be assured that he is unholy and profane, since he pollutes the good name which is by nature unpolluted, the name of God.

VIII. "Thou shalt not bear false witness." This 41 is the ninth of the ten heads but the fourth in number of those on the second table. Numberless are the blessings which it can bring to human life if kept,

is somewhat pointless, Philo may be carrying on the thought of the previous sentence that each clause is the precursor of the next and leads up to it as its natural consequence. See App. p. 427.

^b Lev. xix. 11, 12.

^c Or inartistic, inartificial. See note on *De Plant.* 173, and reference to Aristot. *Rhet.* i. 15. 2. The five inartistic proofs are laws, witnesses, contracts and documents, torture, oaths. See further App. p. 428.

μενον, εἰ φυλάττοιτο, ὡς καὶ τοῦναντίον ἀμελοῦ-
 42 μενον βλάψαι. ψεκτὸς μὲν γὰρ ὁ συκοφάντης, ὁ δὲ
 τὰ ψευδῇ μαρτυρῶν μᾶλλον ὑπαίτιος· ὁ μὲν γὰρ
 αὐτῷ βοηθῶν, ὁ δ' ἄλλω συμπράττων πονηρός
 ἐστίν, ἐν δὲ συγκρίσει κακῶν ἀνδρῶν ὁ δι' αὐτὸν
 43 ἁμαρτάνων τοῦ δι' ἕτερον ἦττον ἄδικος. καὶ τὸν
 μὲν κατήγορον ὑποβλέπεται πᾶς δικαστὴς ὡς ὀλίγα
 φροντίζοντα τῆς ἀληθείας ἕνεκα τοῦ περιγενέσθαι,
 διὸ καὶ προσιμίων ἐδέησεν εἰς προσοχὴν ἀκροατοῦ
 τῷ λέγοντι· τοῦ δὲ μαρτυροῦντος μηδὲν ἐπ' αὐτῷ
 προπεπονητῶς ὑπουλον ἐλευθέρᾳ γνώμῃ καὶ ἀνα-
 πεπταμένοις ὡσὶν ἀνέχεται, πίστιν καὶ ἀλήθειαν
 ὑποδουμένου, [τὸ] πραγμάτων μὲν ὠφελιμωτάτων τὰ
 ὀνόματα, ὀνομάτων δὲ προσαγωγότατα,¹ <οἷς> καθ-
 ἅπερ δελέασιν ἐπὶ θήρᾳ χρήται ὧν ὀρέγεται καὶ
 44 ποθεῖ. διὸ πολλαχοῦ παραινεί τῆς νο-
 μοθεσίας ἀδίκῃ μηδενὶ συναινεῖν, μήτε ἀνθρώπῳ
 μήτε πράγματι· προκαλεῖται γὰρ ἡ συναίνεσις ἐφ'
 ὑγιεῖ μὴ γενομένη τὰ ψευδῇ μαρτυρεῖν, ἐπεὶ καὶ
 [343] πᾶς, | ὅτῳ πρόσαντες καὶ ἐχθρὸν τὸ ἄδικον, ἀλη-
 45 θεῖα φίλος. ἐνὶ μὲν οὖν μοχθηρῷ μὴ συναπονοη-
 θῆναι θαυμαστὸν οὐδὲν εἰς τὰ ὅμοια προκαλουμένῳ,
 πλήθει δὲ ἐπὶ παρανομίαν² οἷα κατὰ πρανοῦς ἀθρόα
 ῥύμῃ φερομένῳ μὴ συνενεχθῆναι γενναίας ψυχῆς

¹ MSS. προσαγωγότατος.² MSS. παρανομία (= -α).

^a As this only applies to consenting to injustice many examples no doubt could be found, e.g. Ex. xxiii. 7 "thou shalt keep away from every unjust word," Lev. xix. 15, Deut. xvi. 19, 20. The further thought that consenting to an injustice involves supporting what we know to be false and therefore is a breach of the ninth commandment has its source in Ex. xxiii. 1, 2, where "thou shalt not join with the

THE SPECIAL LAWS, IV. 41-45

numberless on the other hand the injuries which it causes if disregarded ; for reprehensible as is the 42 false accuser his guilt is less than that of the bearer of false witness. The former acts as his own champion, the latter as the accomplice of another, and if we compare one bad man with another the iniquity of one who sins for his own sake is less than his who sins for the sake of another. The 43 judge looks with disfavour on the accuser as a person who cares little for truth in his eagerness to win his case, and this is the reason why introductory addresses are required to secure the attention of the hearer to the speaker. But the judge starts with no lurking feelings of hostility to the witness and therefore he listens with a free judgement and open ears, while the other assumes the mask of good faith and truth, names indeed of the most valuable realities, but the most seductive of names when used as baits to capture something which is earnestly desired. And therefore in 44 many places^a of the Law Book he exhorts us not to consent to an unjust man or unjust action, for consent, if not rendered on honest grounds, is an inducement to testify to falsehoods, just as everyone to whom injustice gives a feeling of pain and hostility is a friend of truth. Now when a single 45 man of bad character invites us to do as he does there is nothing remarkable in a refusal to share his wicked folly, but when a multitude is carried away in a rushing mass as down a steep slope to lawlessness, it needs a noble soul and a spirit trained

unjust to be an unjust witness," is followed at once by "thou shalt not be with a multitude for evil." This last is evidently the text expounded in the next sentence.

PHILO

ἔστι καὶ φρονήματος ἀνδρεία συγκεκροτημένου.
 46 ἔνιοι γὰρ τὰ τοῖς πολλοῖς δοκοῦντα, καὶ παρα-
 νομώτατα ἦ, νόμιμα καὶ δίκαια εἶναι νομίζουσι,
 κρίναντες οὐκ εὖ· φύσει γὰρ ἔπεςθαι καλόν, ἀκο-
 47 λουθία φύσεως δ' ἀντίπαλον ὄχλου φορά. ἐὰν οὖν
 κατὰ θιάσους καὶ πολυανθρώπους ὁμίλους ἀγειρό-
 μενοί τινες νεωτερίζωσι, τούτοις οὐ συναινέτέον ὥς
 τὸ ἀρχαῖον καὶ δόκιμον τῆς πολιτείας νόμισμα
 παρακόπτουσι·

σοφὸν γὰρ ἐν βούλευμα τὰς πολλὰς χέρας
 νικᾷ, σὺν ὄχλῳ δ' ἀμαθία μείζον κακόν.

48 Ἀλλὰ τοσαύτη τινὲς ὑπερβολῇ χρῶνται μοχθηρίας,
 ὥστ' οὐ μόνον ἀνθρώπων ἀγέννητα κατηγοροῦσιν,
 ἀλλ' ἐπιμένοντες τῇ μοχθηρίᾳ διαίρουσι καὶ τεί-
 νουσι τὸ ψεῦδος ἄχρι οὐρανοῦ, τῆς μακαρίας καὶ
 εὐδαίμονος θεοῦ φύσεως καταμαρτυροῦντες· εἰσὶ δ'
 οὗτοι τερατοσκόποι καὶ οἰωνοσκόποι καὶ θύται καὶ
 ὅσοι ἄλλοι μαντικὴν ἐκπονοῦσι τὴν σὺν τέχνῃ
 κακοτεχνίαν, εἰ δεῖ τ' ἀληθὲς εἰπεῖν, ἐπιτηδεύοντες,
 παράκομμα τῆς ἐνθέου κατοκωχῆς καὶ προφητείας.
 49 προφήτης μὲν γὰρ οὐδὲν ἴδιον ἀποφαίνεται τὸ
 παράπαν, ἀλλ' ἔστιν ἑρμηνεὺς ὑποβάλλοντος ἑτέρου
 πάνθ' ὅσα προφέρεται, καθ' ὃν χρόνον ἐνθουσιᾷ
 γεγωνὺς ἐν ἀγνοίᾳ, μετανισταμένου μὲν τοῦ λο-
 γισμοῦ καὶ παρακεχωρηκότος τὴν τῆς ψυχῆς
 ἀκρόπολιν, ἐπιπεφοιτηκότος δὲ καὶ ἐνωκκηκότος
 τοῦ θείου πνεύματος καὶ πᾶσαν τῆς φωνῆς ὀργανο-

^a Lines from a fragment of Euripides quoted by many

THE SPECIAL LAWS, IV. 45-49

to manliness to keep from being carried with them. Some people suppose that what the many think 46 right is lawful and just, though it be the height of lawlessness. But they do not judge well, for it is good to follow nature, and the headlong course of the multitude runs counter to what nature's leading would have us do. So if some people collect in 47 groups or crowded assemblages to give trouble, we must not consent to their debasing of the long established and sterling coinage of civic life.

Better than many hands is one wise thought,
A multitude of fools makes folly worse.^a

But some show such an excess of wickedness that 48 they not only lay to the charge of men things which have never occurred but persisting in their wickedness exalt and extend the falsehood to heaven and bear testimony against the blessed and ever happy nature of God.^b These are the interpreters of portents and auguries and of sacrificial entrails, and all the other proficient in divination who practise an art which is in reality a corruption of art, a counterfeit of the divine and prophetic possession. For no pronouncement of a prophet is ever his 49 own; he is an interpreter prompted by Another in all his utterances, when knowing not what he does he is filled with inspiration, as the reason withdraws and surrenders the citadel of the soul to a new visitor and tenant, the Divine Spirit which

writers and stated to come from the tragedy *Antiope*. See Nauck, *Fr. of Eur.* 220.

^b This condemnation of divination as a breach of the ninth commandment because it constitutes false witness against God is very strained. In the parallel passage, i. 59-63, it has been connected with the first.

- ποιίαν κρούοντός τε¹ καὶ ἐνηχοῦντος εἰς ἐναργῇ
 50 δῆλωσιν ὧν προθεσπίζει. τῶν δὲ τὴν παράσημον
 καὶ βωμολόχον μαντικὴν ζηλούντων ἕκαστος ταῖς
 εἰκασίαις καὶ στοχασμοῖς ἀνοίκειον τάξιν παρα-
 τίθησι τὴν τῆς ἀληθείας καὶ τοὺς ἀβεβαίους τὸ
 ἦθος ὑπαγόμενος ῥαδίως καθάπερ ἀνερμάτιστα
 σκάφη πολὺς ἀντιπνεύσας² ἀνωθεὶ καὶ ἀνατρέπει,
 διακωλύων ὑποδρόμοις ἀσφαλέσι προσσχεῖν εὖσε-
 βείας· τὰ γὰρ τοπασθέντα προλέγειν οἴεται δεῖν ὥς
 οὐκ αὐτὸς εὐρών, ἀλλ' ὥς ἀφανῶς αὐτῷ μόνῳ
 χρησθέντα θεῖα λόγια, πρὸς βεβαιοτέραν πίστιν
 51 ἀπάτης μεγάλων καὶ πολυανθρώπων ὁμίλων. τὸν
 τοιοῦτον εὐθυβόλῳ ὀνόματι ψευδοπροφήτην προσ-
 [344] αγορεύει, κιβδηλεύοντα τὴν | ἀληθῇ προφητείαν
 καὶ τὰ γνήσια νόθοις εὐρήμασιν ἐπισκιάζοντα.
 χρόνῳ δὲ παντάπασιν ὀλίγῳ διακαλύπτεται τὰ
 τοιαῦτα στρατηγήματα, τῆς φύσεως οὐκ αἰεὶ κρύ-
 πτεσθαι φιλούσης, ἀλλ' ὁπότεν καιρὸς ἦ τὸ ἴδιον
 52 κάλλος ἀναφανούσης ἀηττήτοις δυνάμεσιν. ὥς
 γὰρ ἐν ταῖς ἡλιακαῖς ἐκλείψειν αἱ ἀκτῖνες πρὸς
 βραχύτατον ἀμαυρωθεῖσαι μικρὸν ὕστερον ἀναλάμ-
 πουσιν ἄσκιον καὶ τηλαυγὲς ἐπιδεικνύμεναι φέγ-

¹ Perhaps omit τε, and so Mangey, but without ms. author-
 ity. See note a.

² Cohn following Mangey inserts ἀνεμος after ἀντιπνεύσας.
 It seems to me unnecessary. The metaphorical application
 of wind-terms by the simple verb is common in Philo. See
 Index s.v. πνέω, e.g. λαμπρὸν πνέουσι *De Cong.* 159.

^a Or "makes sounds on," "raises sounds from" it, i.e. the
 vocal organism. This must be the sense if τε is retained,
 though to understand the dative from the preceding accusa-
 tive seems awkward. Mangey translates "formante," and
 I presume Heinemann means much the same by "bringt

THE SPECIAL LAWS, IV. 49-52

plays upon the vocal organism and dictates words^a which clearly express its prophetic message. Now 50 everyone who pursues the spurious scurvy trade of divination ranks his surmises and conjectures with truth, a position ill-suited to them, and easily gets the unstable of character into his power; then with a mighty counterblast as it were he pushes about and upsets their unballasted barks and prevents them from coming to port in the sure roadsteads of piety. For he thinks he must proclaim the results of his guessing to be not his own discovery but divine oracles, secretly vouchsafed to him alone, and thus confirm the great multitudes which gather around him in their acceptance of the fraud. Such 51 a person receives from the lawgiver the appropriate name of false prophet,^b for he adulterates the true prophecy and with his spurious inventions throws the genuine into the shade. But in quite a short time such manoeuvres are exposed, for it is not nature's way to be concealed for ever but when the right time comes she uses her invincible powers to unveil the beauty which is hers alone. For as 52 in eclipses of the sun the rays are dimmed for a very short time but soon shine again spreading a light unshadowed and far-reaching, when the sun is

den ganzen Stimmapparat zum Schallen und Tönen," but I do not see how the word can mean this. For Philo's regular use of *ἐντυχῆν* to express reiteration and insistence in speech see note on *De Mut.* 57 (vol. v. p. 588). For the sense of this sentence cf. i. 65, *Quis Rerum* 266. Heinemann compares Plato, *Ion* 534. See App. p. 429.

^b The word *ψευδοπροφήτης* is not used of diviners in the Pentateuch nor indeed used at all. It is however found elsewhere in the LXX, and is associated with divination, Jer. xxxiv. (E.V. xxvii.) 9, xxxvi. (E.V. xxix.) 8.

γος, μηδενὸς ἐπιπροσθοῦντος ἡλίω τὸ παράπαν, ἀλλ' ὡς ἐν αἰθρία καθαρᾷ ὀλοστόν ἀναφαίνοντι,¹ οὕτως καὶ χρησμολογῶσί τινες μαντικὴν μὲν ἐπεψευσμένην τεχνάζοντες, ὑποδύμενοι δ' εὐ-πρεπὲς ὄνομα τὸ προφητείας, ἐνθουσιάζεις κατα-ψευδόμενοι θεοῦ, διελεγχθήσονται ῥαδίως· ἥξει γὰρ πάλιν ἡ ἀλήθεια καὶ ἀναλάμψει φῶς ἀστράπτουσα τηλαυγέστατον, ὡς τό γε ἐπισκιάσαν ψεῦδος ἀφανισθῆναι.

- 53 Πάγκαλον μέντοι κακείμενο προσδιετάξατο κελεύσας ἐνὸς μαρτυρίαν μὴ προσίεσθαι· πρῶτον μὲν ὅτι ἐνδέχεται ἓνα καὶ παριδεῖν τι καὶ παρακοῦσαι καὶ παρενθυμηθῆναι καὶ ἀπατηθῆναι, δόξαι γὰρ αἱ ψευδεῖς μυρίαι καὶ ἀπὸ μυρίων εἰώθασι προσπίπ-
54 τειν· δεύτερον δὲ ὅτι κατὰ πλείονων ἢ καὶ καθ' ἐνὸς ἀδικώτατον (ἐνὶ) χρῆσθαι μάρτυρι, τῶν² μὲν ὅτι δὴ πρὸς πίστιν ἀξιονικότεροι ἐνός, τοῦ δ' ἐπειδὴ κατ' ἀριθμὸν οὐ προφέρει, τὸ δ' ἴσον πλεονεξίας ἀλλό-τριον· τί γὰρ μᾶλλον τῷ μάρτυρι καθ' ἑτέρου δι-εξιόντι ἢ τῷ κατηγορουμένῳ ὑπὲρ αὐτοῦ λέγοντι συναινέτον; ἄριστον δ' ὡς ἔοικεν ἐπέχειν, ἔνθα μηδὲν ἐνδεῖ μηδὲ ὑπερβάλλει.

¹ Cohn brackets the words ἀλλ' ὡς . . . ἀναφαίνοντι, but his arguments (see *Hermes*, 1908, p. 208) do not seem to me very conclusive. They are (1) the words cannot be explained grammatically, for it is not clear to what ἀναφαίνοντι refers. (It surely agrees with ἡλίω, and the construction, though very awkward, is not ungrammatical.) (2) ὀλοστός is only known from a gloss of Hesychius. (Mangey's proposal of ὀλως αὐτὸν or αὐτὸν (?) might overcome this.) (3) The hiatus καθαρᾷ ὀλοστόν is intolerable. (On this see note in App. to § 40.) My own further difficulty is that I do not see the meaning of ὡς. But altogether the clause, though certainly

THE SPECIAL LAWS, IV. 52-54

not obscured at all by any intervening object but displays its whole surface in clear open sky, just so though some oracle-mongers may ply their false art of divination, masked under the specious name of prophecy, and palm off their ecstatic utterances upon the Godhead, they will easily be detected. Truth will come back and shine again, illuminating the far distance with its radiance, and the lie which overshadowed it will vanish away.

He added another excellent injunction when he 53 forbade them to accept the evidence of a single person,^a first because the single person may see or hear imperfectly or misunderstand and be deceived, since false opinions are numberless and numberless too the sources from which they spring to attack us. Secondly because it is most unjust to accept a single 54 witness against more than one or even against one : against more than one, because their number makes them more worthy of credence than the one : against one, because the witness has not got preponderance of number, and equality is incompatible with predominance. For why should the statement of a witness made in accusation of another be accepted in preference to the words of the accused spoken in his own defence ? Where there is neither deficiency nor excess it is clearly best to suspend judgement.^b

^a Num. xxxv. 30, Deut. xvii. 6 (of death sentences), Deut. xix. 15 (of all offences).

^b Heinemann "where no one is behind or has an advantage," but the neuter *μηδέν* points rather to a general maxim. See App. p. 430.

open to suspicion, does not seem to me impossible. On *ὁλοστός* see further App. p. 430.

² MSS. *τὸν* or *τὸ*.

- 55 IX. ¹Οἴεται δεῖν ὁ νόμος ἅπαντας μὲν τοὺς συμ-
 φερομένους τῇ κατὰ Μωυσέα ἱερᾷ πολιτεῖα παντὸς
 ἀλόγου πάθους καὶ πάσης κακίας ἀμετόχους εἶναι
 μᾶλλον ἢ τοὺς τοῖς ἄλλοις νόμοις χρωμένους, δια-
 φερόντως δὲ τοὺς λαχόντας ἢ χειροτονηθέντας
 δικάζειν. ἄτοπον γὰρ ἁμαρτήμασιν ἐνόχους εἶναι
 [345] | τοὺς τοῖς ἄλλοις τὰ δίκαια βραβεύειν ἀξιούντας,
 οἷς ἀναγκαῖον καθάπερ ἀπ' ἀρχετύπου γραφῆς ἀπο-
 56 μάττεσθαι τὰ φύσεως ἔργα πρὸς μίμησιν. ὥς
 γὰρ ἡ τοῦ πυρὸς δύναμις ἀλεαίνουσα ὧν ἂν προσ-
 ἄψηται θερμὴ πολὺ πρότερον αὐτῇ κατέστηκεν ἐξ
 αὐτῆς καὶ κατὰ τοῦναντίον ἢ τῆς χιόνος τῷ κατ-
 εψύχθαι καὶ τᾶλλα ἐπιψύχει, οὕτως ὀφείλει καὶ
 δικαστῆς ἀνάπλεως εἶναι δικαιοσύνης ἀκραίφνους,
 εἴ γε μέλλει τὰ δίκαια τοῖς ἐντευξομένοις ἐπάρδειν,
 ἢν' ὥσπερ ἀπὸ πηγῆς γλυκείας φέρεται νᾶμα πό-
 57 τιμον τοῖς διψῶσιν εὐνομίας. τουτὶ δὲ συμβήσεται,
 εἴαν τις δικάζειν εἰσιῶν ἐν ταύτῳ νομίῳ κρίνειν
 τε καὶ κρίνεσθαι καὶ ἀναλαμβάνῃ ἅμα τῇ ψήφῳ
 σύνεσιν μὲν εἰς τὸ μὴ ἀπατᾶσθαι, δικαιοσύνην δὲ
 εἰς τὴν τῶν κατ' ἀξίαν ἐπιβαλλόντων ἐκάστοις
 ἀπονομήν, ἀνδρείαν δὲ εἰς τὸ ἀνένδοτον πρὸς ἱκε-
 58 ρίας. ὁ τούτων ἐπιμελούμενος τῶν ἀρετῶν κοινὸς
 εὐεργέτης εἰκότως ἂν νομίζοιτο, κυβερνήτου τρόπον

¹ Here the mss. have a heading *Τὰ πρὸς δικαστήν*, and Cohn begins a new numeration of chapters. But though these sections, 41-78, might perhaps have come more appropriately in the latter half of the book on *δικαιοσύνη*, Philo clearly regards them as belonging to the ninth commandment (§ 78).

^a Heinemann objects that no judges were chosen by lot in Israel, cf. § 157, but Philo of course means that however they

THE SPECIAL LAWS, IV. 54-58

IX. The law holds that all who conform to the 55 sacred constitution laid down by Moses must be exempt from every unreasoning passion and every vice in a higher degree than those who are governed by other laws, and that this particularly applies to those who are appointed to act as judges by lot^a or election. For it is against all reason that those who claim to dispense justice to others should themselves have offences to answer for. On the contrary it is necessary that they should bear the impress of the operations of nature, as from an original design, and thus imitate them.^b Consider 56 the power exerted by fire and snow. Fire warms all it touches but its heat primarily resides in itself, snow its opposite through its own coldness chills other things. So too the judge must be permeated by pure justice if he is to foster with the water of justice those who will come before him, and thus as from a sweet fountain there may issue a stream fit to refresh the lips of those who thirst for true and lawful dealings. And this will come to pass if 57 a man when he enters upon his duties as judge considers that when he tries a case he is himself on his trial, and with his voting tablet^c takes also good sense to make him proof against deceit, justice to assign to each according to his deserts, courage to remain unmoved by supplication and lamentation over the punishments of the convicted. He who 58 studies to possess these virtues will properly be considered a public benefactor. Like a good pilot were elected the law would demand a higher standard from them than from the Gentile.

^b So rather than as Goodenough, "to be imitated by others."

^c Lit. "pebble."

PHILO

ἀγαθοῦ τοὺς χειμῶνας τῶν πραγμάτων ἐξευδιάζων
 ἕνεκα σωτηρίας καὶ ἀσφαλείας τῶν τὰ οἰκεία ἐπι-
 τετροφύτων αὐτῷ.

- 59 X. Κελεύει δὴ πρῶτον ὁ νόμος τῷ δικαστῇ μὴ
 παραδέχεσθαι ἀκοὴν ματαίαν. τί δὲ τοῦτ' ἐστίν;
 ἔστω, φησὶν, ὦ οὗτος, τὰ ὧτά σου κεκαθαρμένα·
 καθαρθήσεται δέ, ἐὰν νάμασι σπουδαίων λόγων
 συνεχῶς ἐπαντλήται, τὰς ματαίους καὶ πεπατη-
 μένας καὶ χλεύης ἀξίας μυθογράφων ἢ μιμολόγων
 ἢ τυφοπλαστῶν τὰ μηδενὸς ἀξία σεμνοποιούντων
 60 μακρὰς ῥήσεις μὴ προσιέμενα. δηλοῦται δ' ἐκ τοῦ
 μὴ παραδέχεσθαι ματαίαν ἀκοὴν καὶ ἕτερόν τι τῷ
 προτέρῳ συνᾶδον· τοῖς ἀκοὴν μαρτυροῦσι, φησὶν, ὁ
 προσέχων ματαίως καὶ οὐχ ὑγιῶς προσέξει· διὰ τί;
 ὅτι ὀφθαλμοὶ μὲν αὐτοῖς ἐντυγχάνουσι τοῖς γινο-
 μένοις, ἐφαπτόμενοι τρόπον τινὰ τῶν πραγμάτων
 καὶ ὅλα δι' ὅλων καταλαμβάνοντες, φωτὸς συν-
 εργοῦντος, ὧ πάντα ἀνγάζεται τε καὶ διελέγχεται,
 ὧτα δ', ὡς ἔφη τις οὐκ ἀπὸ σκοποῦ τῶν προτέρων,
 ὀφθαλμῶν ἀπιστότερα, πράγμασι μὲν οὐκ ἐντυγ-
 χάνοντα, ἐρμηνεύσι δὲ πραγμάτων λόγοις οὐκ αἰεὶ
 61 πεφυκόσιν ἀληθεύειν περιελκόμενα. διὸ καὶ τῶν
 παρ' Ἑλλήσιν ἔνιοι νομοθετῶν μεταγράψαντες ἐκ
 τῶν ἱερωτάτων Μωυσέως στηλῶν εὖ διατάξασθαι

^a Or "tranquillizing," which is the natural meaning of the word, but a pilot does not do this.

^b Ex. xxiii. 1. E.V. "Thou shalt not take up a false report." LXX as quoted here.

^c Goodenough supposes that these expositions or harangues refer to the sophistry of advocates, *cf. Spec. Leg.* iii. 121, but this is not borne out by the sequel, mythmakers, etc. Philo seems to have slipped into a general denunciation of "idle hearings," and particularly of the μυθικὰ πλάσματα against

THE SPECIAL LAWS, IV. 58-61

he steers a prosperous voyage^a through the storms of business to secure the preservation and security of those who have entrusted their interests to him.

X. The first instruction that the law gives to the 59 judge is that he should not accept idle hearing.^b What is this? "Let your ears, my friend," he says, "be purged" and purged they will be if streams of worthy thoughts and words are constantly poured into them and if they refuse to admit the long-winded expositions,^c the idle hackneyed^d absurdities of the makers of myths and farces and of vain inventions with their glorification of the worthless. And the phrase "not accept idle hear- 60 ing" has another signification consistent with that just mentioned. If men listen to hearsay given as evidence their listening will be idle and unsound. Why so? Because the eyes are conversant with the actual events; they are in a sense in contact with the facts and grasp them in their completeness through the co-operation of the light which reveals and tests everything. But ears, as one of the ancients has aptly said, are less trustworthy than eyes^e; they are not conversant with facts, but are distracted by words which interpret the facts but are not necessarily always veracious. And therefore it 61 seems that some Grecian legislators did well when they copied from the most sacred tables of Moses

which he so often inveighs, *e.g.* *De Virt.* 102. Cf. the longer digression in §§ 68, 69.

^d Goodenough "worthy of rejection," and so Mangey "proculcatas," but the usage for "much trodden," "trite," is well established.

^e Quoted almost verbatim from Herodotus i. 8. Polybius xii. 27. 1 ascribes it in a slightly different form (*ὀφθαλμοὶ τῶν ὤτων ἀκριβέστεροι μάρτυρες*) to Heracleitus.

δοκοῦσι, μὴ μαρτυρεῖν ἀκοήν,¹ ὡς δέον, ἃ μὲν εἰδέ
 62 τις, πιστὰ κρίνειν, ἃ δὲ ἤκουσε, μὴ πάντως βέβαια.

[346] XI. | Δεύτερον παράγγελμα κριτῇ δῶρα μὴ
 λαμβάνειν· τὰ γὰρ δῶρα, φησὶν ὁ νόμος, πηροὶ μὲν
 ὀφθαλμοὺς βλέποντας, τὰ δὲ δίκαια λυμαίνεται, τὴν
 δὲ διάνοιαν οὐκ ἔα διὰ λεωφόρου βαίνειν ἐπ' εὐ-
 63 θείας. καὶ τὸ μὲν δωροδοκεῖν ἐπ' ἀδίκους παμπονή-
 ρων ἐστὶν ἀνθρώπων ἔργον, τὸ δ' ἐπὶ δικαίοις ἐφ'
 ἡμισεῖα πονηρευομένων· εἰσὶ γὰρ εὐπάρυφοί τινες
 ἡμιμόχθηροι, δικαϊάδικοι, τὴν ὑπὲρ² τῶν πεπλημ-
 μελημένων τεταγμένοι τάξιν κατὰ τῶν πλημμελη-
 σάντων, προῖκα δ' οὐκ ἀξιοῦντες νικῶντας γράφειν
 οὓς νικᾶν ἀναγκαῖον, ἀλλὰ τὴν γνώσιν ὦνιον καὶ
 64 ἔμμισθον ἀποφαίνοντες. εἴτα ἐπειδάν τις αἰτιᾶται,
 φασὶ μὴ παρατρέψαι τὸ δίκαιον—ἡττηθῆναι μὲν
 γὰρ οὓς ἀρμόττον ἦν ἡττᾶσθαι, νενικηκέναι δ' οὓς
 ἐχρῆν περιγίνεσθαι—, κακῶς ἀπολογούμενοι· δύο γὰρ
 δεῖ προσφέρεισθαι τὸν ἀγαθὸν δικαστήν, νομικω-
 τάτην γνώσιν καὶ τὸ ἀδέκαστον· ὁ δὲ ἐπὶ δώροις
 βραβεύτης τοῦ δικαίου καλὸν φύσει πρᾶγμα λέ-
 65 ληθεν αἰσχύνων. ἐπεξαμαρτάνει δὲ καὶ δύο ἕτερα,
 τὸ μὲν ἐθίζων ἑαυτὸν εἶναι φιλοχρήματον, ὅπερ
 ὀρμητήριον τῶν μεγίστων παρανομημάτων ἐστί, τὸ

¹ MSS. ἀκοη (= ἀκοῇ). See note a.

² MSS. περὶ (or παρὰ).

^a A clear reference to Attic law. See note on *De Conf.* 141 (vol. iv. pp. 556, 557), where reference is given to the *Dict. of Ant.* article "Akoēn Marturein," and passages in the orators.

^b Ex. xxiii. 8. The end "perverteth the words of the righteous" (lxx "just words") suggests that ῥήματα may have fallen out.

^c From Plato, *Rep.* 352 c.

THE SPECIAL LAWS, IV. 61-65

the enactment that hearing is not accepted as evidence,^a meaning that what a man has seen is to be judged trustworthy, but what he has heard is not entirely reliable.

XI. The second instruction to the judge is not to ⁶² take gifts, for gifts, says the law, blind the eyes ^b which see and corrupt the things that are just, while they prevent the mind from pursuing its course straight along the high road. And while receiving ⁶³ bribes to do injustice is the act of the utterly depraved, to receive them to do justice shows a half depravity. For there are some magistrates half way in wickedness,^c mixtures of justice and injustice, who having been appointed to the duty of supporting the wronged against the wrongdoers think themselves justified in refusing without a consideration to record a victory to the necessarily victorious party and so make their verdict a thing purchased and paid for.^d Then when they are attacked they ⁶⁴ plead that they did not pervert justice, since those who ought to lose did lose and those who deserved to win were successful. This is a bad defence, for two things are demanded from the good judge, a verdict absolutely according to law and a refusal to be bribed. But the awarder^e of justice who has taken gifts for it has unconsciously disfigured what nature has made beautiful. Apart from this ⁶⁵ he offends in two other ways; he is habituating himself to be covetous of money, and that vice is the source from which the greatest iniquities spring,

^a See App. p. 430.

^e Or "umpire." For the phrase *βραβευτής τοῦ δικαίου* Heinemann quotes Aristot. *Rhet.* i. 15. 24 *τοῦ δικαίου βραβευ- τῆς ὁ δίκαστής*. See App. p. 431.

δὲ βλάπτων ὃν ἄξιον ἦν ὠφελεῖν τιμὴν τοῦ δικαίου
 66 κατατιθέντα. διὸ σφόδρα παιδευτικῶς Μωυσῆς
 δικαίως τὸ δίκαιον προστάττει μεταδιώκειν, αἰ-
 νιττόμενος ὅτι καὶ ἀδίκως ἔνεστι, διὰ τοὺς ἐπὶ
 δώροις τοῦ δικαίου βραβευτάς, οὐ μόνον ἐν δικα-
 στηρίοις, ἀλλὰ πανταχοῦ κατὰ τε γῆν καὶ θάλατταν
 καὶ ἐν ἅπασιν ὀλίγου δέω φάναι τοῖς τοῦ βίου
 67 πράγμασιν. ἤδη γοῦν ὀλιγοχρήματόν τις παρα-
 καταθήκην λαβὼν ἀπέδωκεν, ἐπ' ἐνέδρᾳ μᾶλλον
 τοῦ λαμβάνοντος ἢ ὠφελείᾳ, ἵνα τὴν ἐν ὀλίγοις
 πίστιν δέλεαρ καθεῖς ἀγκιστρεύσῃται τὴν ἐν μεί-
 ζοσιν πίστιν,¹ ὅπερ οὐδὲν ἦν ἕτερον ἢ τὸ δίκαιον μὴ
 δικαίως ἐπιτελεῖν· δίκαιον μὲν γὰρ ἢ τῶν ἁλλο-
 τρίων ἀπόδοσις, οὐ δικαίως δ' ἐγένετο, παρόσον ἐπὶ
 68 θήρᾳ πλειόνων. αἴτιον δὲ τῶν τοιούτων
 ἁμαρτημάτων ἐστὶν ἐν τοῖς μάλιστα ἢ πρὸς τὸ
 ψεῦδος οἰκείωσις, ὅπερ ἐκ πρώτης γενέσεως καὶ
 σπαργάνων αὐτῶν τίτθαι καὶ μητέρες καὶ ὁ ἄλλος
 τῶν κατ' οἰκίαν ἀνδραπόδων καὶ ἐλευθέρων ὁμιλος
 ἔργοις καὶ λόγοις ἀεὶ σύντροφον κατασκευάζουσιν,
 ἀρμοζόμενοι καὶ ἐνοῦντες αὐτὸ τῇ ψυχῇ ὡς μέρος
 ἐκ φύσεως ἀναγκαῖον, ὅπερ, εἰ καὶ τῷ ὄντι φύσει
 συνεγεγέννητο, ὥφειλεν ἐπιτηδεύσει τῶν καλῶν ἐκ-
 69 τετμηθῆναι. τί δ' οὕτως ἐν βίῳ καλὸν ὡς ἀλήθεια;
 ἦν ὁ πάνσοφος ἐστηλίτευσεν ἐν ἱερωτάτῳ χωρίῳ,

¹ So Mangey, quoting *De Plant.* 101 μηδὲ τὴν ἐν ὀλίγοις
 πίστιν φύλασσε ἐπὶ θήρᾳ τῆς ἐν πλείοσι πίστεως. MSS. ἀπιστίαν
 (or ἀδικίαν).

^a Deut. xvi. 20. E.V. "that which is altogether just shalt
 thou follow." Cf. *De Cher.* 15, where it is quoted with the

THE SPECIAL LAWS, IV. 65-69

and he is injuring one who deserves to be benefited when that person has to pay a price for justice. And therefore Moses gives us a very instructive 66 command, when he bids us pursue justice justly,^a implying that it is possible to do so unjustly. He refers to those who give a just award for lucre, not only in law courts but everywhere on land and sea and one may almost say in all the affairs of life. Thus we have heard of a person 67 accepting a deposit of little value and repaying it with a view to ensnare rather than to benefit the person to whom he gives it.^b His object was by baiting his hook with trustworthiness in small matters to secure trustfulness in greater things, and this is nothing else than executing justice unjustly, for while repayment of what is due to others is a just deed, it was not done justly being done in pursuit of further gains.

Now the principal cause 68 of such misdeeds is familiarity with falsehood which grows up with the children right from their birth and from the cradle, the work of nurses and mothers and the rest of the company, slaves and free, who belong to the household. By word and deed they are perpetually welding and uniting falsehood to the soul as though it were a necessary part inherent in its nature, though if nature had really made it congenital it ought to have been eradicated by habituation to things excellent. And what has life 69 to show so excellent as truth, which the man of perfect wisdom set as a monument on the robe of

same application as here, and *Quod. Det.* 18, where it is cited as forbidding mistaken asceticism and ritual.

^b For this confidence trick see *De Plant.* 103, *De Cher.* 14 also in connexion with *Deut. l.c.*, and perhaps *De Dec.* 172.

[347] κατὰ τὴν τοῦ ἀρχιερέως στολήν, | ἔνθα τὸ τῆς ψυχῆς ἡγεμονικόν, ἀναθημάτων τῷ καλλίστῳ καὶ διαπρεπεστάτῳ βουλευθεὶς αὐτὸν ἐπικοσμήσαι, συγγενῇ δὲ δυνάμιν ἀληθείᾳ παριδρύσατο, ἣν ἐκάλεσε δήλωσιν, ἀμφοτέρων τῶν ἐν ἡμῖν λόγων εἰκόνας, ἐνδιαθέτου τε καὶ προφορικοῦ· δεῖται γὰρ ὁ μὲν προφορικὸς δηλώσεως, ἥ τὰ ἀφανῆ τῶν¹ καθ' ἕκαστον ἡμῶν ἐνθύμια γνωρίζεται τῷ πέλας, ὁ δ' ἐνδιάθετος ἀληθείας, εἰς τελειότητα βίου καὶ πράξεων δι' ὧν² ἢ ἐπ' εὐδαιμονίαν ὁδὸς ἀνευρίσκεται.

- 70 XII. Τρίτον παράγγελμα τῷ δικαστῇ τὰ πράγματα πρὸ τῶν κρινομένων ἐξετάζειν καὶ πειραῖσθαι πάντα τρόπον ἀφέλκειν αὐτὸν τῆς τῶν δικαζομένων φαντασίας, εἰς ἄγνοιαν καὶ λήθην βιαζόμενον ὧν ἐπιστήμην εἶχε καὶ μνήμην, οἰκείων, φίλων, πολιτῶν, καὶ πάλιν ἀλλοτρίων, ἐχθρῶν, ξένων, ἵνα μήτε εὖνοια μήτε μῖσος ἐπισκιάσῃ τῶν δικαίων τὴν γνῶσιν· ἀνάγκη γὰρ οἶα τυφλὸν δίχα βάκτρον προερχόμενον καὶ τοὺς ποδηγετήσοντας οὐκ ἔχοντα οἷς
71 βεβαίως ἐπερείσεται πταίειν. ὅθεν προσήκει τὸν ἀγαθὸν δικαστὴν τοὺς μὲν κρινομένους, οἵτινες ἂν ὦσι, παρακαλύπτεσθαι, τὴν δὲ φύσιν τῶν πραγμάτων ἀπλαστον καὶ γυμνὴν ὁρᾶν, μὴ πρὸς δόξας ἀλλὰ πρὸς ἀλήθειαν μέλλοντα κρίνειν καὶ τοιαύτην

¹ Perhaps omit τῶν. See note a.

² Heinemann wishes to read δι' ἧς on the ground that τελειότης not πράξεις leads to happiness. But as translated the text seems to present no difficulty.

^a If τῶν, which is ignored by Heinemann and Mangey, as

THE SPECIAL LAWS, IV. 69-71

the high priest in the most sacred place where the dominant part of the soul resides, when he wished to deck him with a sacred ornament of special beauty and magnificence? And beside truth he set a kindred quality which he called "clear showing," the two representing both aspects of the reason we possess, the inward and the outward. For the outward requires clear showing by which the invisible thoughts in each of us^a are made known to our neighbours. The inward requires truth to bring to perfection the conduct of life and the actions by which the way to happiness is discovered.

XII. A third instruction to the judge is that he 70 should scrutinize the facts rather than the litigants and should try in every way to withdraw himself from the contemplation of those whom he is trying.^b He must force himself to ignore and forget those whom he has known and remembered, relations, friends and fellow citizens and on the other hand strangers, enemies, foreigners so that neither kind feeling nor hatred may becloud his decision of what is just. Otherwise he must stumble like a blind man proceeding without a staff or others to guide his feet on whom he can lean with security; and 71 therefore the good judge must draw a veil over the disputants, whoever they are, and keep in view the nature of the facts in their naked simplicity. He must come with the intention of judging according to truth and not according to the opinions of well as above, is retained, the meaning will be "such of our thoughts as are invisible." But surely all thoughts are invisible till expressed.

^b Deut. i. 17 (xvi. 19) "Thou shalt not respect persons in judgement." *ΙΧΧ οὐκ ἐπιγνώσῃ πρόσωπον* ("recognize a face"), a form which Philo is clearly expounding in the sequel.

- ἐννοίαν λαβόντα, ὅτι “ ἡ μὲν κρίσις τοῦ θεοῦ ἐστίν,” ὁ δὲ δικαστὴς ἐπίτροπος τῆς κρίσεως· ἐπιτρόπῳ δ’ οὐκ ἐφέϊται τὰ τοῦ κυρίου χαρίζεσθαι, παρακαταθήκην εἰληφότι τὴν πάντων τῶν κατὰ τὸν ἀνθρώπινον βίον ἀρίστην παρὰ τοῦ πάντων ἀρίστου.
- 72 XIII. Πρὸς δὲ τοῖς λεχθεῖσιν ἤδη καὶ ἄλλο σοφὸν εἰσηγείται· κελεύει (γὰρ) πένητα ἐν κρίσει μὴ ἐλεεῖν ὁ πᾶσαν σχεδὸν τι τὴν νομοθεσίαν πεπληρωκὼς τῶν εἰς ἔλεον καὶ φιλανθρωπίαν διαταγμάτων καὶ μεγάλας μὲν ἀπειλὰς ἐπανατεινόμενος ὑπερόπταις καὶ ἀλαζόσι, μεγάλα δὲ προθεῖς ἄθλα τοῖς τὰ ἀτυχήματα τῶν πέλας εἰς ἐπανόρθωσιν ἄγειν ἀξιούσι καὶ τὰς περιουσίας οὐκ ἴδια κτήματα
- 73 νομίζουσιν ἀλλὰ κοινὰ τῶν ἐν ἐνδείαις. ὁ γὰρ ἔφη τις οὐκ ἀπὸ σκοποῦ τῶν πρότερον, ἀληθὲς ἐστίν, ὅτι παραπλήσιον οὐδὲν ἄνθρωποι θεῷ δρῶσιν ἢ χαριζόμενοι. τί δ’ ἂν εἴη κρεῖττον ἀγαθὸν ἢ μί-
- 74 μείσθαι θεὸν γενητοῖς τὸν αἰδίων; μὴτ’ οὖν ὁ πλούσιος ἄργυρον καὶ χρυσὸν οἴκοι συναγαγὼν ἀφθονον θησαυροφυλακείτω, προφερέτω δ’ εἰς μέσον, ἵνα τὸ σκληροδίατον τῶν ἀπόρων ἱλαραῖς μετὰδόσεσι λιπαίνῃ, μὴτ’, εἴ τις ἐνδοξος, ὑψηλὸν αἶρων αὐτὸν αὐχεῖτω φρναττόμενος, ἀλλ’ ἰσότητα τιμήσας
- [348] μεταδιδότω παρρησίας τοῖς ἀδόξοις· | ὁ τε ῥώμῃ κεκρημένος σώματος ἔρεισμα τῶν ἀσθενεστέρων ἔστω καὶ μὴ καθάπερ ἐν τοῖς γυμνικοῖς ἀγῶσι καταπαγκρατιαζέτω τοὺς ἐλάττους ταῖς δυνάμεσιν,

^a Deut. i. 17.

^b Ex. xxiii. 3. E.V. “Neither shalt thou favour a poor man in his cause.” LXX as quoted here. Philo is evidently struck by the absence of the corresponding injunction not to favour the rich either, which is given in Lev. xix. 15.

THE SPECIAL LAWS, IV. 71-74

men, and with the thought before him that "judgement is God's"^a and the judge is the steward of judgement. As a steward he is not permitted to give away his master's goods, for the best of all things in human life is the trust he has received from the hands of One who is Himself the best of all.

XIII. He adds to those already mentioned another ⁷² wise precept, not to show pity to the poor man in giving judgement.^b And this comes from one who has filled practically his whole legislation with injunctions to show pity and kindness, who issues severe threats against the haughty and arrogant and offers great rewards to those who feel it a duty to redress the misfortunes of their neighbours and to look upon abundant wealth not as their personal possession but as something to be shared by those who are in need. For what one of the men of old ^c ⁷³ aptly said is true, that in no other action does man so much resemble God as in showing kindness, and what greater good can there be than that they should imitate God, they the created Him the eternal? So then let not the rich man collect great ⁷⁴ store of gold and silver and hoard it at his house, but bring it out for general use that he may soften the hard lot of the needy with the unction of his cheerfully given liberality. If he has high position, let him not show himself uplifted with boastful and insolent airs, but honour equality and allow a frank exchange of speech to those of low estate. If he possesses bodily vigour, let him be the support of the weaker and not as men do in athletic contest take every means of battering down the less powerful,

^c See App. p. 431.

ἀλλὰ φιλοτιμείσθω τῆς ἰδίας ἰσχύος μεταδιδόναι
 75 τοῖς ἐξ ἑαυτῶν ἀπειρηκόσιν. ὅσοι μὲν γὰρ ἀπὸ
 πηγῶν ἠρύσαντο τῶν σοφίας, φθόνον ὑπερόριον τῆς
 διανοίας ἐληλακότες ἄνευ προτροπῆς αὐτοκέλευστοι
 ταῖς τῶν πλησίον ὠφελείαις ἐπαποδύονται, τὰ λό-
 γων νάματα ταῖς ψυχαῖς ἐκείνων δι' ὧτων ἐπ-
 αντλοῦντες εἰς μετουσίαν τῆς ὁμοίας ἐπιστήμης· καὶ
 ἐπειδὰν ἴδωσιν ὥσπερ εὐβλαστα καὶ εὐγενῇ μοσχεύ-
 ματα νέους εὐφυεῖς, γεγῆθασιν οἰόμενοι κληρονό-
 μους ἀνευρηκέναι τοῦ ψυχικοῦ πλούτου, ὃς μόνος
 ἀληθείᾳ πλουτός ἐστι, καὶ παραλαβόντες γεωργοῦσι
 τὰς ψυχὰς δόγμασι καὶ θεωρήμασι, μέχρῃς ἂν
 στελεχωθεῖσαι καρπὸν τὸν καλοκάγαθίας ἐνέγκωσι.

76 τοιαῦτα τοῖς νόμοις ἀγάλματα συνύφαν-
 ται καὶ πεποιίικλται πρὸς εὐπορίαν ἀπόρων, οὓς
 ἐπὶ μόνῃς κρίσεως ἐλεεῖν οὐ θεμιτόν· ἔλεος γὰρ ἐπ'
 ἀτυχήμασιν, ὃ δ' ἐκουσίῳ γνώμῃ πονηρευόμενος
 77 οὐκ ἀτυχής, ἀλλ' ἄδικος. τιμωρίαι δ' ἐπ' ἀδίκους
 ὥς ἐπὶ δικαίοις τιμαὶ βεβαιούσθωσαν· ὥστε μηδεὶς
 μοχθηρὸς ἄπορος ὑπείλλων καὶ ὑποστέλλων ἀχρη-
 ματίας οἴκτω τὸ δίκην δοῦναι παρακρουέσθω,
 δεδρακὼς οὐκ ἐλέου—πόθεν;—ἀλλ' ὀργῆς ἄξια. καὶ
 ὁ δικάζειν εἰσιὼν καθάπερ ἀργυραμοιβὸς ἀγαθὸς
 διαιρεῖτω καὶ διακρινέτω τὰς φύσεις τῶν πραγ-
 μάτων, ἵνα μὴ φύρηται συγχεόμενα τοῖς παρασῃ-
 78 μοις τὰ δόκιμα. πολλὰ μὲν οὖν ἄλλα πρὸς τε
 ψευδομάρτυρας καὶ δικαστὰς ἐνεστι λέγειν· ὑπὲρ δὲ
 τοῦ μὴ μακρηγορεῖν ἰτέον ἐπὶ τὸ τελευταῖον τῶν

^a For the application of ἀγάλματα to beautiful thoughts and qualities cf. *De Sob.* 38 (and possibly 3) and § 238 of this treatise, also θεοῦ μνημὴν ἀγαματοφορεῖν *De Virt.* 165.

THE SPECIAL LAWS, IV. 74-78

but make it his ambition to share the advantage of his strength with those who have none of their own left to brace them. All who have drawn water 75 from wisdom's wells banish a grudging spirit from the confines of the mind and needing no bidding save their own spontaneous instinct gird themselves up to benefit their neighbours and pour into their souls through the channel of their ears the word-stream which may make them partakers of their own knowledge. And when they see young people gifted by nature like fine thriving plants, they rejoice to think that they have found some to inherit the spiritual wealth which is the only true wealth. They take them in hand and till their souls with the husbandry of principles and doctrines until on their full grown stems they bear the fruit of noble living.

Such gems^a of varied beauty are inter- 76 woven in the laws, bidding us give wealth to the poor, and it is only on the judgement seat that we are forbidden to show them compassion. Compassion is for misfortunes, and he who acts wickedly of his own free will is not unfortunate but unjust. Let punishment be meted to the unjust as surely as 77 honours to the just. And therefore let no cowering, cringing rogue of a poor man evade his punishment by exciting pity for his penniless condition. His actions do not deserve compassion, far from it, but anger. And therefore one who undertakes to act as judge must be a good money changer, sifting with discrimination the nature of each of the facts before him, so that genuine and spurious may not be jumbled together in confusion. There is much 78 else which might be said about false witnesses and judges, but to avoid prolixity we must proceed to

δέκα λογίων, ὃ κεφαλαιώδει τύπῳ καθάπερ καὶ τῶν ἄλλων ἕκαστον κεχρησμέδηται, τοῦτο δ' ἐστίν·
 “οὐκ ἐπιθυμήσεις.”

- 79 XIV. ¹ Πᾶν μὲν πάθος ἐπίληπτον, ἐπεὶ καὶ πᾶσα ἄμετρος καὶ πλεονάζουσα ὁρμὴ καὶ τῆς ψυχῆς ἢ ἄλογος καὶ παρὰ φύσιν κίνησις ὑπαίτιος· ἐκάτερον γὰρ τούτων <τί> ἐστὶν ἕτερον ἢ παλαιὸν πάθος ἐξηπλωμένον; εἴ τις οὖν μὴ μέτρα ταῖς ὁρμαῖς ὀρίζει μηδὲ χαλινὸν ὥσπερ τοῖς ἀφηνιασταῖς ἵπποις ἐντίθῃσι, πάθει χρῆται δυσιάτῳ, κᾶπειτα λήσεται διὰ τὸν ἀφηνιασμόν ἐξενεχθεὶς οἷα ὑπὸ ἀρμάτων ἡνίοχος εἰς φάραγγας ἢ βάραθρα δυσαναπόρευτα,
- 80 ἐξ ὧν μόλις ἔστι σῶζεσθαι. τῶν δὲ παθῶν οὕτως οὐδὲν ἀργαλέον ὥς ἐπιθυμία τῶν ἀπόντων ὅσα τῷ δοκεῖν ἀγαθῶν, πρὸς ἀλήθειαν οὐκ ὄντων, χαλεποὺς
- [349] καὶ ἀνηνύτους | ἔρωτας ἐντίκτουσα· ἐπιτείνει γὰρ καὶ ἐπελαύνει μέχρι πορρωτάτῳ τὴν ψυχὴν εἰς τὸ ἄπειρον,² φεύγοντος ἔστιν ὅτε τοῦ διωκομένου κατα-
- 81 φρονητικῶς οὐκ ἐπὶ νῶτα ἀλλ' ἀντικρὺ. ὅταν γὰρ ἐπιτρέχουσιν αἰσθηταὶ μετὰ σπουδῆς τὴν ἐπιθυμίαν, ἡρεμήσαν ἐπ' ὀλίγον ὑπὲρ τοῦ δελεάσαι καὶ ἐλπίδα συλλήψεως τῆς [καθ'] αὐτοῦ παρασχεῖν, ἐξαναχωρεῖ μακροτέροις διαστήμασι κατακερτομοῦν· ἢ δὲ ἀπολειπομένη καὶ ὑστερίζουσα σφαδάζει Ταντάλειον τιμωρίαν ἐπιφέρουσα κακοδαίμονι ψυχῇ· καὶ γὰρ ἐκεῖνον λόγος ἔχει ποτὸν μὲν ἀρύσασθαι βουλόμενον ἀδυνατεῖν, ὑποφεύγοντος ὕδατος, εἰ δὲ

¹ The title Οὐκ ἐπιθυμήσεις is not required, having been expressed above. Cohn here begins a fresh numeration of chapters.

² MSS. ἀπορον.

^a For Philo's conception of ἐπιθυμία see note to *De Dec.* 142, and General Introduction to this Volume, p. x.

THE SPECIAL LAWS, IV. 78-81

the last of the ten Great Words. This, which like each of the rest was delivered in the form of a summary, is "Thou shalt not covet."^a

XIV. Every passion is blameworthy. This follows 79 from the censure due to every "inordinate and excessive impulse" and to "irrational and unnatural movements" of the soul,^b for both these are nothing else than the opening out of a long-standing passion. So if a man does not set bounds to his impulses and bridle them like horses which defy the reins he is the victim of a wellnigh fatal passion, and that defiance will cause him to be carried away before he knows it like a driver borne by his team into ravines or impassable abysses whence it is hardly possible to escape. But none of the passions is so 80 troublesome as covetousness or desire of what we have not, things which seem good, though they are not truly good. Such desire breeds fierce and endless yearnings; it urges and drives the soul ever so far into the boundless distance while the object of the chase often flies insolently before it, with its face not its back turned to the pursuer.^c For when it 81 perceives the desire eagerly racing after it it stands still for a while to entice it and provide a hope of its capture, then it is off and away, mocking and railing as the interval between them grows longer and longer. Meanwhile the desire outdistanced and losing ground is in sore distress and inflicts on the wretched soul the punishment of Tantalus,^d who, as the story goes, when he would get him something to drink could not because the water slipt away,

^b Both these phrases are Stoic definitions of *πάθος*. See *S.V.F.* index *s.v.* *πάθος*.

^c Cf. *De Dec.* 146.

^d Cf. *De Dec.* 149.

καρπὸν ἐθέλησειε δρέψασθαι, πάντας ἀφανίζεσθαι,
 82 στερουμένης τῆς περὶ τὰ δένδρα εὐφορίας. ὥς γὰρ
 αἱ ἀμείλικτοι καὶ ἀπαρηγόρητοι δέσποναι τοῦ σώ-
 ματος, δίψα <καὶ> πείνα, κατατείνουσιν αὐτὸ μᾶλ-
 λον ἢ οὐχ ἦττον τῶν ἐκ βασανιστοῦ τροχιζομένων
 ἄχρι θανάτου πολλάκις, εἰ μὴ τις αὐτὰς ἐξηγριω-
 μένας τιθασεύσει ποτοῖς καὶ σιτίοις, οὕτως ἡ ἐπι-
 θυμία κενὴν ἀποδείξασα τὴν ψυχὴν λήθη μὲν τῶν
 παρόντων, μνήμη δὲ τῶν μακρὰν ἀφεστηκότων
 οἴστρον καὶ μανίαν ἀκάθεκτον ἐγκατασκευάσασα,
 βαρυτέρας μὲν τῶν πρότερον δεσποινῶν ὁμωνύμους
 δ' ἐκείναις ἀπειργάσατο, δίψαν τε καὶ πείναν, οὐ
 τῶν περὶ γαστρὸς ἀπόλαυσιν, ἀλλὰ χρημάτων,
 δόξης, ἡγεμονιῶν, εὐμορφίας, ἄλλων ἀμυθήτων ὅσα
 κατὰ τὸν ἀνθρώπινον βίον ζηλωτὰ καὶ περιμάχητα
 83 εἶναι δοκεῖ. καὶ καθάπερ ἡ λεγομένη παρὰ τοῖς
 ἰατροῖς ἐρπηνώδης νόσος οὐκ ἐφ' ἐνὸς ἵσταται
 χωρίου, κινεῖται δὲ καὶ περιθεῖ καί, ὥς αὐτό που
 δηλοῖ τοῦνομα, διέρπει πάντῃ σκιδναμένη καὶ χρο-
 μένη, πᾶσαν τὴν κοινωνίαν τῶν τοῦ σώματος
 μερῶν ἀπὸ κεφαλῆς ἄκρας ἄχρι ποδῶν συλλαμβά-
 νουσα καὶ συναίρουσα,¹ τὸν αὐτὸν τρόπον καὶ ἡ
 ἐπιθυμία δι' ὅλης ἄττουσα τῆς ψυχῆς οὐδὲν οὐδέ
 τὸ βραχύτατον ἀπαθὲς αὐτῆς ἐῤ, μιμουμένη τὴν ἐν
 ἀφθόνῳ ὕλῃ πυρὸς δύναμιν· ἐξάπτει γὰρ καὶ ἀνα-
 φλέγει, μέχρις ἂν διαφαγοῦσα πᾶσαν αὐτὴν ἐξ-
 84 αναλώσῃ. XV. τοσοῦτον ἄρα καὶ οὕτως κακὸν
 ὑπερβάλλον ἐστὶν ἐπιθυμία, μᾶλλον δ', εἰ δεῖ

¹ So Mangey for mss. συνείρουσα, which would mean

THE SPECIAL LAWS, IV. 81-84

and when he wished to pluck fruit it all vanished and the rich produce of the trees was turned into barrenness. For just as those unmerciful and 82 relentless mistresses of the body, hunger and thirst, rack it with pains as great as, or greater than, those of the sufferers on the tormentor's wheel, and often bring it to the point of death unless their savagery is assuaged by food and drink, so it is with the soul. Desire makes it empty through oblivion of what is present, and then through memory of what is far away it produces fierce and uncontrollable madness, and thus creates mistresses harsher than those just mentioned though bearing the same name, hunger and thirst, in this case, not for what gives gratification to the belly, but for money, reputation, government, beautiful women^a and all the innumerable objects which are held in human life to be enviable and worthy of a struggle. And 83 just as the creeping sickness, as physicians call it, does not stand still in one place but moves about and courses round and round and justifies its name by creeping about, spreading in all directions, and gripping and seizing all parts of the body's system from the crown of the head to the sole of the feet, so does desire dart through the whole soul and leave not the smallest bit of it uninjured.^b In this it imitates the force of fire working on an abundance of fuel which it kindles into a blaze and devours until it has utterly consumed it. XV. So great then 84 and transcendent an evil is desire, or rather it may be

^a εὐμορφία, beauty in others, not in oneself, as § 89 shows.

^b Cf. *De Dec.* 150.

"stringing together"—a sense which does not suit this description of the "creeping sickness."

- τάληθές εἰπεῖν, ἀπάντων πηγὴ τῶν κακῶν· σὺλα γὰρ καὶ ἀρπαγαὶ καὶ χρεωκοπίαὶ συκοφανταί τε καὶ αἰκίαὶ καὶ προσέτι φθοραὶ καὶ μοιχεῖαι καὶ ἀνδροφονίαι καὶ πάνθ' ὅσα ἰδιωτικὰ ἢ δημόσια ἢ
- 85 ἱερὰ ἢ βέβηλα ἀδικήματα πόθεν ἄλλοθεν ἐρρύνῃ; τὸ γὰρ ἀψευδῶς ἂν λεχθὲν ἀρχέκακον πάθος ἐστὶν ἐπιθυμία, ἧς ἐν τὸ βραχύτατον ἔγγονον, ἔρως, οὐχ ἅπαξ ἀλλ' ἤδη πολλάκις ἀμυθήτων κατέπλησε τὴν οἰκουμένην συμφορῶν, ἃς οὐδ' ὁ σύμπας τῆς γῆς
- [350] κύκλος ἐχώρησεν, | ἀλλὰ διὰ πλῆθος ὥσπερ ὑπὸ χειμάρρου φορᾶς εἰς θάλατταν εἰσέπεσον, καὶ πανταχοῦ πάντα πελάγη πολεμίων κατεπλήσθη νηῶν καὶ ὅσα καινουργοῦσιν οἱ ναυτικοὶ πόλεμοι συνηνέχθη καὶ ἐπιπεσόντα ἀθρόα πάλιν εἰς νήσους καὶ ἡπείρους ὑπεσύρη, διαυλοδρομήσαντα καθάπερ ἐν
- 86 ταῖς παλιρροίαις ἀφ' ὧν ἤρξατο φέρεσθαι. τρανοτέραν δὲ τοῦ πάθους ἐνάργειαν¹ ληψόμεθα τὸν τρόπον τοῦτον· ὅσων ἂν ἐπιθυμία προσάψηται, μεταβολὴν ἀπεργάζεται τὴν πρὸς τὸ χεῖρον, οἷα τὰ ἰοβόλα ζῶα καὶ τὰ θανάσιμα τῶν φαρμάκων.
- 87 τί δ' ἐστὶν ὃ λέγω; εἰ πρὸς χρήματα γένοιτο, κλέπτας ἀποτελεῖ καὶ βαλαντιοτόμους καὶ λωποδύτας καὶ τοιχωρύχους χρεωκοπίας τε καὶ παρακαταθηκῶν ἀρνήσεσι καὶ δωροδοκίαις καὶ ἱεροσυλίαις καὶ τοῖς ὁμοιοτρόποις ἅπασιν ἐνόχους.
- 88 εἰ δὲ πρὸς δόξαν, ἀλαζόνας, ὑπερόπτας, ἀβεβαίους καὶ ἀνιδρύτους τὸ ἦθος, φωναῖς τὰ

¹ MSS. ἐνέργειαν.

^a See App. p. 431.

truly said, the fountain of all evils. For plunderings and robberies and repudiations of debts and false accusations and outrages, also seductions, adulteries, murders and all wrongful actions, whether private or public, whether in things sacred or things profane, from what other source do they flow? For the passion to which the name of originator of evil can truly be given is desire, of which one and that the smallest fruit the passion of love ^a has not only once but often in the past filled the whole world with countless calamities, which, too numerous to be contained by the whole compass of the land, have consequently poured into the sea as though driven by a torrent, and everywhere the wide waters have been filled with hostile ships and all the fresh terrors created by maritime war have come into being, then fallen with all their mass on islands and continents, swept along backwards and forwards from their original home as in the ebb and flow of the tides.^b But we shall gain a clearer insight into the passion in the following way. Desire, like venomous animals or deadly poisons, produces a change for the worse in all which it attacks. What do I mean by this? If the desire is directed to money it makes men thieves and cut-purses, footpads, burglars, guilty of defaulting to their creditors, repudiating deposits, receiving bribes, robbing temples and of all similar actions. If its aim is reputation they become arrogant, haughty, inconstant and unstable in temperament, their ears blockaded

^b Philo is no doubt thinking primarily of Helen and the Trojan war, and also, one may well believe, of the wars caused by Antony's passion for Cleopatra. But he writes with much the same exaggeration as in *Spec. Leg.* iii. 16.

PHILO

ὧτα πεφρακότας, ταπεινουμένους ἐν ταύτῳ καὶ
 πρὸς ὕψος ἐπαιρομένους διὰ τὰς τῶν πληθῶν ἀνωμα-
 λίας ἐπαινούντων καὶ ψεγόντων ἀκρίτῳ φορᾷ, πρὸς
 ἔχθραν καὶ φιλίαν ἀνεξετάστους, ὡς ῥαδίως ἐκάτερον
 ἀνθυπαλλάττεσθαι, καὶ τᾶλλ' ὅσα τούτοις ἀδελφὰ καὶ
 89 συγγενῇ. πρὸς δὲ ἀρχὴν εἰ γένοιτο ἐπι-
 θυμία, στασιώδεις, ἀνίσους, τυραννικοὺς τὰς φύσεις,
 ὠμοθύμους, ἐχθροὺς τῶν πατρίδων, ἀσθνεστεροίς¹
 δεσπότας ἀμειλίκτους, τὴν ἰσχὺν ἴσοις ἀσυμβάτους
 πολεμίους, δυνατωτέρων κόλακας εἰς τὴν δι'
 ἀπάτης ἐπίθωσιν. εἰ δὲ πρὸς σώματος
 κάλλος, φθορεῖς, μοιχοὺς, παιδεραστάς, ἀκολασίας
 καὶ λαγνείας ζηλωτάς, μεγίστων κακῶν ὡς εὐδαι-
 90 μονικωτάτων ἀγαθῶν. ἤδη δὲ καὶ ἐπὶ
 γλῶτταν φθάσασα μυρία ἐνεωτέρισεν· ἔνιοι γὰρ
 ἐπιθυμοῦσιν ἢ τὰ λεκτέα σιωπᾶν ἢ τὰ ἡσυχαστέα
 λέγειν, καὶ ἀναφθεγγομένοις² ἔπεται τιμωρὸς δίκη
 91 καὶ ἐχεμυθοῦσι [καὶ] τοῦναντίον. ἀψαμένη δὲ τῶν
 περὶ γαστέρα παρέχεται γαστριμάργους, ἀκορέ-
 στους, ἀσώτους, ὑγροῦ καὶ διαρρέοντος³ ζηλωτὰς
 βίου, χαίροντας οἰνοφλυγίαις, ὀψοφαγίαις, ἀκράτου
 καὶ ἰχθύων καὶ ἐδεσμάτων [καὶ] κακοὺς δούλους,
 περὶ συμπόσια καὶ τραπέζας ἰλυσπωμένους λίχνων

¹ MSS. ἀσθνεστεροίς.

² MSS. ἀναφαινομένοις.

³ MSS. ὑγροὺς διαρρέοντας.

^a Heinemann translates "die ihr Ohr (leerem) Gerede leihen." πεφρακότες can come either from φράσσω or φράζω, but neither verb, so far as I know, can bear any sense which combined with οὗς would mean "to lend an ear." The same
 62

by the voices they hear,^a deaf to all else, at once humbled to the ground and uplifted on high by the inconsistencies of the multitude who deal out praise and blame in an indiscriminate stream. They form friendships and enmities recklessly so that they easily change each for the other, and show every other quality of the same family and kinship as these. If the desire is directed 89

to office, they are factious, inequitable, tyrannical in nature, cruel-hearted, foes of their country, merciless masters to those who are weaker, irreconcilable enemies of their equals in strength and flatterers of their superiors in power as a preparation for their treacherous attack.

If the object is bodily beauty they are seducers, adulterers, pederasts, cultivators of incontinence and lewdness, as though these worst of evils were the best of blessings.

We have known desire to 90 make its way to the tongue and cause an infinity of troubles, for some desire to keep unspoken what should be told or to tell what should be left unsaid, and avenging justice attends on utterance in the one case and silence in the opposite.

And when it takes hold of the region of the belly, it 91 produces gourmands, insatiable, debauched, eagerly pursuing a loose and dissolute life, delighting in wine bibbing and gluttonous feeding, base slaves to strong drink and fish and dainty cates, sneaking

may be said of Mangey's "*ex aurium iudicio pendeant.*" I understand it to mean that the idle talk they listen to serves as a fence to exclude other advice. Philo has several times used *ἐμφάρτεω ὦτα* for blocking or closing the ears from hearing something, *e.g.* *De Mig.* 191. An easier sense would perhaps be given by "close their ears to voices," but the dative can hardly mean this.

- τρόπον κυνιδίων, ἐξ ὧν τὴν ἀθλίαν καὶ ἐπάρατον συμβαίνει ζωὴν ἀποτελεῖσθαι, παντὸς ἀργαλεω-
 92 τέραν θανάτου. ταύτης ἔνεκα τῆς αἰτίας οἱ μὴ χεῖλεσιν ἄκροις γευσάμενοι φιλοσοφίας, ἀλλὰ τῶν ὀρθῶν δογμάτων αὐτῆς ἐπὶ πλεον ἐστιαθέντες, διερευνησάμενοι φύσιν ψυχῆς καὶ τριττὸν¹ εἶδος ἐνιδόντες αὐτῇ,² τὸ μὲν λόγου, τὸ δὲ θυμοῦ, τὸ δ' ἐπιθυμίας, λόγῳ μὲν ὡς ἡγεμόνι τὴν ἄκραν ἀπ-
 [351] ἐνειμαν οἰκειότατον ἐνδιαίτημα κεφαλὴν, ἔνθα καὶ | τῶν αἰσθήσεων αἱ τοῦ νοῦ³ καθάπερ βασιλέως
 93 δορυφόροι τάξεις παρίδρυνται, θυμῷ δὲ τὰ στέρνα, τῇ μὲν ἵνα στρατιώτου τρόπον θώρακα ἀμπεχόμενος, εἰ καὶ μὴ ἀπαθῆς ἐν πᾶσιν, ἀλλὰ τοι δυσάλωτος ᾗ, τῇ δ' ἵνα καὶ πλησίον τοῦ νοῦ⁴ παρωκισμένος ὑπὸ τοῦ γείτονος ὠφελῇται, κατεπάδοντος αὐτὸν φρονήσει καὶ πραῦπαθῇ κατασκευάζοντος, ἐπιθυμία δὲ τὸν περὶ τὸν ὀμφαλὸν καὶ
 94 τὸ καλούμενον διάφραγμα χώρον· ἔδει γὰρ αὐτὴν ἥκιστα μετέχουσιν λογισμοῦ πορρωτάτω τῶν βασιλείων αὐτοῦ διωκίσθαι, μόνον οὐκ ἐπ' ἐσχατιαῖς, καὶ πάντων ἀπληστότατον καὶ ἀκολαστότατον οὔσαν θρεμμάτων ἐμβόσκεσθαι τόποις,⁵ ἐν οἷς τροφαί τε καὶ ὀχεῖται.
- 95 XVI. Πρὸς ἃ μοι δοκεῖ πάντα ἀπιδὼν ὁ ἱερώτατος Μωυσῆς ἐκδύσασθαι τὸ πάθος καὶ μυσάζαμενος ὡς αἰσχιστον καὶ τῶν αἰσχίστων αἴτιον

¹ MSS. τρίτον.² MSS. αὐτῆς.³ MSS. αἰ τοῦ νόμου.⁴ MSS. νομου.⁵ MSS. τροποῖς (sic).

^a The Platonic division of the soul into λόγος, θυμός and ἐπιθυμία and their location respectively in the head, chest,

THE SPECIAL LAWS, IV. 91-95

like greedy little dogs round banqueting halls and tables, all this finally resulting in an unhappy and accursed life which is more painful than any death.

It was this which led those who had ⁹² taken no mere sip of philosophy but had feasted abundantly on its sound doctrines to the theory which they laid down. They had made researches into the nature of the soul and observed that its components were threefold, reason, high spirit and desire.^a To reason as sovereign they assigned for its citadel the head as its most suitable residence, where also are set the stations of the senses like bodyguards to their king, the mind. To the spirited ⁹³ part they gave the chest, partly that soldier-like clad with a breast-plate it would if not altogether scatheless be scarcely vanquished finally; partly that lying close to the mind it should be helped by its neighbour who would use good sense to charm it into gentleness. But to desire they gave the space round the navel and what is called the diaphragm. For it was right that desire so lacking ⁹⁴ in reasoning power should be lodged as far as might be from reason's royal seat, almost at the outermost boundary, and that being above all others an animal^b insatiable and incontinent it should be pastured in the region where food-taking and copulation dwell.

XVI. All these it seems the most holy Moses ⁹⁵ observed and therefore discarded passion in general and detesting it, as most vile in itself and in its

and round the navel or diaphragm (*Timaeus* 69 E f., and elsewhere) has been frequently mentioned by Philo, e.g. *Leg. All.* i. 70-73, iii. 115.

^b An allusion to Plato, *Timaeus* 70 E, where desire is called "a wild beast" (θρέμμα ἄγριον), whose manger (φάτνη) is the belly. See *Spec. Leg.* i. 148 and note.

- ἀπεῖπεν ἐν τοῖς μάλιστα τὴν ἐπιθυμίαν ὥς τινα τῆς ψυχῆς ἐλέποιν, ἧς ἀναιρεθείσης ἢ πειθαρχούσης κυβερνήτῃ λογισμῷ πάντα διὰ πάντων εἰρήνης, εὐνομίας, ἀγαθῶν τελείων, ἀναπεπλήσεται πρὸς
- 96 εὐδαίμονος βίου παντέλειαν. φιλοσύντομος δ' ὢν καὶ εἰωθὼς ἐπιτέμνειν τὰ ἀπερίγραφα τῷ πλήθει παραδειγματικῇ διδασκαλίᾳ μίαν τὴν περὶ γαστέρα πραγματευομένην ἐπιθυμίαν ἄρχεται νουθετεῖν τε καὶ παιδεύειν, ὑπολαμβάνων καὶ τὰς ἄλλας οὐκέθ' ὁμοίως ἀφηγιάσειν, ἀλλὰ σταλήσεσθαι τῷ τὴν πρεσβυτάτην καὶ ὡς ἡγεμονίδα μεμαθηκέναι τοῖς
- 97 σωφροσύνης νόμοις πειθαρχεῖν. τίς οὖν ἡ διδασκαλία τῆς ἀρχῆς; συνεκτικώτατα δύο ἐστίν, ἐδωδὴ καὶ πόσις. ἐκάτερον αὐτῶν οὐκ ἀνῆκεν, ἀλλ' ἐπεστόμισε διατάγμασι καὶ πρὸς ἐγκράτειαν καὶ πρὸς φιλανθρωπίαν καὶ—τὸ μέγιστον—πρὸς
- 98 εὐσέβειαν ἀγωγοτάτοις. ἀπάρχεσθαι γὰρ ἀπὸ τε σίτου καὶ οἴνου καὶ ἐλαίου καὶ θρεμμάτων καὶ τῶν ἄλλων κελεύει καὶ τὰς ἀπαρχὰς διανέμειν εἰς τε θυσίας καὶ τοὺς ἱερωμένους, τὰς μὲν ἔνεκα εὐχαριστίας τῆς πρὸς θεὸν ὑπὲρ εὐγονίας καὶ εὐφορίας ἀπάντων, τοὺς δ' ἔνεκα τῆς περὶ τὸ ἱερὸν ἀγιστείας, μισθὸν ληψομένους τῶν περὶ τὰς ἱερουργίας
- 99 ὑπηρεσιῶν. ἐφίεται δὲ τὸ παράπαν οὐδενὶ γεύσασθαι τινος ἢ μεταλαβεῖν, πρὶν διακρίναι τὰς

^a Heinemann takes ἀρχή to mean the first of the desires. I understand it as carrying on ἀρχεται of the section before. Moses wishes to restrain ἐπιθυμία as a whole, but begins with "the appetite of the belly." He now proceeds to describe the teaching given in this beginning (ἀρχεται however may simply = "proceed").

THE SPECIAL LAWS, IV. 95-99

effects, denounced especially desire as a battery of destruction to the soul, which must be done away with or brought into obedience to the governance of reason, and then all things will be permeated through and through with peace and good order, those perfect forms of the good which bring the full perfection of happy living. And being a lover 96 of conciseness and wont to abridge subjects of unlimited number by using an example as a lesson he takes one form of desire, that one whose field of activity is the belly, and admonishes and disciplines it as the first step, holding that the other forms will cease to run riot as before and will be restrained by having learnt that their senior and as it were the leader of their company is obedient to the laws of temperance.

What then 97 is the lesson which he takes as his first step? ^a Two things stand out in importance, food and drink; to neither of these did he give full liberty but bridled them with ordinances most conducive to self-restraint and humanity and what is chief of all, piety. For he bids them to take samples of their 98 corn, wine,^b oil and live-stock and the rest as first fruits, and apportion them for sacrifices and for gifts to the officiating priests: for sacrifices, to give thanks for the fertility of their flocks and fields; to the priests, in recognition of the ministry of the temple that they may receive a reward for their services in the holy rites.^c No one is per- 99 mitted in any way to taste or take any part of his fruits until he has set apart the first fruits, a rule

^b This is the only way in which restraint in drinking is enjoined throughout these sections.

^c See Deut. xviii. 4 and elsewhere. Cf. i. 132 ff.

ἀπαρχάς, ἅμα καὶ πρὸς ἄσκησιν τῆς βιωφειλεστάτης ἐγκρατείας· ὁ γὰρ ταῖς περιουσίαις, αἷς ἤνεγκαν αἱ τοῦ ἔτους ὥραι, μαθὼν μὴ ἐντρέχειν,¹ ἀλλ' ἀναμένων, ἄχρις ἂν αἱ ἀπαρχαὶ καθοσιωθῶσι, τὸν ἀφηνιασμόν τῶν ὀρμῶν ἔοικεν ἀναχαιτίζειν ἐξευμαρίζων τὸ πάθος.

- 100 XVII. | Οὐ μὴν οὐδὲ τὴν τῶν ἄλλων μετουσίαν
 [352] ἐφῆκε καὶ χρήσιν ἀδεᾶ τοῖς κοινωνοῦσι τῆς ἱερᾶς πολιτείας, ἀλλ' ὅσα τῶν χερσαίων ἢ ἐνύδρων ἢ πτηνῶν ἐστὶν εὐσαρκότατα καὶ πιότατα, γαργαλίζοντα καὶ ἐρεθίζοντα τὴν ἐπίβουλον ἡδονήν, πάντα ἂνὰ κράτος ἀπέειπεν, εἰδὼς ὅτι τὴν ἀνδραποδωδεστάτην τῶν αἰσθήσεων δελεάσαντα γεῦσιν ἀπληστίαν ἐργάσεται, δυσίατον κακὸν ψυχαῖς τε καὶ σώμασιν· ἀπληστία γὰρ τικτεῖ δυσπεψίαν, ἥτις ἐστὶ νοσημάτων καὶ ἀρρωστημάτων ἀρχή τε καὶ
 101 πηγὴ. χερσαίων μὲν οὖν τὸ συῶν γένος ἡδιστον ἀνωμολόγηται παρὰ τοῖς χρωμένοις, ἐνύδρων δὲ τὰ γένη τῶν ἀλεπίδων. . . .² πρὸς γὰρ ἐγκράτειαν, εἰ καὶ τις ἄλλος, ἱκανὸς ὢν ἀλεῖψαι τοὺς εὐφυῶς ἔχοντας πρὸς ἄσκησιν ἀρετῆς δι' ὀλιγοδείας καὶ εὐκολίας γυμνάζει καὶ συγκροτεῖ, πειρώμενος
 102 ἀφελεῖν πολυτέλειαν· οὔτε σκληραγωγίαν, ὡς ὁ Λακεδαιμόνιος νομοθέτης, ἀποδεξάμενος οὔτε τὸ

¹ MSS. συντρέχειν.

² For the supposed lacuna see note b.

^a In this and the following sections the prohibition of certain kinds of beasts, fishes, and birds is based on the supposition that they are the most appetizing and to abstain from them encourages self-control. It will be seen that from § 106 onwards a totally different line of argument is adopted, viz. that philosophical and moral lessons are intended by the distinctions.

THE SPECIAL LAWS, IV. 99-102

which also serves to give practice in the self-restraint which is most profitable to life. For he who has learnt not to rush to seize the abundant gifts which the seasons of the year have brought, but waits till the first fruits have been consecrated, clearly allays passion and thus curbs the restiveness of the appetites.

XVII. At the same time he also denied to the 100 members of the sacred Commonwealth unrestricted liberty to use and partake of the other kinds of food. All the animals of land, sea or air whose flesh is the finest and fattest, thus titillating and exciting the malignant foe pleasure, he sternly forbade them to eat, knowing that they set a trap for the most slavish of the senses, the taste, and produce gluttony, an evil very dangerous both to soul and body. For gluttony begets indigestion which is the source and origin of all distempers and infirmities.^a Now among the different kinds 101 of land animals there is none whose flesh is so delicious as the pig's, as all who eat it agree, and among the aquatic animals the same may be said of such species as are scaleless.^b . . . Having special gifts for inciting to self-control those who have a natural tendency to virtue, he trains and drills them by frugality and simple contentedness and endeavours to get rid of extravagance. He approved neither of rigorous austerity like 102 the Spartan legislator, nor of dainty living, like

^b Cohn supposes that some words have fallen out as "these therefore Moses forbade to be eaten." It would certainly explain the γάρ that follows, which otherwise must refer back to § 100. Otherwise it does not seem very conclusive. If there is a lacuna, it may perhaps have begun with καὶ ἀπτερύγων ("and finless").

ἀβροδίαιτον, ὡς ὁ τοῖς Ἰωσι καὶ Συβαρίταις τὰ
περὶ θρύψιν καὶ χλιδὴν εἰσηγησάμενος, ἀλλὰ μέσσην
ἀτραπὸν ἀμφοῖν ἀνατεμὼν τὸ μὲν σφοδρὸν ἐχάλασε,
τὸ δ' ἀνειμένον ἐπέτεινε, τὰς ἐφ' ἑκατέρων τῶν
ἄκρων ὑπερβολὰς ὡς ἐν ὀργάνῳ μουσικῷ κερασά-
μενος τῇ μέσῃ, πρὸς ἁρμονίαν βίου καὶ συμφωνίαν
ἀνεπίληπτον· ὅθεν οὐκ ἀμελῶς ἀλλὰ καὶ πάνυ
πεφροντισμένως οἷς χρηστέον ἢ τοῦναντίον διετά-

103 ξατο. θηρία ὅσα σαρκῶν ἀνθρωπίνων
ἄπτεται τάχα μὲν ἂν τις ὑπολάβοι δίκαιον εἶναι τὰ
αὐτὰ πρὸς ἀνθρώπων πάσχειν οἷς διατίθῃσι·
Μωυσῇ δὲ τῆς τούτων ἀπολαύσεως ἀνέχειν δοκεῖ,
(εἰ) καὶ προσηνεστάτην καὶ ἡδίστην εὐωχίαν
παρασκευάζει, λογιζόμενος τὸ πρόπον ἡμέρῳ ψυχῇ·
καὶ γὰρ εἰ τοῖς διατιθεῖσιν ἁρμόττει τὰ παραπλήσια
παθεῖν, ἀλλ' οὐχὶ τοῖς παθοῦσιν ἀντιδιατιθέναι, μὴ
λάβωσιν ὑπ' ὀργῆς, ἀγρίου πάθους, θηριωθέντες.

104 καὶ τοσαύτη χρῆται προφυλακῇ τοῦ πράγματος,
ὥστε μακρόθεν ἀνεῖρξαι βουλόμενος τὴν ἐπὶ τὰ
λεχθέντα ὀρμὴν ἀπαγορεῦσαι καὶ τῆς τῶν ἄλλων
σαρκοβόρων ἀνὰ κράτος χρήσεως, τὰ ποηφάγα
διακρίνας εἰς ἡμέρους ἀγέλας, ἐπεὶ καὶ τὴν φύσιν
ἐστὶ τιθασά, τροφαῖς ἡμέροις αἷς ἀναδίδωσι γῇ
χρῶμενα καὶ μηδὲν εἰς ἐπιβουλὴν πραγματευόμενα.

105 XVIII. | δέκα δ' ἐστὶν ἀριθμῷ· μόσχος, ἀμνός,
[353] χίμαρος, ἔλαφος, δορκάς, βούβαλος, τραγέλαφος,
πύγαργος, ὄρυξ, καμηλοπάρδαλις. αἰεὶ γὰρ τῆς
ἀριθμητικῆς θεωρίας περιεχόμενος, ἦν ἀκριβῶς

^a Or "tendency to such vindictiveness." For μακρόθεν see App. p. 432.

^b Deut. xiv. 4 f. The correctness of the English equivalents must be regarded as uncertain.

THE SPECIAL LAWS, IV. 102-105

him who introduced the Ionians and Sybarites to luxurious and voluptuous practices. Instead he opened up a path midway between the two. He relaxed the overstrained and tightened the lax, and as on an instrument of music blended the very high and the very low at each end of the scale with the middle chord, thus producing a life of harmony and concord which none can blame. Consequently he neglected nothing, but drew up very careful rules as to what they should or should not take as food.

Possibly it might be thought just ¹⁰³ that all wild beasts that feed on human flesh should suffer from men what men have suffered from them. But Moses would have us abstain from the enjoyment of such, even though they provide a very appetizing and delectable repast. He was considering what is suitable to a gentle-mannered soul, for though it is fitting enough that one should suffer for what one has done, it is not fitting conduct for the sufferers to retaliate it on the wrongdoers, lest the savage passion of anger should turn them unawares into beasts. So careful is he against this ¹⁰⁴ danger that wishing to restrain by implication the appetite for the food just mentioned,^a he also strictly forbade them to eat the other carnivorous animals. He distinguished between them and the gramini-vorous which he grouped with the gentle kind since indeed they are naturally tame and live on the gentle fruits which the earth produces and do nothing by way of attempting the life of others. XVIII. They are the calf, the lamb, the kid, the ¹⁰⁵ hart, the gazelle, the buffalo, the wild goat, the pygarg, the antelope, and the giraffe, ten in all.^b For as he always adhered to the principles of

κατανενόηκεν ὅτι πλείστον ἐν τοῖς οὖσι δύναται, οὐδὲν οὐ μικρὸν οὐ μέγα νομοθετεῖ μὴ προσπαραλαβὼν καὶ ὥσπερ ἐφαρμόσας τὸν οἰκεῖον τοῖς νομοθετουμένοις <ἀριθμόν>. ἀριθμῶν δὲ τῶν ἀπὸ μονάδος τελειότατος ἢ δεκάς καί, ὥς φησι Μωυσῆς, ἱερώτατός τε καὶ ἅγιος, ᾧ τὰ γένη τῶν καθαρῶν ζώων ἐπισφραγίζεται, βουληθεὶς τὴν τούτων χρήσιν ἀπονεῖμαι τοῖς μετέχουσι τῆς κατ' αὐτὸν πολιτείας.

- 106 βάσανον δὲ καὶ δοκιμασίαν τῶν δέκα ζώων ὑπογράφεται κοινῇ κατὰ διττὰ σημεῖα, τό τε διχηλεῖν καὶ τὸ μηρυκᾶσθαι· οἷς γὰρ ἢ μηδέτερον ἢ θάτερον αὐτὸ μόνον πρόσσεστιν, ἀκάθαρτα. ταυτὶ δὲ τὰ σημεῖα ἀμφοτέρωθεν σύμβολα διδασκαλίας καὶ μαθήσεως ἐπιστημονικωτάτης ἐστίν, ἥ πρὸς τὸ ἀσύγχυτον τὰ βελτίω τῶν ἐναντίων διακρίνεται.
- 107 καθάπερ γὰρ τὸ μηρυκώμενον ζῶον, ὅταν διατεμὸν τὴν τροφήν ἐναπερείσῃται τῇ φάρυγγι, πάλιν ἐκ τοῦ κατ' ὀλίγον ἀνιμᾶται καὶ ἐπιλεαίνει καὶ μετὰ ταῦτ' εἰς κοιλίαν διαπέμπεται, τὸν αὐτὸν τρόπον καὶ ὁ παιδευόμενος, δεξάμενος δι' ὧτων τὰ σοφίας δόγματα καὶ θεωρήματα παρὰ τοῦ διδάσκοντος, ἐπὶ πλεόν ἔχει τὴν μάθησιν οὐχ οἷός τε ὦν εὐθὺς συλλαβέσθαι καὶ περιδράξασθαι κραταιότερον, ἄχρισ ἂν ἕκαστον ὦν ἤκουσεν ἀναπολῶν μνήμη συνεχέσι μελέταις—αἱ δ' εἰσὶ κόλλα νοημάτων—ἐνσφρα-
108 γίσσεται τῇ ψυχῇ βεβαίως τὸν τύπον. ἀλλ' οὐδὲν ὥς ἔοικεν ὄφελος ἢ τῶν νοημάτων βεβαία κατάληψις, εἰ μὴ προσγένοιτο διαστολὴ τούτων καὶ διαίρεσις εἰς τε αἵρεσιν ὦν χρή καὶ φυγὴν τῶν

^a Lev. xi. 3 f., Deut. xiv. 6 f. For the allegorical inter-

THE SPECIAL LAWS, IV. 105-108

numerical science, which he knew by close observance to be a paramount factor in all that exists, he never enacted any law great or small without calling to his aid and as it were accommodating to his enactment its appropriate number. But of all the numbers from the unit upwards ten is the most perfect, and, as Moses says, most holy and sacred, and with this he seals his list of the clean kinds of animals when he wishes to appoint them for the use of the members of his commonwealth.

He adds a general method for proving 106 and testing the ten kinds, based on two signs, the parted hoof and the chewing of the cud.^a Any kind which lacks both or one of these is unclean. Now both these two are symbols to teacher and learner of the method best suited for acquiring knowledge, the method by which the better is distinguished from the worse, and thus confusion is avoided. For just as a cud-chewing animal after 107 biting through the food keeps it at rest in the gullet, again after a bit draws it up and masticates it and then passes it on to the belly, so the pupil after receiving from the teacher through his ears the principles and lore of wisdom prolongs the process of learning, as he cannot at once apprehend and grasp them securely, till by using memory to call up each thing that he has heard by constant exercises which act as the cement of conceptions, he stamps a firm impression of them on his soul. But the firm 108 apprehension of conceptions is clearly useless unless we discriminate and distinguish them so that we can choose what we should choose and avoid the pretation of "dividing the hoof" and "chewing the cud" *cf. De Agr.* 131-145, and see App. p. 434.

- ἐναντίων, ἥς τὸ διχηλοῦν σύμβολον· ἐπεὶ τοῦ βίου διττὴ ὁδός, ἥ μὲν ἐπὶ κακίαν, ἥ δ' ἐπ' ἀρετὴν ἄγουσα, καὶ δεῖ τὴν μὲν ἀποστρέφεισθαι, τῆς δὲ
- 109 μὴδέποτε ἀπολείπεισθαι. XIX. διὰ τοῦθ' ὅσα ἢ μονώνυχχα ἢ πολύχχλα τὰ μὲν ἀκάθαρτα, ὅτι αἰνίττεται μίαν καὶ τὴν αὐτὴν φύσιν ἀγαθοῦ τε καὶ κακοῦ, καθάπερ κοίλου καὶ περιφεροῦς καὶ ἀνάντους ὁδοῦ καὶ κατάντους, τὰ δ' ὅτι πολλὰς
- [354] ὁδοὺς μᾶλλον δ' ἀνοδίας ἐμφαίνει τῷ | βίῳ πρὸς ἀπάτην· οὐ γὰρ ῥάδιον ἐν πλήθει τὴν ἀνυσιμωτάτην καὶ ἀρίστην ἀτραπὸν καταλαβεῖν.
- 110 XX. Τούτους ἐπὶ τῶν χερσαίων τοὺς ὅρους θεὸς ἄρχεται καὶ τῶν ἐνὺδρων τὰ πρὸς ἔδωδὴν καθαρὰ διαγράφειν, σημειωσάμενος καὶ ταῦτα διττοῖς χαρακτήρσι, πτέρυξι καὶ λεπίσι· τὰ γὰρ ἢ μὴδέτερον ἢ θάτερον ἔχοντα παραπέμπει καὶ παραιτεῖται. τὸ δ' αἴτιον οὐκ ἀπὸ σκοποῦ λεκτέον.
- 111 ὅσα μὲν ἢ ἀμφοῖν ἀμέτοχα ἢ τοῦ ἑτέρου, κατασύρεται πρὸς τοῦ ῥοώδους ἀντέχειν ἀδυνατοῦντα τῇ βίᾳ τῆς φορᾶς· οἷς δ' ἑκάτερον πρόσεστιν, ἀποστρέφει <καὶ> μετωπηδὸν ἀνθίσταται καὶ φιλονεικοῦντα πρὸς τὸν ἀντίπαλον προθυμίαις καὶ τόλμαις ἀηττήτοις γυμνάζεται, ὥς ὠθούμενά τε ἀντωθεῖν καὶ διωκόμενα ἀντεπιτρέχειν, ὁδοὺς ἐν δυσοδοίαις ἀναστέλλοντα εὐρείας πρὸς διεξόδους
- 112 εὐμαρεῖς. σύμβολα δὲ καὶ ταῦτ' ἐστί, τὰ μὲν

^a That πολύχχλα is not a mere casual addition is shown by the interpretation given of it in the next words. But there is no foundation for it in Leviticus or Deuteronomy, nor in Philo's discussion of διχηλεῖν in *De Agr.* Nor am I clear what zoologically it means ("many-toed"?). Heinemann translates "Vielhufer"; Mangey "quae plures ungulas habent." All I can suggest is that Philo supposes that, as the stress is

THE SPECIAL LAWS, IV. 108-112

contrary, and this distinguishing is symbolized by the parted hoof. For the way of life is twofold, one branch leading to vice, the other to virtue and we must turn away from the one and never forsake the other. XIX. Therefore all creatures whose hooves are uniform or multiform^a are unclean, the one because they signify the idea that good and bad have one and the same nature, which is like confusing concave and convex or uphill and downhill in a road; the multiform because they set before our life many roads, which are rather no roads, to cheat us, for where there is a multitude to choose from it is not easy to find the best and most serviceable path. 109

XX. After laying down these limitations for the land animals he proceeds to describe such creatures of the water as are clean for eating. These too he indicates by two distinguishing marks, fins and scales; all that lack either or both he dismisses and repudiates.^b I must state the reason for this which is appropriate enough. Any that fail to possess both or one of these marks are swept away by the current unable to resist the force of the stream; those who possess both throw it aside, front and stem it and pertinaciously exercise themselves against the antagonist with an invincible ardour and audacity. When they are pushed they push back, when pursued they hasten to assail, where their passage is hampered they open up broad roads and obtain easy thoroughfares. These two kinds of fish are symbolical, the first of a pleasure- 111

laid upon the "two" in διχηλεῖν, if there are animals πολύχηλα they will be unclean also. See also App. p. 434.

^b Lev. xi. 9 ff., Deut. xiv. 9 f.

πρότερα φιληδόνου ψυχῆς, τὰ δ' ὕστερα καρτερίαν καὶ ἐγκράτειαν ποθούσης· ἡ μὲν γὰρ ἐφ' ἡδονὴν ἄγουσα κατάντης ἐστὶ καὶ ῥάστη, συρμὸν ἀπεργαζομένη μᾶλλον ἢ περίπατον, ἀνάντης δὲ ἡ πρὸς ἐγκράτειαν, ἐπίπονός μὲν, ἐν δὲ τοῖς μάλιστα ὠφέλιμος· καὶ ἡ μὲν ὑποφέρει καὶ ὑπονοστεῖν ἀναγκάζει τῷ πρηνεῖ κατὰγουσα, μέχρις ἂν εἰς τὰ τῆς ἐσχατιᾶς ἀποβράσῃ, ἡ δ' εἰς οὐρανὸν ἄγει τοὺς μὴ προκαμόντας ἀθανατίζουσα, τὸ τραχὺ καὶ δυσαναπόρευτον αὐτῆς ἰσχύσαντας ὑπομείναι.

- 113 XXI. Τῆς δ' αὐτῆς ἰδέας ἐχόμενος τῶν ἐρπετῶν ὅσα ἢ ἄποδα ἢ¹ συρμῷ τῆς γαστροῦ ἰλυσπώμενα ἢ τετρασκελῇ καὶ πολὺποδα φησὶν εἶναι πρὸς ἐδωδὴν οὐ καθαρὰ, πάλιν αἰνιττόμενος διὰ μὲν ἐρπετῶν τοὺς ἐπὶ κοιλίαις² τὸν αἰθυίης τρόπον ἐμφορουμένους καὶ γαστρὶ τῇ ταλαίνῃ δασμοὺς ἀπαύστως εἰσφέροντας ἀκράτου, πεμμάτων, ἰχθύων, συνόλως ὅσα σιτοπόνων καὶ ὀψαρτυτῶν τετεχνιτευμένοι περιεργίαι μετὰ παντοίων ἐδεσμάτων δημιουργοῦσιν ἀναρριπίζουσαι καὶ προσαναφλέγουσαι τὰς ἀπλήστους καὶ ἀκορέστους ἐπιθυμίας, διὰ δὲ τῶν τετρασκελῶν καὶ πολυπόδων τοὺς μὴ ἐνὸς πάθους, ἐπιθυμίας, ἀλλὰ συμπάντων κακοὺς δού-

¹ As the ἄποδα are presumably the same as the συρμῷ κτλ. Heinemann would substitute καὶ. Perhaps omit ἢ.

² See note b.

^a Lev. xi. 42. E.V. "Whatsoever goeth upon the belly, and whatsoever goeth upon all four or whatsoever hath many feet." LXX πᾶς ὁ πορευόμενος ἐπὶ τέσσαρα διὰ παντός, ὁ πολυπληθεὶ ποσίν, which would naturally mean that the four-

THE SPECIAL LAWS, IV. 112-113

loving soul, the latter of one to which endurance and self-control are dear. For the road that leads to pleasure is downhill and very easy, with the result that one does not walk but is dragged along; the other which leads to self-control is uphill, toilsome no doubt but profitable exceedingly. The one carries us away, forced lower and lower as it drives us down its steep incline, till it flings us off on to the level ground at its foot; the other leads heavenwards the immortal who have not fainted on the way and have had the strength to endure the roughness of the hard ascent.

XXI. Holding to the same method he declares 113 that all reptiles which have not feet but wriggle along by trailing their belly, or are four-legged and many footed are unclean for eating.^a Here again he has a further meaning: by the reptiles he signifies persons who devote themselves to their bellies^b and fill themselves like a cormorant,^c paying to the miserable stomach constant tributes of strong drink, bake-meats, fishes and in general all the delicacies produced with every kind of viand by the elaborate skill of cooks and confectioners, thereby fanning and fostering the flame of the insatiable ever-greedy desires. By the four-legged and many footed he means the base slaves not of one passion only, desire,

legged and the many footed form a single class, and so Philo treats them in the interpretation that follows. The slaves of the four main passions are also slaves to the many specific passions into which these four are subdivided. For the same interpretation of the "four-legged" *cf. Leg. All.* iii. 139.

^b Lit. "those upon bellies," certainly a strange phrase. Cohn would correct to τῶν ἐπὶ κοιλίαις <πορευόμενων, τοὺς>. See *Hermes*, 1908, p. 209.

^c See App. p. 434.

- λους, ἃ γένει μὲν ἐστὶν ἀριθμῷ τέτταρα, μυρία δὲ τοῖς εἵδεσιν. χαλεπὴ μὲν οὖν καὶ ἡ ἐνὸς δεσποτεία, βαρυτάτη δὲ καὶ ἀφόρητος, ὡς εἰκός, ἢ πλείονων.
- 114 οἷς δὲ τῶν ἐρπετῶν ὑπεράνω σκέλη τῶν ποδῶν ἐστὶν, ὥστε πηδᾶν ἀπὸ τῆς γῆς δύνασθαι, ταυτ' [355] ἐν | καθαροῖς ἀναγράφει, καθάπερ τὰ τῶν ἀκρίδων γένη καὶ τὸν ὀφιομάχην καλούμενον, πάλιν διὰ συμβόλων ἦθη καὶ τρόπους λογικῆς ψυχῆς διερευνώμενος· ἡ μὲν γὰρ τοῦ σώματος ὀλκὴ φύσει βρίθουσα τοὺς ὀλιγόφρονας συνεφέλκεται τῷ πλήθει
- 115 τῶν σαρκῶν ἀνχενίζουσα καὶ πιέζουσα· μακάριοι δ' οἷς ἐξεγένετο κραταιοτέρα δυνάμει πρὸς τὴν ῥοπὴν τῆς ὀλκῆς ἀντιβιάσασθαι,¹ παιδείας κανόνισιν ὀρθῆς ἄνω πηδᾶν δεδιδαγμένοις ἀπὸ γῆς καὶ τῶν χαμαιζήλων εἰς αἰθέρα καὶ τὰς οὐρανοῦ περιόδους, ὧν ἡ θεὰ ζηλωτὴ καὶ περιμάχητος τοῖς ἐκουσίως ἀλλὰ μὴ παρέργως ἤκουσιν.
- 116 XXII. Ἐπεληλυθὼς οὖν τῷ λόγῳ τὰς τε τῶν χερσαίων καὶ τὰς τῶν ἐνύδρων ζώων ιδέας καὶ νόμοις αὐτὰς ὡς ἐνῆν ἄριστα διακρίνας ἄρχεται καὶ τὴν λοιπὴν φύσιν τῶν ἐν ἀέρι προσεξετάζειν, μυρία γένη τῶν πτηνῶν ἀποδοκιμάσας ὅσα ἢ κατ' ἄλλων² ἢ κατ' ἀνθρώπων φονᾶ, σαρκοβόρα καὶ ἰοβόλα καὶ συνόλως ἐπιβούλοις κεχρημένα ταῖς
- 117 δυνάμεσι. φάττας δὲ καὶ περιστερὰς καὶ τρυγόνας

¹ Cohn places the comma after ὀρθῆς.

² Cohn suggests ἀλόγων, and so probably Heinemann who translates "Tieren."

^a Lev. xi. 21. The "snake-fighter" is the LXX translation of the Hebrew word given in R.V. as "cricket."

^b Or "straight"; the creatures have to straighten their legs to leap. κανὼν is perhaps used in its original sense of a ruler to keep lines straight, in which sense it is often associated

THE SPECIAL LAWS, IV. 113-117

but of all. For the passions fall under four main heads but have a multitude of species, and while the tyranny of one is cruel the tyranny of many cannot but be most harsh and intolerable. Creeping 114 things which have legs above their feet, so that they can leap from the ground, he classes among the clean^a as for instance the different kinds of grasshoppers and the snake-fighter as it is called ; and here again by symbols he searches into the temperaments and ways of a reasonable soul. For the natural gravitation of the body pulls down with it those of little mind, strangling and overwhelming them with the multitude of the fleshly elements. Blessed are they 115 to whom it is given to resist with superior strength the weight that would pull them down, taught by the guiding lines of right^b instruction to leap upward from earth and earth-bound things into the ether and the revolving heavens, that sight so much desired, so worthy a prize in the eyes of those who come to it with a will and not half-heartedly.

XXII. Having discoursed on the subject of the 116 different kinds of animals on land and in the water and laid down the best possible laws for distinguishing between them, he proceeds to examine also the remaining parts of the animal creation, the inhabitants of the air. Of these he disqualified a vast number of kinds, in fact all that prey on other fowls or on men, creatures which are carnivorous and venomous and in general use their strength to attack others.^c But doves, pigeons, turtledoves, and 117

with ὀρθός. Cf. *De Fug.* 152 παιδείας κανὼν ὀρθῆς, preceded (§ 150) by ὀρθὴν καὶ ἀκλινῇ παιδείαν.

^c Lev. xi. 13 ff., Deut. xiv. 12 ff. The "clean" species are not mentioned. See App. p. 434.

PHILO

- καὶ τὰς γεράνων καὶ χηνῶν καὶ ὁμοιοτρόπων ἀγέλας ἐν τῇ τιθασῷ καὶ ἡμέρῳ τάξει καταριθμεῖ παρέχων τοῖς βουλομένοις τὴν τούτων χρήσιν
- 118 ἀδεᾶ. οὕτως ἐφ' ἑκάστου τῶν τοῦ κόσμου μερῶν, γῆς ὕδατος ἁέρος, γένη παντοίων ζώων, χερσαῖα καὶ ἔνυδρα καὶ πτηνά, τῆς ἡμετέρας χρήσεως ὑφαιρῶν, καθάπερ ὕλην πυρός, σβέσιν τῆς ἐπιθυμίας ἀπεργάζεται.
- 119 XXIII. Κελεύει μέντοι μήτε θνησιμαῖον μήτε θηριάλωτον προσίεσθαι, τὸ μὲν ὥς οὐ δέον κοινω-νεῖν τραπέζης ἀνθρωπον¹ ἀτιθάσους θηρίοις, μόνον οὐ συνευωχούμενον ταῖς σαρκοφαγίαις, τὸ δ' ὥς τάχα μὲν βλαβερὸν καὶ νοσῶδες, ἐναποτεθηκότος τοῦ ἰχώρος μετὰ τοῦ αἵματος, τάχα δ' ἐπεὶ καὶ τελευτῇ προκατεσχημένον ἀρμόττον ἦν ἄψαυστον διαφυλάττειν, αἰδουμένους τὰς φύσεως ἀνάγκας αἷς
- 120 προκατελήφθη. τοὺς περὶ τὰ κυνηγέσια δεινούς καὶ βάλλειν θήρας εὐσκόπως ἐπισταμένους, ἥκιστα διαμαρτάνοντας, καὶ ἐπ' εὐθήροις ἄγραις ὕψαυ-χενοῦντας καὶ μάλισθ' ὅταν σὺν τοῖς κυνηγοῖς ἀνδράσιν ὁμοῦ καὶ σκύλαξι διανέμωσι τὰ μέρη τῶν ἐαλωκότων, ἐπαινοῦσι μὲν οἱ πολλοὶ τῶν παρ'

¹ MSS. ἀνθρώπων.

“Or perhaps “take for food,” and so Heinemann “geniessen,” Mangey “edere.” But the word does not itself carry this sense, though Philo assumes in the sequel that such bodies would only be touched in order to use them as food. He uses the vaguer word, I think, because the LXX in Lev. v. 2, differing from the Hebrew, forbids or might be understood to forbid touching such bodies, ἐὰν ἄψῃται παντὸς πράγματος ἀκαθάρτου, ἢ θνησιμαίου ἢ θηριαλώτου ἀκαθάρτου. Eating θνησιμαῖα is forbidden in Deut. xiv. 21, θηριάλωτα in Ex. xxii. 31, and both in Lev. xxii. 8 (not mentioned by Cohn or Heinemann).

the tribes of cranes, geese and the like he reckons as belonging to the tame and gentle class and gives to any who wish full liberty to make use of them as food. Thus in each element of the universe, 118 earth, water, air he withdrew from our use various kinds of each sort, land creatures, water creatures, flying fowls, and by this as by the withdrawal of fuel from a fire he creates an extinguisher to desire.

XXIII. Further he forbade them to have any- 119 thing to do with^a bodies of animals that have died of themselves or have been torn by wild beasts, the latter because a man ought not to be table mate with savage brutes and one might almost say share with them the enjoyment of their feasts of flesh; the former perhaps because it is a noxious and insanitary practice since the body contains dead serum as well as blood; also it may be because the fitness of things bids us keep untouched what we find deceased, and respect the fate which the compulsion of nature has already imposed. Skilful 120 hunters who know how to hit their quarry with an aim that rarely misses the mark and preen themselves on their success in this sport, particularly when they share^b the pieces of their prey with the other huntsmen as well as with the hounds, are extolled by most legislators among Greeks and

^b If this is right (and *κοινωνικούς* below suggests that they keep some for themselves), it is a use of *διανέμειν* for which I can find no authority. The wording would be more natural if *τά* was omitted, but even then *σύν* is strange. The *κοινωνικόν* so praised lies in giving them to the huntsmen, and it is this which Philo thinks undesirable. "They distribute pieces to the huntsmen as well as to the dogs" is the sense required.

"Ἑλλησι καὶ βαρβάροις νομοθετῶν ὡς οὐκ ἀνδρείους
 [356] μόνον ἀλλὰ καὶ κοινωνικοὺς τὸ ἦθος, | μέμφαιτο
 δ' ἄν [τις] εἰκότως ὁ τῆς ἱερᾶς εἰσηγητῆς πολιτείας,
 ἄντικρυς ἀπειρηκῶς θνησιμαίων καὶ θηριαλώτων
 121 ἀπόλαυσιν διὰ τὰς εἰρημένας αἰτίας. εἰ δέ τις
 τῶν ἀσκητῶν φιλογυμναστῆς γένοιτο καὶ φιλό-
 θηρος, μελέτας καὶ προάγωνας ὑπολαμβάνων εἶναι
 πολέμων καὶ κινδύνων τῶν πρὸς ἐχθροὺς, ὅποτε
 χρήσαιο εὐτυχίᾳ τῇ περὶ ἄγραν, [καὶ] τοὺς ἐάλω-
 κότας θῆρας προτιθέτω κυσὶν εὐωχίαν, μισθὸν ἢ
 γέρας εὐτολμίας καὶ ἀνυπαιτίου συμμαχίας, αὐτὸς
 δὲ μὴ ψανέτω προδιδασκόμενος ἐν ἀλόγοις ζώοις,
 ἃ χρὴ καὶ περὶ ἐχθρῶν φρονεῖν, οἷς πολεμητέον οὐ
 διὰ κέρδος ἄδικον λωποδυτούντων πράξεις <μιμου-
 μένοις>,¹ ἀλλ' ἦτοι διὰ πείραν² κακῶν ὧν προ-
 πεπόνθασιν ἀμυνομένοις³ ἢ δι' ἃ προσδοκῶσι
 πείσεσθαι.

¹ Some insertion is required, but *κατὰ* after *ἄδικον* would serve equally well and be perhaps easier. See also note 3.

² Of the two mss. available here one omits *πείραν*, possibly rightly. *πείρα* does not seem to be used like the English "experience" for something suffered, though it may be used in such phrases as *πείραν λαμβάνειν* = "to gain experience in." To omit it involves taking *δι' ὧν* of causes in the past, and *δι' ἃ* of prospects in the future, but this, I think, could be paralleled from Philo.

³ So mss. Cohn corrects to *ἀμυνομένους*. But the accusative and dative are both used to express the agent of the verbal in *-τέον*. See Goodwin, *Moods and Tenses*, p. 369, where the dative is said to be the commoner of the two. The same rule will apply to the insertion of *μιμουμένοις* above, where Cohn prints *-ους*.

^a Or perhaps "would probably blame them." Heinemann

THE SPECIAL LAWS, IV. 120-121

Barbarians, not only for their courage, but also for their liberality. But the author of the holy commonwealth might rightly blame them^a since for the reasons stated he definitely forbade the enjoyment of bodies which died a natural death or were torn by wild beasts. If anyone of the devotees 121 of hard training who is a lover of gymnastic exercises becomes a lover of the chase also,^b because he considers that it gives a preliminary practice for war and for the dangers incurred in facing the enemy, he should when he meets with success in the chase throw the fallen beasts to feast the hounds as a wage or prize for their courage and faithful assistance. He himself should not touch these carcases, thus learning from his dealing with irrational animals what he should feel with regard to human enemies, who should be combated not for wrongful gain as foot-pads do, but in self-defence, either to avenge the injuries which he has suffered already or to guard against those which he expects to suffer in the future.

"has rightly blamed them," which apart from the inaccuracy gives, I believe, a wrong sense. Philo does not speak dogmatically, but thinks that what he urges here may be fairly inferred from the prohibitions mentioned above. Indeed how could the seven species of "clean" game (§ 105) be obtained except by hunting?

^b Or, as Heinemann and Mangey, "if a practiser (of virtue) should become a lover of gymnastics and hunting." The version given above (taking *καί* = "also") is based on the belief that *ἀσκητής* is not used absolutely in this way. It means "a practiser" and a practiser of what is indicated by the context, and that the body rather than virtue is being practised is indicated by *φιλογυμναστής*. Hunting is a special form of bodily exercise and while the *φιλόθηρος* must be a *φιλογυμναστής* the converse is not necessarily the case. For the motive here ascribed *cf. De Ios. 3 and Mos. i. 60.*

- 122 Ἐνιοι δὲ Σαρδανάπαλλοι τὴν ἀκρασίαν τὴν ἄγαν¹
 ἀβροδίατον αὐτῶν χανδὸν πρὸς τὸ ἀόριστον καὶ
 ἀτελεύτητον ἀποτείνοντες, καινὰς² ἐπινοοῦντες
 ἡδονάς, ἄθυτα παρασκευάζουσιν, ἄγχοντες καὶ
 ἀποπνίγοντες, καὶ τὴν οὐσίαν τῆς ψυχῆς, ἣν ἐλεύ-
 θερον καὶ ἄφετον ἐχρῆν ἔαν, τυμβεύοντες τῷ
 σώματι τὸ αἷμα· σαρκῶν γὰρ αὐτὸ μόνον ἀπολαύειν
 αὐταρκες ἦν, μηδενὸς ἐφαπτομένους τῶν συγγένειαν
 123 πρὸς ψυχὴν ἐχόντων. ὅθεν ἐν ἑτέροις τίθησι νόμον
 περὶ αἵματος, μήθ' αἷμα μήτε στέαρ προσφέρεσθαι·
 τὸ μὲν αἷμα δι' ἣν εἶπον αἰτίαν ὅτι οὐσία ψυχῆς
 ἐστίν—οὐχὶ τῆς νοερᾶς καὶ λογικῆς ἀλλὰ τῆς
 αἰσθητικῆς, καθ' ἣν ἡμῖν τε καὶ τοῖς ἀλόγοις κοινὸν
 τὸ ζῆν συμβέβηκεν. XXIV. ἐκείνης γὰρ οὐσία
 πνεῦμα θεῖον καὶ μάλιστα κατὰ Μωυσῆν, ὃς ἐν τῇ
 κοσμοποιίᾳ φησὶν ἀνθρώπῳ τῷ πρώτῳ καὶ ἀρχη-
 γέτῃ τοῦ γένους ἡμῶν ἐμφυσῆσαι πνοὴν ζωῆς τὸν
 θεὸν εἰς τὸ τοῦ σώματος ἡγεμονικώτατον, τὸ
 πρόσωπον, ἔνθα αἱ δορυφόροι τοῦ νοῦ καθάπερ
 μεγάλου βασιλέως αἰσθήσεις παρίδρυνται· τὸ δ'
 ἐμφυσώμενον δῆλον ὡς αἰθέριον ἦν πνεῦμα καὶ εἰ
 δὴ τι αἰθερίου πνεύματος κρεῖσσον, ἅτε τῆς μα-
 καρίας καὶ τρισμακαρίας φύσεως ἀπαύγασμα—
 124 τὸ δὲ στέαρ, διότι πιότατον, πάλιν εἰς διδασκαλίαν

¹ MSS. ἀγαν.² MSS. καινὰς.

^a Heinemann apparently takes ἄγχοντες καὶ ἀποπνίγοντες as governing τὴν οὐσίαν τῆς ψυχῆς. (καί="even.") But the essence of the soul is clearly the blood and this is not strangled. I understand the participles to govern ζῶα, understood out of ἄθυτα. Strangling is not forbidden in so many words, but cf. Acts xv. 29 ἀπέχεσθαι . . . αἵματος καὶ τνικτῶν.

THE SPECIAL LAWS, IV. 122-124

But some of the type of Sardanapalus greedily 122 extend their unrestrained and excessive luxury beyond all bounds and limits. They devise novel kinds of pleasure and prepare meat unfit for the altar by strangling and throttling the animals,^a and entomb in the carcase the blood which is the essence of the soul^b and should be allowed to run freely away. For they should be fully contented with enjoying the flesh only and not lay hold on what is akin to the soul; and therefore elsewhere^c he 123 legislates on the subject of blood that no one should put either it or the fat to his mouth. Blood is prohibited for the reason which I have mentioned that it is the essence of the soul, not of the intelligent and reasonable soul, but of that which operates through the senses, the soul that gives the life which we and the irrational animals possess in common. XXIV. For the essence or substance of that other soul is divine spirit, a truth vouched for by Moses especially, who in his story of the creation says that God breathed a breath of life upon the first man, the founder of our race, into the lordliest part of his body, the face,^d where the senses are stationed like bodyguards to the great king, the mind. And clearly what was then thus breathed was ethereal spirit, or something if such there be better than ethereal spirit, even an effulgence of the blessed, thrice blessed nature of the Godhead. The fat is prohibited because it is the richest part 124

^b See Lev. xvii. 11 and 14. LXX ἡ γὰρ ψυχὴ πάσης σαρκὸς αἷμα αὐτοῦ ἐστὶ. Cf. Deut. xii. 23.

^c Lev. iii. 17. As the law deals with fat and blood Heine-mann suspects περὶ αἵματος as a gloss, but the law is quoted for blood and not for fat.

^d Gen. ii. 7. E.V. "into his nostrils." LXX "face."

- ἐγκρατείας καὶ ζῆλον αὐστηροῦ βίου, τὰ μὲν
 ῥᾶστα καὶ κατὰ χειρὸς μεθιεμένον, φροντίδας δὲ
 καὶ πόνους ἐθέλοντι ἔνεκα κτήσεως ἀρετῆς ὑπο-
 125 μένοντος. ἥς χάριν αἰτίας ἀπὸ παντὸς ἱερείου δύο
 ταῦτα ἐξαίρετα ὀλοκαυτοῦται, ὥσπερ τινὲς ἀπαρ-
 [357] χαί, στέαρ τε καὶ αἷμα, τὸ | μὲν ὡς σπονδὴ τῷ
 βωμῷ προσχεόμενον, τὸ δ' ὡς ὕλη φλογὸς ἐπι-
 φερόμενον ἀντ' ἐλαίου διὰ τὴν πιότητα τῷ καθ-
 ωσιωμένῳ καὶ ἱερῷ πυρί.
- 126 Μέμφεταιί τινες τῶν καθ' αὐτὸν γεγονότων ὡς
 γαστριμάργους καὶ τὸ καθηδυναθεῖν ὡς εὐδαιμο-
 νικὸν ἐν τοῖς μάλιστα εἶναι ὑπολαμβάνοντας, οἷς
 οὐκ ἀπέχρη κατὰ πόλεις αὐτὸ μόνον τρυφᾶν, ἐν αἷς
 αἱ χορηγίαι καὶ παρασκευαὶ τῶν ἐπιτηδείων ἄ-
 φθονοι, ἀλλὰ καὶ <ἐν> ἐρημίαις ἀβάτοις καὶ ἀτρι-
 βέσιν, ἀξιοῦντες ἐν ταύταις ἀγορὰς ἔχειν ἰχθύων
 127 καὶ κρεῶν καὶ τῶν ἐν εὐετηρίᾳ πάντων. εἰπ' ἔ-
 πειδὴ σπάνις ἦν, συνιστάμενοι κατεβόων καὶ
 κατηγόρουν καὶ ἐδυσώπουν ἀναισχύντῳ θράσει τὸν
 ἄρχοντα καὶ οὐ πρότερον ἐπαύσαντο νεωτερίζοντες
 ἢ τυχεῖν μὲν ὦν ὠρέγοντο, τυχεῖν δὲ ἐπ' ὀλέθρῳ,
 δυοῖν ἔνεκα· τοῦ τ' ἐπιδείξασθαι, ὅτι πάντα θεῶ
 δυνατὰ πόρον ἐξ ἀμηχάνων καὶ ἀπόρων ἀνευρί-
 σκοντι, καὶ τοῦ τιμωρῆσασθαι τοὺς γαστροὺς ἀκρά-
 128 τος καὶ ἀφηνιαστὰς ὁσιότητος. ἀπὸ γὰρ τῆς
 θαλάττης ἀρθέν ὀρτυγομήτρας νέφος ἐκχεῖται περὶ
 τὴν ἔω καὶ τὸ μὲν στρατόπεδον καὶ τὰ πέριξ ἐφ'
 ἡμερήσιον ἀνδρὸς εὐζώνου πανταχόθεν ἐν κύκλῳ

^a Lev. iv. 7-10, and elsewhere.

THE SPECIAL LAWS, IV. 124-128

and here again he teaches us to practise self-restraint and foster the aspiration for the life of austerity which relinquishes what is easiest and lies ready to hand, but willingly endures anxiety and toils in order to acquire virtue. It is for this reason ¹²⁵ that with every victim these two, the blood and the fat, are set apart as a sort of first fruits and consumed in their entirety. The blood is poured upon the altar as a libation, the fat because of its richness serves as fuel in place of oil and is carried to the holy and consecrated fire.^a

^b Moses censures some of his own day as gluttons ¹²⁶ who suppose that wanton self-indulgence is the height of happiness, who not contented to confine luxurious living to cities where their requirements would be unstintedly supplied and catered for, demanded the same in wild and trackless deserts and expected to have fish, flesh and all the accompaniments of plenty exposed there for sale. Then, ¹²⁷ when there was a scarcity, they joined together to accuse and reproach and brow-beat their ruler with shameless effrontery and did not cease from giving trouble until their desire was granted though it was to their undoing. It was granted for two reasons, first to show that all things are possible to God who finds a way out of impassable difficulties, secondly to punish those who let their belly go uncontrolled and rebelled against holiness. Rising ¹²⁸ up from the sea in the early dawn there poured forth a cloud of quails whereby the camp and its environs were all round on every side darkened for a distance which an active ^c man might cover in a

^b For §§ 126-131 see Num. xi., especially *vv.* 31-34.

^c See App. p. 435.

συνεσκίαστο, τὸ δὲ ὕψος τῆς τῶν ζώων πτήσεως
 ὡσεὶ διπῆχει¹ συναριθμουμένῳ διαστήματι τῆς γῆς
 129 ἀφειστήκει πρὸς εὐμαρῇ σύλληψιν. εἰκὸς μὲν οὖν
 τὸ τεράστιον τοῦ μεγαλουργηθέντος καταπλαγέντας
 ἀρκεσθῆναι τῇ θεᾷ καὶ γεμισθέντας εὐσεβείας καὶ²
 ταύτῃ τραφέντας ἀποσχέσθαι κρεωφαγίας· οἱ δὲ
 μᾶλλον ἢ πρότερον ἐπιθυμίαν ἐγείραντες ὥς ἐπὶ
 μέγιστον ἀγαθὸν ἵεντο καὶ τὰ ζῶα ταῖς ἀμφοτέραις
 χερσὶν ἐφελκόμενοι τοὺς κόλπους ἐπλήρουν, εἴτ'
 ἐναποτιθέμενοι ταῖς σκηναῖς ἐφ' ἐτέρων σύλληψιν
 ἐξήεσαν³—αἱ γὰρ ἄγαν πλεονεξίαι μέτρον οὐκ ἔχουσι
 —καὶ σκευάζοντες πᾶσαν ἰδέαν ἀπλήστως ἐνεφο-
 ροῦντο, μέλλοντες οἱ κενοὶ φρενῶν ὑπὸ τῆς πλη-
 130 σμονῆς ἀπόλλυσθαι. καὶ δῆτα οὐκ εἰς μακρὰν καθ-
 ἄρσεσι χολῆς ἐφθάρησαν, ὥς καὶ τὸ χωρίον ἀπὸ τοῦ
 περὶ αὐτοὺς πάθους τὴν ἐπωνυμίαν λαβεῖν· ἐκλήθη
 γὰρ “Μνήματα τῆς ἐπιθυμίας,” ἥς οὐκ ἔστιν
 ἐν ψυχῇ, καθάπερ ἐδίδαξεν ὁ λόγος, μείζον κακόν.

¹ MSS. εἶδει πῆχεως or εἰ δίπηχυ.

² So MSS. Cohn κᾶν. Mangey καὶ ταύτῃ <ἐν>τραφέντας.
See note b.

³ MSS. ἐξίεσαν.

^a In E.V. (v. 31) “the wind let them fall about two cubits.” The LXX ἐπέβαλεν does not bring this out so clearly and Philo seems to suppose that the whole of their flight was at this height.

^b Cohn and Mangey’s readings (see note 2) evidently mean that having been bred in piety they would have abstained. I greatly prefer the more forcible reading of the MSS., which is by no means an absurd exaggeration. A state of great religious excitement does produce an independence of food. Compare the description in *De Vit. Cont.* 35 of the Therapeutae who “feasting on the rich banquet of doctrines” abstained from food for three or even six days.

THE SPECIAL LAWS, IV. 128-130

day, while the height of their flight^a might be reckoned at about two cubits above the ground so as to make them easy to capture. It might have 129 been expected that awestruck by the marvel of this mighty work they would have been satisfied with this spectacle, and filled with piety and having it for their sustenance,^b would have abstained from fleshly food. Instead they spurred on their lusts more than before and hastened to grasp what seemed so great a boon. With both hands they pulled in the creatures and filled their laps with them, then put them away in their tents, and, since excessive avidity knows no bounds, went out to catch others, and after dressing them in any way^c they could devoured them greedily, doomed in their senselessness to be destroyed by the surfeit. Indeed they shortly perished through discharges 130 of bile,^d so that the place also received its name from the disaster which befell them, for it was called "Monuments of Lust"^e—lust than which no greater evil can exist in the soul as the story shows.

^c If this is right, it is an odd extension of the cognate accusative; otherwise "dressing every kind (of quail)." But there is no reason to suppose that there were different kinds of quails. In the E.V. the quails are "spread abroad," *i.e.* cured by drying in the sun, which is rendered in the LXX by ἔψυξαν ἑαυτοῖς ψυγμούς "they dried for themselves dryings," a phrase which may have puzzled Philo. Heinemann and Mangey ignore ἰδέαν.

^d Cf. v. 20. E.V. "until it come out at your nostrils, and it be loathsome unto you." Here the LXX for "loathsome" has εἰς χολέραν="nausea." But "discharges of bile" would be a possible equivalent, and probably the idea was assisted by "come out at your nostrils."

^e E.V. Kibroth-hattaavah. Marg. that is "The graves of lust."

- 131 διὸ παγκάλως ἐν ταῖς παραινώσεσι Μωυσῆς φη-
 σιν· “οὐ ποιήσει ἕκαστος τὸ ἀρεστὸν ἐνώπιον
 αὐτοῦ” τὸ δ’ ἐστὶν ἴσον τῷ “μηδεὶς τῇ ἐπιθυμίᾳ
 τῇ αὐτοῦ χαριζέσθω”. εὐαρεστείτω γάρ τις θεῷ,
 κόσμῳ, φύσει, νόμοις, σοφοῖς ἀνδράσι, φιλαυτίαν
 παραιτούμενος, εἰ μέλλει καλὸς καὶ ἀγαθὸς γενήσεσθαι.
- 132 XXV. Τοσαῦτα καὶ <περὶ> τῶν εἰς ἐπιθυμίαν
 ἀναφερομένων ἀποχρώντως κατὰ τὴν δύναμιν εἴρη-
 ται πρὸς συμπλήρωσιν τῶν δέκα λογίων καὶ τῶν
 [358] τούτοις ὑποστελλόντων· | εἰ γὰρ δεῖ τὰ μὲν φωνῇ
 θείᾳ χρησμοδθέντα κεφάλαια γένη νόμων ἀπο-
 δεῖξαι, τοὺς δὲ κατὰ μέρος πάντας οὓς διηρμήνευσε
 Μωυσῆς ὑποστέλλοντα¹ εἶδη, πρὸς τὸ ἀσύγχυτον
 τῆς ἀκριβοῦς καταλήψεως φιλοτεχνίας ἐδέησεν, ἥ
 χρησάμενος ἐκάστω τῶν γενῶν ἐξ ἀπάσης τῆς
 νομοθεσίας τὰ οἰκεία προσένειμα καὶ προσέφυσα.
- 133 Τούτων μὲν δὴ ἅλις. οὐ δεῖ δ’ ἀγνοεῖν, ὅτι ὥσ-
 περ ἰδίᾳ ἐκάστω τῶν δέκα συγγενῇ τινα τῶν ἐπὶ
 μέρους ἐστίν, ἃ πρὸς ἕτερον γένος οὐδεμίαν ἔχει κοι-
 νωνίαν, οὕτως ἕνια κοινὰ πάντων συμβέβηκεν, οὐχ
 ἐνὶ ἡ δυσί, ὡς ἔπος εἰπεῖν, τοῖς <δὲ> δέκα λογίοις
- 134 ἐφαρμόττοντα. ταῦτα δ’ εἰσὶν αἱ κοινωφελεῖς
 ἀρεταί· καὶ γὰρ ἕκαστος ἰδίᾳ τῶν δέκα χρησμῶν

¹ My correction for ὑποστέλλων τὰ (which Cohn retains).
 The change from ὑποστέλλοντα intransitive verb to transitive
 verb seems unnatural and awkward.

^a Deut. xii. 8. For παραινώσεις as a name for Deuteronomy
 = the more usual προτρεπτικοί (sc. λόγοι), cf. *De Agr.* 84.

^b Not (as Heinemann) some laws, but the virtues, as ταῦτα
 below shows.

^c Here as in ii. 63, where see note, I see no reason to
 depart from the established rule that ὡς ἔπος εἰπεῖν does not

THE SPECIAL LAWS, IV. 131-134

And therefore most excellent are these words of 131
Moses in his Exhortations, "Each man shall not do
what is pleasing in his own sight,"^a which is as much
as to say "let no one indulge his own lust. Let a
man be well pleasing to God, to the universe, to
nature, to laws, to wise men and discard self love.
So only will he attain true excellence."

XXV. In these remarks we have discussed the 132
matters relating to desire or lust as adequately
as our abilities allow, and thus completed our
survey of the ten oracles, and the laws which are
dependent on them. For if we are right in describ-
ing the main heads delivered by the voice of God
as generic laws, and all particular laws of which
Moses was the spokesman as dependent species, for
accurate apprehension free from confusion scientific
study was needed, with the aid of which I have
assigned and attached to each of the heads what
was appropriate to them throughout the whole
legislation.

Enough then of this. But we must not fail to 133
know that, just as each of the ten separately has
some particular laws akin to it having nothing in
common with any other, there are some things^b
common to all which fit in not with some particular
number^c such as one or two but with all the ten
Great Words. These are the virtues of universal 134
value. For each of the ten pronouncements separ

introduce a metaphor but a general or rough statement,
particularly of numbers. "One or two" are examples; any
law might conceivably fit in to three or four or any other
number short of ten. Heinemann here as there translates
"so zu sagen," but unless the phrase connotes something
different from the English "so to speak," I can see no
point in it.

- καὶ κοινῇ πάντες ἐπὶ φρόνησιν καὶ δικαιοσύνην
καὶ θεοσέβειαν καὶ τὸν ἄλλον χορὸν τῶν ἀρετῶν
ἀλείφουσι καὶ προτρέπουσι, βουλαῖς μὲν ἀγαθαῖς
ὑγιαίνοντας λόγους, λόγοις δὲ σπουδαίας πράξεις
συνείροντες, ἵνα τὸ ψυχῆς ὄργανον εὐαρμόστως
ὅλον δι' ὅλων συνηχῇ πρὸς ἐμμέλειαν βίου καὶ
135 συμφωνίαν ἀνεπίληπτον. περὶ μὲν οὖν τῆς ἡγε-
μονίδος τῶν ἀρετῶν, εὐσεβείας καὶ ὁσιότητος, ἔτι
δὲ καὶ φρονήσεως καὶ σωφροσύνης εἴρηται πρό-
τερον, νυνὶ δὲ περὶ τῆς ἐπιτηδευσούσης ἀδελφὰ καὶ
συγγενῇ ταύταις δικαιοσύνης λεκτέον.
- 136 XXVI. ¹Ἐν τὸ δικαιοσύνης οὐ βραχὺ μέρος ἦν
τὸ πρὸς δικαστήρια καὶ δικαστάς, οὐ πρότερον
ἐποισάμην ὑπόμνησιν, ἥνίκα τὰ τῶν μαρτυρίων
ἐπὶ πλεον ἀπομηκύνων διεξῆειν ἔνεκα τοῦ μηδὲν
παραλειφθῆναι τῶν ἐμφερομένων. οὐκ εἰωθὼς δὲ
παλιλλογεῖν, εἰ μὴ πού τις ἀνάγκη γένοιτο βιαζο-
μένων τῶν καιρῶν, ἐκεῖνο μὲν εἶπω, πρὸς δὲ τὰ
137 ἄλλα μέρη τρέψομαι τοσοῦτον προειπών. τὰ δί-
καια, φησὶν ὁ νόμος, ἐντιθέσθαι δεῖ τῇ καρδίᾳ καὶ
ἐξάπτειν εἰς σημεῖον ἐπὶ τῆς χειρὸς καὶ εἶναι
σειόμενα πρὸ ὀφθαλμῶν, αἰνιττόμενος διὰ τοῦ
προτέρου, ὅτι χρὴ μὴ ὥσιν ἀπίστοις παρακατατίθε-

¹ The mss. here have the heading *Περὶ δικαιοσύνης*, and Cohn begins a fresh numeration of chapters. Though the insertion of a heading would otherwise be justified by the important break at this point, it is unnecessary in view of the concluding words of the last section.

^a i.e. §§ 55-78.

^b Deut. vi. 6, 8 (also xi. 18). E.V. "These words, which I command thee this day, shall be upon thy heart . . . and thou shalt bind them for a sign upon thy hand, and for frontlets between thine eyes." In both places the word translated "frontlets" (whence the (head) phylacteries of

THE SPECIAL LAWS, IV. 134-137

ately and all in common incite and exhort us to wisdom and justice and godliness and the rest of the company of virtues, with good thoughts and intentions combining wholesome words, and with words actions of true worth, that so the soul with every part of its being attuned may be an instrument making harmonious music so that life becomes a melody and a concert in which there is no faulty note. Of the queen of the virtues, piety or holiness, we have spoken earlier and also of wisdom and temperance. Our theme must now be she whose ways are close akin to them, that is justice. 135

XXVI. One and by no means an inconsiderable 136 part of justice is that which is concerned with law courts and judges. This I have already^a mentioned, when I dealt at length with the question of testimony in order to omit nothing of the points involved. As it is not my custom to repeat myself unless forced to do so by the pressure of the particular occasion I will say no more about it and with only so much preface address myself to the other parts of the subject. The law tells us that we must set the 137 rules of justice in the heart and fasten them for a sign upon the hand and have them shaking before the eyes.^b The first of these is a parable indicating that the rules of justice must not be committed to

Matt. xxiii. 5) is given in the LXX by ἀσάλευτον "unshaken." The sequel shows that Philo read σαλευτόν. See App. p. 435.

Actually these words prescribe obedience to God's law, and so belong rather to εὐσέβεια. Heinemann suggests that the description of them as δικαιώματα in v. 3 may have led him to dwell upon them here. Perhaps it is enough to say that as the Deuteronomic code, which he mostly quotes in the sequel, is largely concerned with δικαιοσύνη, they may be fairly quoted here, though they have other applications also.

- σθαι τὰ δίκαια—πίστις γὰρ ἀκοαῖς οὐκ ἔνεστιν—,
 [359] ἀλλὰ τῷ ἡγεμονικωτάτῳ <τὰ> πάντων ἄριστα | μα-
 θημάτων¹ <ἐν>τυποῦν καὶ ταῦτα χαράττοντα σφρα-
 138 γίσι δοκίμοις· διὰ δὲ τοῦ δευτέρου τὸ μὴ μόνον
 ἐννοίας λαμβάνειν τῶν καλῶν, ἀλλὰ καὶ τὰ δόξαντα
 πράττειν ἀνυπερθέτως—ἡ γὰρ χεὶρ πράξεως σύμ-
 βολον, ἥς ἐξάπτειν καὶ ἐξαρτᾶν τὰ δίκαια προσ-
 τάττει, σημεῖον ἔσεσθαι τοῦτο φάσκων, καὶ τίνος
 ἀντικρυς οὐ διείρηκε, διὰ τὸ μὴ ἐνός,² ὥς γέ μοι
 δοκεῖ, πολλῶν δὲ γενέσθαι καὶ σχεδὸν ἀπάντων ἐν
 139 οἷς ὁ ἀνθρώπινος βίος—· διὰ δὲ τοῦ τρίτου τὸ αἰεὶ
 καὶ πανταχοῦ φαντασιοῦσθαι τὰ δίκαια καθάπερ
 ἐγγὺς ὄντα ὀφθαλμῶν· σάλον δ' ἐχέτω ταῦτα
 κινούμενα, φησὶν, οὐχ ἵν' ἀβέβαια καὶ ἀνίδρυτα³
 <ἦ>, ἀλλ' ἵνα τῇ κινήσει τὴν ὄψιν ἐκκαλῇ πρὸς
 ἀρίδην θέαν· ὁράσεως γὰρ ἐπαγωγὸν κίνησις
 ἐξερεθίζουσα καὶ ἀνεγείρουσα μᾶλλον δ' ἀκοιμή-
 140 τούς καὶ ἐργηγορότας κατασκευάζουσα ὀφθαλμούς.
 ὅτῳ δ' ἐξεγένετο τυπώσασθαι ἐν⁴ τῷ
 τῆς ψυχῆς ὀμματι μὴ ἡσυχάζοντα ἀλλὰ κινούμενα
 καὶ ταῖς κατὰ φύσιν ἐνεργείαις χρώμενα, τέλειος
 ἀνὴρ ἀναγεγράφθω, μηκέτι ἐν τοῖς γνωρίμοις καὶ
 μαθηταῖς ἐξεταζόμενος, ἀλλ' ἐν διδασκάλοις καὶ
 ὑφηγηταῖς, καὶ παρεχέτω τοῖς ἐθέλουσιν ἀρνεσθαι
 τῶν νέων ὥσπερ ἀπὸ πηγῆς τῶν λόγων καὶ δογ-
 μάτων ἀφθονον νᾶμα· κἂν τῶν ἀτολμοτέρων τις

¹ MSS. ἀναθημάτων. In the words that follow καὶ ταῦτα is Cohn's correction for ταῦτα καὶ of S (καὶ omitted in M). I think of the four corrections made by Cohn in this sentence μαθημάτων and ἐντυποῦν should stand, but thus corrected the text of M is satisfactory, i.e. ἀλλὰ τῷ ἡγεμονικωτάτῳ πάντων ἄριστα μαθημάτων ἐντυποῦν ταῦτα, χαράττοντα κτλ.

² MSS. μηδένοσ.

THE SPECIAL LAWS, IV. 137-140

untrustworthy ears since no trust can be placed in the sense of hearing but that these best of all lessons must be impressed upon our lordliest part, stamped too with genuine seals. The second 138 shows that we must not only receive conceptions of the good but express our approval of them in unhesitating action, for the hand is the symbol of action, and on this the law bids us fasten and hang the rules of justice for a sign. Of what it is a sign he has not definitely stated because, I believe, they are a sign not of one thing but of many, practically of all the factors in human life. The third means that 139 always and everywhere we must have the vision of them as it were close to our eyes. And they must have vibration and movement, it continues, not to make them unstable and unsettled, but that by their motion they may provoke the sight to gain a clear discernment of them. For motion induces the use of the faculty of sight by stimulating and arousing the eyes, or rather by making them un-sleepful and wakeful.

He to whom it is 140 given to set their image in the eye of the soul, not at rest but in motion and engaged in their natural activities, must be placed on record as a perfect man. No longer must he be ranked among the disciples and pupils but among the teachers and instructors, and he should provide as from a fountain to the young who are willing to draw therefrom a plenteous stream of discourses and doctrines. And

³ Mangey's text here, *σάλον δ' ἐχέτω ταῦτα κινούμενον, φησίν, οὐχ ἰν' ἀβέβαιον καὶ ἀνίδρυτον, ἀλλ' ἵνα κτλ.*, is with a few slight variations the text of the mss., but the neuter singulars are ungrammatical.

⁴ MSS. *μὲν*.

- ὑπ' αἰδοῦς μέλλῃ καὶ βραδύνῃ προσέρχεσθαι μαθη-
 σόμενος, αὐτὸς ἰὼν ἐπαντλείτω καὶ ἐποχετευέτω
 ταῖς ἀκοαῖς ἀθρόας ὑφηγήσεις, ἄχρις ἂν αἱ δεξα-
 141 μεναὶ τῆς ψυχῆς γεμισθῶσι. προδιδασκέτω δὴ
 τὰ δίκαια συγγενεῖς καὶ φίλους καὶ πάντας νέους
 οἴκοι καὶ ἐν ὁδῷ καὶ πρὸς κοίτην ἰόντας καὶ
 ἀνισταμένους, ἵν' ἐν πάσαις μὲν σχέσεσι καὶ
 κινήσειν, ἐν πᾶσι δὲ χωρίοις ἰδίοις τε καὶ δημο-
 σίοις, μὴ μόνον ἐγρηγορότες ἀλλὰ καὶ κοιμώνενοι,
 φαντασίαις τῶν δικαίων ἐνευφραίνωνται· τέρψις
 γὰρ οὐκ ἔστιν ἡδίων ἢ τὴν ψυχὴν ὅλην δι' ὅλων
 πεπληρῶσθαι δικαιοσύνης, ἐμμελετώσαν αὐτῆς τοῖς
 αἰδίοις δόγμασι καὶ θεωρήμασιν, οὐκ ἔχουσιν
 142 ἔρημον τόπον, εἰς ὃν ἀδικία παρελεύσεται. κελεύει
 δὲ καὶ γράψαντας αὐτὰ πρόσθεν τῶν φιλῶν¹ οἰκίας
 ἐκάστης προτιθέσθαι καὶ πυλῶν τῶν ἐν τοῖς τείχεσιν,
 ἵν' οἱ μὲν ἐκδημοῦντες καὶ ἐνδημοῦντες,² ἀστοὶ καὶ
 ξένοι, τοῖς πρὸ τῶν πυλῶν γράμμασιν ἐστηλιτευ-
 μένοις ἐντυγχάνοντες ἄληκτον ἔχωσι τὴν τῶν
 λεκτέων καὶ πρακτέων μνήμην, ἐκατέρου φροντί-
 ζοντες τοῦ μήτε ἀδικεῖν μήτε ἀδικεῖσθαι, εἰς δὲ
 τὰς οἰκίας εἰσιόντες καὶ πάλιν ἐξιόντες, ἄνδρες
 [360] ὁμοῦ καὶ γυναῖκες καὶ τέκνα καὶ θεραπεία, | τὰ
 ἀρμόττοντα καὶ ἐπιβάλλοντα δρῶσιν³ ὑπὲρ τε
 ἄλλων καὶ ὑπὲρ ἑαυτῶν.
- 143 XXVII. Θαυμασιώτατον δὲ κακὲϊνο διαγορεύει

¹ MSS. φίλων.

² Or should we read ἐπιδημοῦντες "returning home" corresponding to εἰσιόντες and ἐξιόντες below? It is when they pass in and out that they would see the inscriptions on the gate.

³ Perhaps, as Mangey suggests, ὁρῶσιν.

THE SPECIAL LAWS, IV. 140-143

if some less courageous spirit hesitates through modesty and is slow to come near to learn, that teacher should go himself and pour into his ears as into a conduit a continuous flood of instruction until the cisterns of the soul are filled. Indeed he 141 must be forward to teach the principles of justice to kinsfolk and friends and all the young people at home and in the street, both when they go to their beds and when they arise, so that in every posture and every motion, in every place both private and public, not only when they are awake but when they are asleep, they may be gladdened by visions of the just.^a For there is no sweeter delight than that the soul should be charged through and through with justice, exercising itself in her eternal principles and doctrines and leaving no vacant place into which injustice can make its way. He bids 142 them also write and set them forth in front of the door posts of each house and the gates in their walls,^b so that those who leave or remain at home, citizens and strangers alike, may read the inscriptions engraved on the face of the gates and keep in perpetual memory what they should say and do, careful alike to do and to allow no injustice, and when they enter their houses and again when they go forth men and women and children and servants alike may act as is due and fitting both for others and for themselves.

XXVII. Another most admirable injunction is 143

^a Deut. vi. 7 (xi. 19) "thou shalt teach them to thy sons, and shalt talk of them, sitting in the house, and walking in the way and lying down and rising up."

^b Deut. vi. 9 "And ye shall write them on the doorposts of your houses and your gates."

PHILO

- τὸ μηδὲν προστιθέναι καὶ ἀφαιρεῖν, ἀλλ' ἐν ἴσῳ καὶ ὁμοίῳ διαφυλάττειν ἀκίνητα τὰ ἐξ ἀρχῆς ὀρισθέντα νόμιμα· συμβαίνει γάρ, ὡς ἔοικε, τὴν μὲν πρόσθεσιν τῶν ἀδίκων, <τὴν δ' ἀφαίρεσιν γίνεσθαι τῶν δικαίων>· οὐδὲν γάρ ἐστίν ὁ παρα-
 λείπεται τῷ σοφῷ νομοθέτῃ πρὸς ὁλοκλήρου καὶ
 144 παντελοῦς μετουσίαν δικαιοσύνης. αἰνίττεται μέν-
 τοι καὶ ταῖς ἄλλαις ἀρεταῖς ἀκρότητας· ἐκάστη
 γὰρ αὐτῶν ἀνελλιπὴς ἐστὶ καὶ πλήρης, τὸ ἐντελὲς
 ἔχουσα ἐξ αὐτῆς, ὡς, εἰ γένοιτο προσθήκη τις καὶ
 ἀφαίρεσις, ὅλην δι' ὅλων² τρέπεσθαι καὶ μετα-
 145 βάλλεσθαι πρὸς τὴν ἐναντίαν ἔξιν. ὁ
 δὲ λέγω, τοιοῦτόν ἐστι· τὴν ἀνδρείαν, ἀρετὴν περὶ
 τὰ δεινὰ πραγματευομένην, ἴσασιν οἱ μὴ παντελῶς
 ἄμουσοι καὶ ἀχόρευτοι, καὶ ἐπὶ βραχὺ παιδείας
 προσάψωνται, τῶν ὑπομενετέων οὖσαν ἐπιστήμην.
 146 ἀλλ' ἐάν τις εἷξας ἀμαθία τῇ δι' ἀλαζονείαν, ὡς
 δὴ περιττὸς καὶ ἱκανὸς ἐπανορθοῦσθαι τὰ ἀνεπι-
 δεᾶ, προστιθέναι ἢ ἀφαιρεῖν τι τολμᾷ, σύμπασαν
 ἀλλάσσει τὴν εἰκόνα μετατυπώσας αἰσχροὺς ἀντὶ
 καλοῦ χαρακτῆρος· ἀπεργάσεται γὰρ τῇ μὲν προσ-
 θέσει θρασύτητα, τῇ δ' ἀφαιρέσει³ δειλίαν, μηδ'
 ὄνομα τῆς βιωφελεστάτης ἀνδρείας καταλιπών.
 147 τὸν αὐτὸν μὲν τρόπον καὶ τῇ βασιλίδι

¹ Perhaps, as Cohn suggests, *κάν*.

² MSS. ὅλων.

³ MSS. ἀφαιρήσει.

^a Deut. iv. 2, xii. 32 "ye shall not add to the word which I command you, and ye shall not take from it" (E.V. "diminish").

^b Or "finality."

THE SPECIAL LAWS, IV. 143-147

that nothing should be added or taken away,^a but all the laws originally ordained should be kept unaltered just as they were. For what actually happens, as we clearly see, is that it is the unjust which is added and the just which is taken away, for the wise legislator has omitted nothing which can give possession of justice whole and complete. Further he suggests also that the summit of perfec- 144
tion^b has been reached in each of the other virtues. For each of them is defective in nothing, complete in its self-wrought consummateness, so that if there be any adding or taking away, its whole being is changed and transformed into the opposite condition.

^c Here is an example of what I 145
mean. That courage, the virtue whose field of action is what causes terror, is the knowledge of what ought to be endured,^d is known to all who are not completely devoid of learning and culture, even if their contact with education has been but small. But if anyone, indulging the ignorance 146
which comes from arrogance and believing himself to be a superior person capable of correcting what stands in no such need, ventures to add to or take from courage, he changes its likeness altogether and stamps upon it a form in which ugliness replaces beauty, for by adding he will make rashness and by taking away he will make cowardice, not leaving even the name of the courage so highly profitable to life.

In the same way too if one 147

^a The same point is made and illustrated by the same two virtues in *Quod Deus* 163.

^d The Stoic definition quoted more completely in *Leg. All.* i. 68 ἐπιστήμη ὑπομενετέων καὶ οὐχ ὑπομενέτεων καὶ οὐδετέρων; see *S. V. F.* i. 262 ff.

- τῶν ἀρετῶν, εὐσεβεία, προσθῇ τις ὁτιοῦν μικρὸν ἢ μέγα ἢ τοῦναντίον ἀφέλῃ, καθ' ἑκάτερον ἐπαλλάξει καὶ μεταμορφώσῃ τὸ εἶδος· γεννήσῃ γὰρ ἡ μὲν πρόσθεσις δεισιδαιμονίαν, ἡ δ' ἀφαίρεσις ἀσέβειαν, ἀφανισθείσης αὐτῆς τῆς εὐσεβείας, ἣν ἀνίσχειν καὶ ἐπιλάμπειν εὐκταῖον ἀγαθόν, ἐπειδὴ τοῦ μεγίστου τῶν ἀγαθῶν αἰτία καθέστηκεν, ἐπιστήμην ἐμποιοῦσα θεραπείας θεοῦ, ἣν πάσης ἀρχῆς καὶ ἡγεμονίας ἀρχικωτέραν καὶ βασιλικω-
148 τέραν εἶναι νομιστέον. παραπλήσια δὲ τοῖς εἰρημένοις καὶ περὶ τῶν ἄλλων ἀρετῶν ἐκάστης ἔστι λέγειν· ἀλλὰ ἐπιτέμνειν εἰωθὼς τὰ μήκη τῶν λόγων ἀρκεσθήσομαι τοῖς εἰρημένοις, ἃ καὶ τῶν ἡσυχάζομένων ἱκανὰ μηνύματα γένοιτο' ἂν.
- 149 XXVIII. "Ἐτι καὶ τοῦτο προσδιατέτακται κοινωφελὲς παράγγελμα, "μὴ μετακινεῖν ὅρια τοῦ πλησίον, ἃ ἔστησαν οἱ πρότεροί σου." τοῦτο δ', ὡς ἔοικεν, οὐ περὶ κλήρων αὐτὸ μόνον καὶ γῆς ὅρων νομοθετεῖται πρὸς πλεονεξίας ἀποκοπήν,
[361] ἀλλὰ καὶ πρὸς | φυλακὴν τῶν ἀρχαίων ἐθνῶν· ἔθνη γὰρ ἄγραφοι νόμοι, δόγματα παλαιῶν ἀνδρῶν οὐ στήλαις ἐγκεχαραγμένα καὶ χαρτιδίῳ ὑπὸ σιγῶν ἀναλίσκομένοις, ἀλλὰ ψυχαῖς τῶν μετεληφότων
150 τῆς αὐτῆς πολιτείας. ὀφείλουσι γὰρ παῖδες παρὰ γονέων <δίχα> τῶν οὐσιῶν κληρονομεῖν ἔθνη πάτρια, οἷς ἐνετράφησαν καὶ ἐξ αὐτῶν σπαργάνων συνεβίωσαν, καὶ μὴ καταφρονεῖν, παρόσον ἄγραφος αὐτῶν ἡ παράδοσις· ὁ μὲν γὰρ τοῖς ἀναγραφείοις νόμοις πειθαρχῶν οὐκ ἂν δεόντως ἐπαινοῖτο,

^a Deut. xix. 14. It is difficult to see why this passage is introduced here. The text is clearly quoted not for its literal meaning, but for its application to the customs which are

THE SPECIAL LAWS, IV. 147-150

adds anything small or great to the queen of virtues piety or on the other hand takes something from it, in either case he will change and transform its nature. Addition will beget superstition and subtraction will beget impiety, and so piety too is lost to sight, that sun whose rising and shining is a blessing we may well pray for, because it is the source of the greatest of blessings, since it gives the knowledge of the service of God, which we must hold as lordlier than any lordship, more royal than any sovereignty. Much the same may be said 148 of the other virtues, but as it is my habit to avoid lengthy discussions by abridgement I will content myself with the aforesaid examples which will sufficiently indicate what is left unsaid.

XXVIII. Another commandment of general value 149 is "Thou shalt not remove thy neighbour's landmarks which thy forerunners have set up."^a Now this law, we may consider, applies not merely to allotments and boundaries of land in order to eliminate covetousness but also to the safeguarding of ancient customs. For customs are unwritten laws, the decisions approved by men of old, not inscribed on monuments nor on leaves of paper which the moth destroys, but on the souls of those who are partners in the same citizenship. For 150 children ought to inherit from their parents, besides their property, ancestral customs which they were reared in and have lived with even from the cradle, and not despise them because they have been handed down without written record. Praise cannot be duly given to one who obeys the written unwritten laws. But the laws which have been and are still to be discussed are not unwritten.

νουθετούμενος ἀνάγκη καὶ φόβῳ κολάσεως, ὁ δὲ τοῖς ἀγράφοις ἐμμένων, ἐκούσιον ἐπιδεικνύμενος τὴν ἀρετὴν, ἐγκωμίων ἄξιος.

- 151 XXIX. ¹ Ἐνιοι τὰς κληρωτὰς εἰσηγήσαντο ἀρχάς, ἀλυσιτελῶς τοῖς πλήθεσιν· εὐτυχίαν γὰρ ἀλλ' οὐκ ἀρετὴν ὁ κλῆρος ἐμφαίνει. πολλοὶ γοῦν πολλάκις τῶν ἀναξίων ἔλαχον, οὓς ἀνὴρ ἀγαθὸς λαβόμενος ἡγεμονίας ἀποδοκιμάσαι ἂν καὶ ἐν ὑπηκόοις ἐξετά-
152 ζεσθαι. καὶ γὰρ οἱ μικροὶ λεγόμενοι παρὰ τισιν ἄρχοντες, οὓς δεσπότης ὀνομάζουσιν, οὐ πάντας ὅσους ἂν οἰοί τε ὦσιν οἰκότριβας ἢ ἀργυρωνήτους ὑπάγονται, μόνους δὲ τοὺς καταπειθεῖς γινομένους, ἀγεληδὸν ἔστιν ὅτε πιπράσκοντες τοὺς ἀνιάτως ἔχοντας τὸ ἥθος ὡς καὶ δουλεύειν ἀγαθοῖς ἀνδράσιν
153 ἀναξίους ὄντας. ἔτι τοίνυν² προσήκει δεσπότης καὶ ἡγεμόνας ὅλων πόλεων καὶ ἔθνων ἀποφαίνειν τοὺς κλήρῳ λαχόντας, ὀλίσθω τινὶ τύχης, ἀβεβαίου καὶ ἀνιδρύτου πράγματος; ἀλλ' εἰς μὲν τὴν τῶν καμνόντων ἐπιμέλειαν κλῆρος τὸ μηδέν· ἰατροὶ γὰρ οὐ κλήρῳ λαγχάνουσιν, ἀλλ' ἐν πείρᾳ δοκιμάζονται.
154 καὶ πρὸς εὐπλοίαν καὶ σωτηρίαν τῶν θαλαττευόντων οὐχ ὁ λαχὼν κυβερνᾶν εὐθὺς ἐπὶ πρύμναν παραπέμπεται, δι' ἀνεπιστημοσύνης ἐργασόμενος ἐν εὐδία καὶ γαλήνῃ χειροποίητα ναυάγια, ἀλλ' ὅστις ἂν ἐκ πρώτης ἡλικίας τὴν κυβερνητικὴν τέχνην ἐπι-

¹ Here the mss. have the heading *Κατάστασις ἀρχόντων* ("De constitutione principum"). The title is not only unnecessary but misleading. As no further heading is given it may be supposed to cover the rest of the treatise, but the appointment of the ruler only occupies the sections down to § 159, and his character and duties only to § 192. Cohn however begins here a fresh numeration of chapters.

² MSS. ἔτι νῦν or οὐ τοίνυν.

THE SPECIAL LAWS, IV. 150-154

laws, since he acts under the admonition of restraint and the fear of punishment. But he who faithfully observes the unwritten deserves commendation, since the virtue which he displays is freely willed.^a

XXIX. Some legislators have introduced the 151 system of filling magistracies by lot, to the detriment of their peoples, for the lot shows good luck, not merit. In fact the lot often falls to many of the unworthy whom a good man, if he obtained command, would reject as unfit to be classed even among his subjects. For those "minor rulers," as 152 some phrase it, whom we call "masters" do not retain in their service all they might whether homebred or purchased, but only those who prove amenable: the incorrigible they sometimes sell in a mass as unworthy to be slaves of men of merit. And can 153 it then be right to make masters and rulers of whole cities and nations out of persons chosen by lot, by what we may call a blunder of fortune,^b the uncertain and unstable? In the matter of tending the sick lot has no place, for physicians do not gain their posts by lot, but are approved by the test of experience. And to secure a successful voyage and the safety of 154 travellers on the sea we do not choose by lot and send straight away to the helm a steersman who through his ignorance will produce in fine weather and calm water shipwrecks in which Nature has no part.^c Instead we send one whom we know to have

^a See App. p. 435.

^b Or perhaps better "a random act of fortune." Fortune's steps are uncertain, but not always blunders. "Freak" might perhaps cover the meaning. Cf. ii. 231 (of the same subject).

^c Or "home-made," "man-made."

μελῶς φαίνεται δεδιδαγμένος· οὗτος δ' ἐστὶν ὁ
πολλάκις μὲν πεπλευκώς, τὰ δὲ σύμπαντα ἢ
πλείστα πελάγη περαιωσάμενος, ἐμπόρια δὲ καὶ
λιμένας καὶ ὑφόρμους καὶ ὑποδρόμους τοὺς ἐν τε
[362] νήσοις καὶ ἡπείροις | ἐπιμελῶς ἐξητακῶς καὶ μάλ-
λον ἢ οὐχ ἦττον τῶν κατὰ γῆν ὁδῶν τὰς κατὰ
θάλατταν ἀτραποὺς ἐπιστάμενος ἐκ τῆς ἀκριβοῦς
155 θέας τῶν οὐρανίων· παρατηρήσας γὰρ τὰς χορείας
τῶν ἀστέρων καὶ ἐπακολουθήσας αὐτῶν ταῖς τε-
ταγμέναις κινήσεσιν ἐν ἀνοδίαις ἴσχυσεν ἀπλανεῖς
καὶ λεωφόρους ὁδοὺς ἀνατεμεῖν, ἵνα—τὸ πάντων
ἀπιστότατον πραγμάτων—ἡ χερσαία φύσις διὰ
156 πλωτῆς οἶα τε ἦ περαιουῖσθαι. πόλεις δέ τις με-
γάλας καὶ πολυανθρώπους, μεστὰς οἰκητόρων, καὶ
πολιτείας ἐγχειρίζεσθαι μέλλων καὶ πραγμάτων
ιδιωτικῶν τε καὶ δημοσίων καὶ ἱερῶν ἐπιμέλειαν,
ἣν οὐκ ἂν ἀμάρτοι τις εἰπὼν τέχνην τεχνῶν εἶναι
καὶ ἐπιστήμην ἐπιστημῶν, πρὸς ἄσφατον κλήρου
φορὰν ταλαντεύσει τὴν ἀκριβῆ βάσανον τῆς ἀλη-
θείας φυγών; ἀληθείας δὲ βάσανος αἱ σὺν λόγῳ
157 πίστεις. XXX. ταῦτ' οὖν τῇ ψυχῇ θεασάμενος ὁ
πάνσοφος Μωυσῆς κληρωτῆς μὲν ἀρχῆς οὐδὲ μέ-
μνηται, τὰς δὲ χειροτονητὰς εἰσηγείσθαι διενεόηθη.
φησὶ γοῦν· καταστήσεις ἐπὶ σεαυτὸν ἄρχοντα οὐκ
ἀλλότριον, ἀλλ' ἐκ τῶν σῶν ἀδελφῶν, δηλῶν
ἐθελοῦσιον αἵρεσιν καὶ δοκιμασίαν ἀνεπίληπτον
ἄρχοντος, ἣν σύμπασα ἡ πληθὺς ὁμογνωμονοῦσα
ποιήσει. προσεπιψηφιεῖται δὲ τὴν αἵρεσιν ἐπι-

^a *ἵνα*, as often in Philo, is consecutive.

^b Lit. "the land-nature is able to pass through navigable nature." See *Spec. Leg.* i. 335 and note.

^c Deut. xvii. 15 "thou shalt surely set over thyself a ruler,

THE SPECIAL LAWS, IV. 154-157

been carefully trained from his earliest years in the art of steersmanship. Such a one will have made many a voyage, crossed all or most seas, carefully studied the trading ports, harbours and anchorages and roadsteads, both in the islands and the mainland, and know the sea routes as well as, if not better than, the roads on land, through accurately watching the heavenly bodies. For by observing the courses of 155 the stars and following their ordered movements he has been able to open up in the pathless waste high-roads where none can err, with this incredible result,^a that the creature whose element is land can float his way through the element of water.^b And shall one 156 who is to have in his hands great and populous cities with all their inhabitants, and the constitutions of the cities and the management of matters private, public and sacred, a task which we might well call an art of arts and a science of sciences, be the sport of the unstable oscillation of the lot and escape the strict test of truth, which can only be tested by proofs founded on reason? XXX. These things Moses, 157 wise here as ever, considered in his soul and does not even mention appointment of rulers by lot, but determines to institute appointment by election. Thus he says "thou shalt establish a ruler over thyself, not a foreigner but from thy brethren," hereby indicating that there should be a free choice and an unimpeachable scrutiny of the ruler made by the whole people with the same mind.^c And the choice will receive the further vote and seal of ratification

whomsoever the Lord thy God shall choose. From thy brethren thou shalt set a ruler over thyself. Thou shalt not be able to set over thyself a man that is a stranger, because he is not thy brother."

σφραγιζόμενος καὶ ὁ τῶν κοινωνηλῶν ἀπάντων
βεβαιωτῆς θεός, ἐκλογὴν τινὰ τοῦ γένους ὑπολαβὼν
εἶναι τὸν ἄνθρωπον¹ ὡς ὅψιν ἐν σώματι.

- 158 XXXI. τὰς δ' αἰτίας τοῦ μὴ δεῖν ἀλλότριον αἰρεῖ-
σθαι πρὸς ἀρχὴν διττὰς ὑπογράφει, τὴν μὲν ἵνα μὴ
πλήθος ἀργυρίου καὶ χρυσίου καὶ θρεμμάτων συν-
αγάγῃ πολὺν πλοῦτον καὶ πάντα ἄδικον ἐκ τῆς
πενίας τῶν ὑπηκόων θησαυρισάμενος, τὴν δ' ἵνα μὴ
τὸ ἔθνος ἐκ τῆς οἰκείας χώρας ἀναστήσας ἕνεκα
τῶν ἰδίων πλεονεξιῶν ἀναγκάξῃ μετανίστασθαι
(κατὰ)² πλάνον ἀνήνυτον ὧδε κἀκεῖσε φορούμενον,
ὑποβαλὼν ἀτελεῖς ἐλπίδας μειζόνων ἀγαθῶν κτή-
σεως, εἰς ἀφαίρεσιν ὧν ἤδη βεβαίως ἐκαρποῦτο.

- 159 προὔπελαβε γάρ, ὡς εἰκός, τὸν ὁμόφυλον καὶ συγ-
γενῇ μετέχοντα τῆς πρὸς τὴν ἀνωτάτω συγγένειαν
οἰκειότητος—ἡ δ' ἀνωτάτω συγγένειά ἐστι πολιτεία
μία καὶ νόμος ὁ αὐτὸς καὶ εἷς θεός, ᾧ πάντες οἱ
ἀπὸ τοῦ ἔθνους προσκεκλήρωνται,—μηδέποτε τὰ
παραπλήσια τοῖς προλεχθεῖσι διαμαρτεῖν, ἀλλ' ἔμ-
παλιν ἀντὶ μὲν τοῦ μεθορμίζειν τοὺς οἰκήτορας καὶ

¹ Cohn suggested *αἰρεθέντα*, which Heinemann translates.
See note *a*.

² A doubtful insertion. *πλάνον* may be cogn. acc.

^a The words are obscure. If the text is right, the meaning may be that the choice of one particular man shows him to be the "eye of the body," and that God accepts this and confirms it. Philo is clearly trying to reconcile the free choice which he thinks is implied in the words "thou shalt set" with the limitation "whomsoever the Lord thy God shall choose." But no authority is quoted for the use of *ἐκλογή* = "the chosen," nor yet for "the choicest" or the "pick," which Cohn's correction of *ἄνθρωπον* to *αἰρεθέντα* demands.

^b Deut. xvii. 16, 17. E.V. "only he shall not multiply

THE SPECIAL LAWS, IV. 157-159

from Him who confirms all things that promote the common weal, even God who holds that the man may be called the chosen from the race, in which he is what the eye is in the body.^a XXXI. The 158 reasons subjoined to show why a foreigner should not be selected are two. First to prevent him from amassing a great quantity of gold and silver and cattle and storing up great wealth all unjustly wrung from the poverty of his subjects.^b Secondly that he should not to gratify his own greedy desires evict the natives from the land and compel them to emigrate borne hither and thither in endless wandering, or by inspiring in them futile hopes of increased prosperity succeed in taking from them what ere now they enjoyed in security.^c For he assumed with good 159 reason that one who was their fellow-tribesman and fellow-kinsman related to them by the tie which brings the highest kinship, the kinship of having one citizenship and the same law and one God who has taken all members of the nation for His portion, would never sin in the way just mentioned. He knew that such a one on the contrary, instead of

horses to himself . . . neither shall he greatly multiply to himself silver and gold." This is not a reason for not choosing a foreigner, but conditions to be observed by the native king. The LXX however has "because he shall not multiply," etc., and this Philo follows.

^c Deut. xvii. 17 (2nd half) "he shall not turn away (E.V. cause to return) the people to Egypt, that he may not multiply horses to himself." According to the commentators the meaning is that he should not seek alliance with Egypt and so procure a strong force of horses. Philo, perhaps thinking of Egypt as the natural refuge of the exiles from Palestine, takes it to mean expatriation in general, which the foreign king would practise in order to confiscate the people's wealth. The passage is allegorized in *De Agr.* 84 ff. See App. p. 435.

τοῖς ἐν τῇ ξένῃ σποράσιν ἀσφαλῇ κάθοδον παρέξειν, ἀντὶ δὲ τοῦ τὰ τῶν ἄλλων ἀφαιρεῖσθαι χρήματα προσεπιδώσειν τοῖς δεομένοις τὴν ἰδίαν οὐσίαν ἀποφύγαντα κοινῇ.

- 160 XXXII. | Ἀφ' ἧς δ' ἂν ἡμέρας παρέλθῃ τις ἐπὶ
[363] τὴν ἀρχήν, κελεύει τὴν Ἐπινομίδα αὐτοχειρίᾳ γράψαι κεφαλαιώδη τύπον περιέχουσιν ἀπάντων τῶν νόμων, βουλόμενος ἔγκολλα τῇ ψυχῇ τὰ διαταγαγμένα γενέσθαι· τοῦ μὲν γὰρ ἀναγινώσκοντος ὑπορρεῖ τὰ νοήματα τῇ φορᾷ παρασυρόμενα, τῷ δὲ γράφοντι κατὰ σχολὴν ἐνσφραγίζεται καὶ ἐνιδρύεται, τῆς διανοίας ἐνευκαιρούσης ἐκάστω καὶ ἐπεριειδούσης ἑαυτὴν καὶ μὴ μετιούσης ἐφ' ἕτερον, πρὶν
161 ἢ περιδράξασθαι τοῦ προτέρου βεβαίως. ὅταν μέντοι γράψῃ, πειράσθω καθ' ἐκάστην ἡμέραν ἐντυγχάνειν καὶ ἀναγινώσκειν, ὑπὲρ τε συνεχοῦς καὶ ἀδιαστάτου μνήμης καλῶν καὶ συμφερόντων ἅπασιν διαταγμάτων καὶ ὑπὲρ τοῦ βέβαιον ἔρωτα καὶ πόθον αὐτῶν ἐγγενέσθαι, τῆς ψυχῆς αἰεὶ διδασκομένης καὶ ἐξεθιζομένης ἐνομιλεῖν νόμοις ἱεροῖς· αἱ γὰρ μακροχρόνιοι συνήθειαι φιλίαν ἄδολον καὶ καθαρὰν οὐ πρὸς ἀνθρώπους μόνον ἀλλὰ καὶ πρὸς ἰδέας ἀξιεράστους γραμμάτων ἀποτελοῦσι.
162 τουτὶ δὲ συμβήσεται, ἐὰν μὴ ἐτέρου γράμμασι καὶ ὑπομνήμασιν ὁ ἀρχὼν ἄλλ' οἷς αὐτὸς ἔγραψεν ἐντυγχάνῃ· τὰ γὰρ ἰδιά πῶς ἐκάστοις γνωριμώτερα
163 καὶ πρὸς ἀναλήψεις ἐτοιμώτερα. καὶ ἄλλως ἀνα-

^a Deut. xvii. 18-20. For "sequel" perhaps "appendix." E.V. "he shall write him a copy of this book" (more liter-

THE SPECIAL LAWS, IV. 159-162

sending the inhabitants adrift, would provide a safe return for those who are scattered on foreign soil, and instead of taking the wealth of others would give liberally to the needy by making his private substance common to all.

XXXII. From the day that he enters upon his 160 office the lawgiver bids him write out with his own hand this sequel to the laws which embraces them all in the form of a summary.^a He wishes hereby to have the ordinance cemented to the soul. For the thoughts swept away by the current ebb away from the mere reader, but are implanted and set fast in one who writes them out at leisure. For the mind can dwell at its ease on each point and fix itself upon it, and does not pass on to something else until it has securely grasped what goes before. Still after 161 writing he must endeavour every day to read and familiarize himself with what he has written,^b so that he may have a constant and unbroken memory of ordinances so good and profitable to all, and thus conceive an unswerving love and yearning for them by perpetually training and habituating his soul to companionship with holy laws. For prolonged associations produce a pure and sincere affection not only for men but for ^c writings of such kinds as are worthy of our love. And this will be the case if the ruler studies 162 not the writings and notes of another but the work of his own pen, for everyone is more familiar with his own writing and takes in its meaning more readily. ally "duplicate," Adam Smith). The LXX has *δευτερονόμιον* ("repetition of the law"), whence the accepted name. On *Ἐπινομίδα* see also App. p. 436.

^b *Ibid.* "he shall read in it all the days of his life."

^c Heinemann translates "thoughts worthy of affection transmitted in writing"; but *ιδέας* cannot mean "thoughts."

- γινώσκων ἅμα λογισμὸν ἔξει τοιοῦτον· “ ἐγὼ ταῦτ’
 ἔγραψα ὁ τοιοῦτος ἄρχων, μὴ ἑτέρῳ προσχρησά-
 μενος ὑπηρετῶν¹ μυρίων ὄντων· ἄρ’ ὅπως βιβλίον
 ἀποπληρώσω, καθάπερ οἱ μισθοῦ γράφοντες ἢ οἱ
 γυμνάζοντες ὀφθαλμούς τε καὶ χεῖρας, τοὺς μὲν εἰς
 ὀξυωπίαν, τὰς δ’ ἵνα ὦσιν ὀξυγράφοι;—πόθεν; οὐκ
 ἔστιν—ἀλλ’ ὅπως αὐτὰ ἐν βιβλίῳ γράφων εὐθὺς εἰς
 τὴν ψυχὴν μεταγράψω καὶ ἐναπομάττωμαι τῇ δια-
 164 νοίᾳ θειοτέρους καὶ ἀνεκπλύτους χαρακτῆρας. οἱ
 μὲν οὖν ἄλλοι βασιλεῖς βακτηρίας ἔχοντες σκηπ-
 τροφοροῦσιν, ἐμοὶ δὲ τὸ σκῆπτρόν ἐστιν ἡ βίβλος
 τῆς Ἐπινομίδος, καύχημα καὶ κλέος ἀνανταγώ-
 νιστον, παράσημον ἡγεμονίας ἀνεπιλήπτου πρὸς
 ἀρχέτυπον τὴν τοῦ θεοῦ βασιλείαν ἀπεικονισθείσης.
 165 αἰὲ δ’ ἐπερειδόμενος καὶ σκηριπτό-
 μενος τοῖς ἱεροῖς νόμοις κτήσομαι δύο τὰ πάντων
 ἄριστα· ἐν μὲν ἰσότητι, ἥς μείζον ἀγαθὸν οὐκ ἔστιν
 εὑρεῖν· ἀλαζονεία γὰρ καὶ τὸ ὑπέραυχον ὀλιγό-
 166 φρονος ψυχῆς τὸ μέλλον οὐ προορωμένης. ἰσότης
 μὲν οὖν τὴν ἐκ τῶν ὑπηκόων εὐνοίαν καὶ ἀσφάλειαν
 ἀμοιβὰς δικαίας ἀντεκτινόντων ἀπεργάσεται, τὸ δ’
 ἄνισον κινδύνους σφαλερωτάτους. τούτους μὲν
 ἀποδράσομαι μισήσας τὴν χορηγὸν σκότους καὶ
 πολέμων ἀνισότητα, βίον δ’ ἀνεπιβούλευτον ἔξω
 τὴν ἀστασίαστον ἰσότητα τιμήσας, ἣ γεννᾷ φῶς καὶ
 167 εὐστάθειαν. ἕτερον δὲ περιποιήσομαι τὸ

¹ MSS. ὑπηρέτῃ et al.

^a The seven sections which follow are a meditation on Deut. xvii. 19, 20, the first part of which is put into the king or ruler’s mouth.

THE SPECIAL LAWS, IV. 163-167

Further when he reads he will reason thus with him- 163
self. ^a "I have written these words, I, a ruler of such
eminence, without employing another though I have
a host of servants. Have I done it to fill the pages
of a book like those who write for hire or to train
their eyes and hands, the first to sharpen the sight,
the second to make themselves swift writers? No,
surely not. I write them in a book in order to re-
write them straightway in my soul, and receive in
my mind the imprints of a script more divine and
ineffaceable. Now other kings carry rods in their 164
hands as sceptres but my sceptre is the book of the
Sequel to the law, my pride and my glory, which
nothing can rival, an ensign of sovereignty which
none can impeach, formed in the image of its arche-
type the kingship of God. ^b And if I ever 165
keep the holy laws for my staff and support I shall
win two things better than all else. ^c One is the spirit
of equality, and no greater good can be found than
this, for arrogance and insolence belong to a soul of
mean capacity which does not foresee the future.
Equality will earn its just reward, repaid in the good- 166
will and safety of my subjects, while inequality will
create the gravest perils and pitfalls. These I shall
escape if I hate inequality, the bestower of darkness
and wars, while I shall have a life proof against the
malice of enemies if I honour equality who eschews
sedition and is the mother of light and settled order.

^d The other thing that I shall win is that 167

^b Verse 19 "to keep all the words of this law and the statutes."

^c Verse 20 "that his heart be not lifted up above his brethren."

^d *Ibid.* "that he turn not aside from the commandment, to the right hand or to the left."

- [364] | μὴ ἐπὶ θάτερα καθάπερ ἐπὶ τρυτάνης ἀντιρρέπειν
ἐκτρέπων καὶ πλαγιάζων τὰ διατεταγμένα· πειρά-
σομαι δ' ἄγειν αὐτὰ διὰ λεωφόρου τῆς μέσης ὀρθαῖς
καὶ ἀρτίαις βάσεισι χρησάμενος πρὸς μετουσίαν
168 ἀπταίστου βίου." βασιλικὴν δ' εἴωθε Μωυσῆς
ὀνομάζειν ὁδὸν τὴν μέσην, ὑπερβολῆς καὶ ἐλλείψεως
οὐσαν μεθόριον, καὶ ἄλλως ἐπειδὴ τὸ μέσον ἐν
τριάδι τὴν ἡγεμονίδα τάξιν εἴληχεν, ἀρμοζόμενον
τὰ παρ' ἑκάτερα εἰς ἔνωσιν ἀδιαλύτῳ δεσμῷ, ὑφ'
169 ὧν καὶ δορυφορεῖται τρόπον βασιλέως. νομίμου δ'
ἄρχοντος ἰσότητα τιμῶντος, ἀδεκάστου, τὰ δίκαια
κρίνοντος δικαίως, ἐμμελετῶντος αἰεὶ τοῖς νόμοις,
ἀθλον εἶναί φησι τὴν μακροχρόνιον ἡγεμονίαν, οὐχ
ἵνα πολυετῇ ζωῇ αὐτῷ χαρίσῃται μετὰ τοῦ τὰ
κοινὰ πρυτανεύειν, ἀλλ' ἵνα ἀναδιδάξῃ τοὺς ἀγνο-
οῦντας, ὅτι ὁ νόμιμος ἄρχων, κἂν τελευτήσῃ, βίον
ζῆ μακραίωνα διὰ τῶν πράξεων, ὥς ἀθανάτους
ἀπολέλοιπε μνημεῖα καλοκάγαθίας ἀκαθαίρετα.
- 170 XXXIII. Προσέκει δὲ τῷ τῆς ἀνωτάτῳ καὶ
μεγίστῃ ἀρχῇς ἀξιοθέντι αἰρεῖσθαι διαδόχους, οἱ
συνάρξουσι καὶ συνδικάσουσι καὶ τᾶλλα ὅσα κοινω-

^a In this section Philo digresses to bring his text into connexion with Num. xx. 17 (cf. xxi. 22) "We will go along the king's high way (LXX ὁδὸς βασιλική), we will not turn aside to the right hand nor to the left," on which he has commented elsewhere, particularly in *Quod Deus* 162 ff. Here the stress is laid on the phrase "royal road," and the inference drawn, as I understand it, is that Moses in giving this name to the central road between (as he says in *Quod Deus*) deficiency and excess suggests that it is the fitting road for a king. While hitherto he has chiefly followed the LXX in using ἄρχων, not βασιλεύς, he here shows his perception that a king is intended (cf. § 164).

^b *Ibid.* "that he may prolong his days in his rule." For

THE SPECIAL LAWS, IV. 167-170

I shall not sway to either side as on a balance, deflecting the ordinances and turning them awry, but I shall try to take them along the central highway marching with firm straightforward steps to ensure a life that never stumbles." ^a Now the name of "royal" 168 which Moses is wont to give to the central road which lies midway between excess and deficiency, is also given because in a set of three the midmost holds the leading place, joining in union with itself by an indissoluble bond those on either side of it, which also serve as bodyguards to it as to a king. ^b A law- 169 abiding ruler who honours equality, who is impervious ^c to bribes and gives just judgements justly and ever exercises himself in the laws has, he tells us, for his reward that the days of his government shall be long, not meaning that he grants him long years of life spent in presiding over the State, but to teach the ignorant that the law-abiding ruler, even when deceased, lives an age-long life through the actions which he leaves behind him never to die, monuments of high excellence which can never be destroyed.

XXXIII. ^d The person who has been judged worthy 170 to fill the highest and most important office should choose lieutenants to share with him the duties of governing, giving judgement, and managing all the

the spiritual interpretation of the boon of long life promised in the scriptures compare the treatment of the fifth commandment in ii. 262, and *Quis Rerum* 290, that the goodly old age promised to Abraham is not the life of long duration, but the life of wisdom.

^e For "impervious to bribes" *cf.* the qualities of the judge, §§ 62 f., and for "gives just judgements justly" §§ 66 f.

^d For what follows Philo has no direct pronouncements in the law, but takes the story of Jethro's advice to Moses in Ex. xviii. described below.

- φελῇ συνδιοικήσουσιν. εἰς γὰρ οὐκ ἂν ἐξαρκέσαι, καὶ προθυμότητος ἢ καὶ πάντων ἐρρωμενέστατος ἑκάτερον, σῶμα καὶ ψυχὴν, πρὸς τὰ μεγέθη καὶ πλήθη τῶν πραγμάτων, ἀπειρηκῶς τῇ φορᾷ τῶν ἐπιχειρομένων καθ' ἑκάστην ἡμέραν ἀλλαχόθεν ἄλλων, εἰ μὴ τοὺς συλληψομένους ἔχοι, πάντας ἀριστίνδην ἐπιλεγεμένους φρονήσει, δυνάμει, δικαιοσύνῃ, θεοσεβείᾳ, τῷ μὴ ἐκτρέπεσθαι μόνον ἀλλὰ καὶ μισεῖν ὡς ἐχθρὸν καὶ μέγιστον κακὸν
- 171 ἀλαζονείαν. βοηθοὶ γὰρ οὗτοι καὶ παραστάται γένοιντ' ἂν ἀνδρὶ καλῷ καγαθῷ τὰ κοινὰ ἐπηχθισμένῳ συνεπικουφίζειν καὶ ἐπελαφρίζειν ἐπιτηδειότατοι. καὶ ἄλλως, ἐπειδὴ τῶν ὑποθέσεων αἱ μὲν εἰσι μείζους, αἱ δὲ βραχύτεραι, τὰς μὲν ἐλάττους, ἵνα μὴ περὶ μικρὰ τρίβηται, τοῖς ὑπάρχοις ἐνδίκως ἂν ἐπιτρέψαι, τῶν δὲ μειζόνων ἀναγκαίως αὐτὸς
- 172 ἂν γένοιτο ἐξεταστὴς ἀκριβέστατος. μεγάλας δ' ὑποληπτέον ὑποθέσεις οὐχ ἅς οἴονται τινες, ὅταν ἔνδοξοι πρὸς ἐνδόξους διαφέρωνται καὶ πλούσιοι πρὸς πλουσίους καὶ ἡγεμόνες πρὸς ἡγεμόνας, ἀλλ' ἔμπαλιν ὅταν ἰδιῶται καὶ ἄποροι καὶ ἄδοξοι πρὸς δυνατωτέρους, οἷς πρὸς τὸ μηδὲν ἀνήκεστον παθεῖν μία ἐλπίς ὁ δικαστής.
- 173 Ἐκατέρου δὲ τῶν εἰρημένων σαφῇ παραδείγματα εὖρεῖν ἔστιν ἐν τοῖς ἱεροῖς νόμοις, ἃ μιμεῖσθαι καλόν. ἦν γὰρ ποτε χρόνος, ἐν ᾧ μόνος αὐτὸς ἐβράβευε τὰ περὶ δίκας Μωυσῆς ἔωθεν εἰς νύκτα
- [365] πονοῦμενος· ἀλλ' | αὐθις ἀφικόμενος ὁ πενθερὸς καὶ

^a See Ex. xviii. 21. E.V. "Able men (LXX δυνατοῦς), such

THE SPECIAL LAWS, IV. 170-173

other matters which concern the public welfare. For a single person even though possessed of unique strength both in body and soul would not be capable of coping with the magnitude and multitude of affairs, be he ever so zealous, but would collapse under their force as they pour in upon him daily from different sides, unless he had helpers all of the best chosen for their good sense, ability, justice and godliness, and because they not only keep clear of arrogance but hate it as a thing pernicious and utterly evil. ^a In such persons the man of high excellence 171 burdened with state affairs will find assistants and supporters well fitted to join in relieving him and to lighten his task. Further, since the questions which arise are sometimes greater and sometimes less, to prevent his wearing himself out in petty matters he will do rightly in entrusting the smaller to his subordinates, while the greater he will be bound to scrutinize himself with the utmost care. And great 172 questions must not be understood, as some think, to mean cases where both the disputants are distinguished or rich or men in high office but rather where the commoner or the poor or the obscure are disputing with others more powerful, and where their one hope of escaping a fatal disaster lies in the judge.

Both these statements may be justified by clear 173 examples to be found in the sacred laws, examples which we do well to copy. For there was a time when Moses himself arbitrated questions of justice, labouring from morning till night, but afterwards when his father-in-law arrived and observed the vast

as fear God, men of truth, hating unjust gain" (LXX ὑπερηφανίαν = "arrogance").

- συνιδὼν ὅσω βάρει πιέζεται πραγμάτων, ἐπισυρ-
 ρεόντων αἰεὶ τῶν τὰς ἀμφισβητήσεις ἐχόντων,
 ἄριστα συνεβούλευσεν ἐλέσθαι διαδόχους, ἵν' οἱ μὲν
 τὰ βραχύτερα κρίνωσιν, αὐτὸς δ' ἐφεδρεύῃ τοῖς
 174 μείζοσι καιροῦς εἰς ἀνάπαυλαν αὐτῷ διδούς. πει-
 σθεῖς δὲ τοῖς λεγομένοις—καὶ γὰρ ἦν συμφέροντα—
 τοὺς δοκιμωτάτους ἐξ ἅπαντος τοῦ πλήθους ἐλό-
 μενος ὑπάρχους ἅμα καὶ δικαστὰς καθίστησι,
 κελεύσας τὰς μείζους κρίσεις ἐπ' αὐτὸν ἀνάγειν.
 175 ταύτην τὴν πράξιν¹ ἀνάγραφτον αἱ ἱεραὶ βίβλοι
 περιέχουσιν εἰς τὴν τῶν καθ' ἐκάστην γενεὰν
 ἀρχόντων διδασκαλίαν, ἵνα πρῶτον μὲν μὴ
 ἀποδοκιμάζωσι συμβούλους ὡς ἱκανοὶ πάντα περι-
 αθρεῖν, Μωυσέως οὐκ ἀποδοκιμάσαντος τοῦ παν-
 σόφου καὶ θεοφιλοῦς, ἔπειτα δὲ ἵνα δευτέρους καὶ
 τρίτους ἡγεμόνας αἰρῶνται, φροντίζοντες τοῦ μὴ
 περὶ μικρὰ τριβόμενοι τῶν ἀναγκαιοτέρων ἀμελεῖν.
 ἀμήχανον γὰρ ἐφ' ἅπαντα φθάνειν φύσιν ἀνθρω-
 176 πίνην. XXXIV. ἐν μὲν δὴ τῶν παρα-
 δειγμάτων μεμνήνται· τοῦ δὲ δευτέρου τὴν πίστιν
 ἐφαρμοστέον. μεγάλας ἔφην εἶναι δίκας τὰς τῶν
 ταπεινοτέρων· ἀσθενὲς δὲ καὶ ταπεινὸν χήρα καὶ
 ὀρφανὸς καὶ ἐπὶ ἡλύτος· τούτοις χρή δικάζειν τὸν
 ἀνωτάτω βασιλέα καὶ τὴν ἐφ' ἅπασιν ἀναψάμενον²
 ἀρχήν, ἐπεὶ κατὰ Μωυσέα καὶ ὁ τῶν ὅλων ἡγεμὼν
 θεὸς οὐκ ἐσκοράκισεν αὐτοὺς τῆς ἀφ' αὐτοῦ δι-
 177 καινομίας. ὑμνήσας γὰρ τὰς τοῦ ὄντος ἀρετὰς ὁ
 ἱεροφάντης τὸν τρόπον τοῦτον· “ὁ θεὸς ὁ μέγας

¹ So M. Other mss. κρίσιν or τάξιν. Cohn prints πρόσταξιν, but Jethro's advice could hardly be called this, and the point is not what he advised, but what Moses did.

² mss. ἐφαψάμενον or ἐναψάμενον (-ην).

THE SPECIAL LAWS, IV. 173-177

burden of affairs which oppressed him through the perpetual flood of persons who had questions to settle, he gave the excellent advice that Moses should choose delegates to judge the smaller matters and keep himself in reserve for the greater and thus allow himself time to rest. Moses listened to 174 this truly valuable advice and chose out of the multitude the men of highest repute whom he appointed as subordinate governors and also as judges, bidding them refer the more important suits to himself. A record of the course thus 175 taken is included in the sacred books as a lesson to each generation of rulers, first that they should not, under the impression that they are capable of surveying everything, reject the help of councillors which Moses the supremely wise and beloved of God did not reject; next that they should choose officers to act as second and third to themselves and so take care that they did not by wearing themselves out over petty matters neglect the more vital. For human nature cannot possibly reach everything.

XXXIV. I have 176 stated one of the two examples and must add the evidence for the second. I said that the great cases were those of the lowlier. Lowliness and weakness are attributes of the widow, the orphan and the incomer. It is to these that the supreme king who is invested with the government of all should administer justice, because according to Moses God also the ruler of the Universe has not spurned them from His jurisdiction. For when 177 the Revealer has hymned the excellences of the Self-existent in this manner^a "God the great and

^a Deut. x. 17, 18.

καὶ κραταιός, ὅστις οὐ θαυμάζει πρόσωπον οὐδὲ μὴ
λάβῃ δῶρον ποιῶν κρίσιν," ἐπιλέγει τίσιν ἢ κρί-
σις.¹ οὐ σατράπαις καὶ τυράννοις καὶ γῆς καὶ
θαλάττης ἀναψαμένοις τὸ κράτος, ἀλλ' " ἐπηλύτω

178 καὶ ὀρφανῷ καὶ χήρᾳ". τῷ μὲν ὅτι τοὺς
συγγενεῖς, οὓς μόνους εἰκὸς ἔχειν συναγωνιστάς,
ἐχθροὺς ἀσυμβάτους εἰργάσατο ἑαυτῷ μεταναστὰς
εἰς ἀλήθειαν καὶ τὴν τοῦ ἐνὸς τιμίου τιμὴν ἀπὸ
μυθικῶν πλασμάτων καὶ πολυαρχίας, ἃ γονεῖς καὶ
πάπποι καὶ πρόγονοι καὶ πάντες οἱ ἀφ' αἵματος
τοῦ στειλαμένου τὴν καλὴν ἀποικίαν ταύτην ἐξετί-
μησαν·

τῷ δ' ἐπειδὴ πατρὸς καὶ μητρὸς
τῶν ἐκ φύσεως βοηθῶν καὶ ὑπερμάχων ἐστέρηται
δυνάμει τῆς μόνης εἰς συμμαχίαν ἀναγκαίας
ἐρημωθείς· τῇ δ' ὅτι τὸν διαδεξάμενον ἄνδρα τὴν
τῶν γονέων ἐπιμέλειαν καὶ προστασίαν ἀφήρηται·
γυναικὶ γὰρ ἀνὴρ εἰς κηδεμονίαν ὅπερ² γονεῖς

179 παρθένῳ. σχεδὸν δὲ καὶ τὸ σύμπαν

Ἰουδαίων ἔθνος ὀρφανοῦ λόγον ἔχει συγκρινόμενον
τοῖς ἀπανταχοῦ πᾶσι· τὰ μὲν γάρ, ὅποτε μὴ θεή-
[366] λατοι κατασκήπτοιεν συμφοραί, διὰ | τὰς ἐν τοῖς
ἔθνεσιν ἐπιμιξίας οὐκ ἀπορεῖ βοηθῶν κοινοπρα-
γούντων,³ τῷ δ' ἡκιστα τις συναγωνίζεται νόμοις
ἐξαιρέτοις χρωμένῳ· σεμνοὶ δ' εἰσὶν ἐξ ἀνάγκης,

¹ Printed by Cohn ἐπιλέγει—τίσιν ἢ κρίσις ;

² Cohn corrects to ὥσπερ. This seems to me not only unnecessary but to involve a difficult construction, viz. that εἰς κηδεμονίαν is used like the Latin predicative dative "vir custodiae est mulieri" = "custos mulieris." Cohn may perhaps have thought that τοῦτο would be supplied before ὅπερ as in § 186.

³ MSS. κοινοπραγούντα.

THE SPECIAL LAWS, IV. 177-179

powerful, who has no respect to persons, will receive no gifts and executes judgement," he proceeds to say for whom the judgement is executed—not for satraps and despots and men invested with power by land and sea, but for the "incomer,"^a for orphan and widow."

For the incomer, 178 because he has turned his kinsfolk, who in the ordinary course of things would be his sole confederates, into mortal enemies, by coming as a pilgrim to truth and the honouring of One who alone is worthy of honour, and by leaving the mythical fables and multiplicity of sovereigns, so highly honoured by the parents and grand-parents and ancestors and blood relations of this immigrant to a better home.

For the orphan, because he has been bereft of his father and mother his natural helpers and champions, deserted by the sole force which was bound to take up his cause. For the widow because she has been deprived of her husband who took over from the parents the charge of guarding and watching over her, since for the purpose of giving protection the husband is to the wife what the parents are to the maiden.

One may say that the whole Jewish race is in the 179 position of an orphan compared with all the nations on every side. They when misfortunes fall upon them which are not by the direct intervention of heaven are never, owing to international intercourse, unprovided with helpers who join sides with them. But the Jewish nation has none to take its part, as it lives under exceptional laws which are necessarily grave and severe, because they inculcate the highest

^a E.V. "stranger." LXX προσήλυτος. Philo, as regularly elsewhere, assumes that he is a proselyte to Judaism.

- ἄτε πρὸς τὴν ἄκραν ἀρετὴν ἀλείφοντες· τὸ δὲ
 σεμνὸν αὐστηρόν, τοῦτο δ' ὁ πολὺς ὄμιλος ἀνθρώ-
 180 πων ἀποστρέφεται διὰ τὴν ἡδονῆς ἀποδοχὴν. ἀλλ'
 ὅμως τῆς ὀρφανίας αὐτοῦ καὶ ἐρημίας ἔλεον καὶ
 οἰκτόν φησι Μωυσῆς αἰεὶ λαμβάνειν τὸν ἡγεμόνα
 τῶν ὄλων ᾧ προσκεκλήρωται, διότι τοῦ σύμπαντος
 ἀνθρώπων γένους ἀπενεμήθη οἷά τις ἀπαρχὴ τῷ
 181 ποιητῇ καὶ πατρί. τὸ δ' αἴτιον αἱ τῶν ἀρχηγετῶν
 τοῦ ἔθνους περιμάχητοι δικαιοσύναι καὶ ἀρεταί, αἱ
 καθάπερ φυτὰ ἀθάνατα διαμένουσιν ἀειθαλέα καρ-
 πὸν φέρουσαι τοῖς ἀπογόνους σωτήριον καὶ πρὸς
 πάντα ὠφέλιμον, κἂν αὐτοὶ τύχωσι διαμαρτάνοντες
 182 ἰάσιμα ἀλλὰ μὴ παντελῶς ἀνίατα. μὴ
 μέντοι νομίσας τις ἀγαθὸν εἶναι τέλειον τὴν εὐ-
 γένειαν ὀλιγωρεῖτω καλῶν πράξεων, λογιζόμενος
 ὅτι μείζονος ὀργῆς ἄξιος τυγχάνειν ἐστὶν ὁ γεννη-
 θεὶς μὲν ἐκ τῶν ἀρίστων, αἰσχύνην δ' ἐπιφέρων τοῖς
 γεννήσασιν διὰ τὴν τῶν τρόπων κακίαν· ἔχων γὰρ
 οἰκεῖα παραδείγματα καλοκαγαθίας ἃ μιμήσεται
 καὶ μηδὲν ἀποματτόμενος εἰς ὑγιαίνοντος βίου
 κατόρθωσιν ἐπίληπτος.
- 183 XXXV. Ἀπαγορεύει δ' ὁ νόμος τῷ τὴν προ-
 στασίαν καὶ ἐπιμέλειαν τῶν κοινῶν ἀνειληφότι
 δικαιοσύνην ἀπαγόρευσιν, μὴ πορεύεσθαι δόλῳ ἐν
 τῷ ἔθνει· ψυχῆς γὰρ ἀνελευθέρου καὶ σφόδρα δου-
 λοπρεποῦς ἐπίβουλα ἦθη συσκιαζούσης ὑποκρίσει
 184 τὸ ἔργον. τὸν γὰρ ἄρχοντα οὕτως χρή προεστάναι

^a Cf. *De Praem.* 166 and note.

^b So LXX, Lev. xix. 16. E.V. "Thou shalt not go up and down as a tale-bearer among thy people." Both in the

THE SPECIAL LAWS, IV. 179-184

standard of virtue. But gravity is austere, and austerity is held in aversion by the great mass of men because they favour pleasure. Nevertheless as 180 Moses tells us the orphan-like desolate state of his people is always an object of pity and compassion to the Ruler of the Universe whose portion it is, because it has been set apart out of the whole human race as a kind of first fruits to the Maker and Father. And 181 the cause of this was the precious signs of righteousness and virtue shown by the founders of the race, signs which survive like imperishable plants, bearing fruit that never decays for their descendants, fruit salutary and profitable in every way, even though these descendants themselves be sinners, so long as the sins be curable and not altogether unto death.^a

Yet let no one think that good lineage 182 is a perfect blessing and then neglect noble actions, but reflect that greater anger is due to one who while his parentage is of the best brings shame upon his parents by the wickedness of his ways. Guilty is he who, having for his own models of true excellence to copy, reproduces nothing that serves to direct his life aright and keep it sound and healthy.

XXXV. The law lays upon anyone who has under- 183 taken to superintend and preside over public affairs a very just prohibition when it forbids him "to walk with fraud among the people,"^b for such conduct shows an illiberal and thoroughly slavish soul which disguises its malignant ways with hypocrisy. The 184 ruler should preside over his subjects as a father over

Hebrew and in the LXX it is no doubt a general precept, but as it is preceded by "in righteousness shalt thou judge thy neighbour," Philo might allege some reason for applying it to a person in authority.

- τῶν ὑπηκόων ὡς πατέρα παίδων, ἵνα καὶ αὐτὸς ὡς ὑπὸ γνησίων υἱῶν ἀντιτιμᾶται· διό¹ κοινοὶ πόλεων καὶ ἔθνων γονεῖς, εἰ δεῖ τάληθές εἰπεῖν, ἄρχοντές εἰσιν οἱ ἀγαθοί, τὴν ἴσιν, ἔστι δ' ὅτε καὶ περιττοτέραν εὐνοίαν ἐπιδεικνύμενοι· τοὺς δ' ἐπὶ λύμῃ καὶ ζημίᾳ τῶν ὑπηκόων μεγάλας περιβαλλομένους δυναστείας οὐκ ἄρχοντας ἀλλ' ἐχθροὺς προσαγο-
- 185 ρευτέον, τὰ πολεμίων ἀσυμβάτων δρῶντας. οὐ μὴν ἀλλὰ καὶ οἱ δολερῶς ἀδικοῦντες πονηρότεροι τῶν φανερώς ἐναντιουμένων εἰσίν, εἴ γε τοὺς μὲν ἔνεστι ραδίως ἀμύνασθαι γυμνὴν ἀπαμπίσχοντας τὴν δυσμένειαν, τῶν δ' ἐστὶ δύσληπτος καὶ δυσθήρατος ἢ μοχθηρία καθάπερ ἐν θεάτρῳ σκευὴν ἀλλοτρίαν ἀναλαμβάνοντων εἰς ἀπόκρυψιν ἀληθοῦς
- 186 ὥψεως. φθάνει δὲ τὸ τῆς ἀρχῆς εἶδος καὶ διαδέδυκεν, ὀλίγου δέω φάναι, πρὸς ἅπαντα τὰ τοῦ βίου μέρη, διαφέρον αὐτὸ μόνον μεγέθει καὶ τῷ ποσῷ. ὅπερ γὰρ πόλεως βασιλεύς, τοῦτο καὶ κώμης ὁ πρῶτος καὶ οἰκίας δεσπότης καὶ νοσοῦν-
- [367] των ἱατρός, καὶ | στρατοπέδου μὲν στρατηγός, ναύαρχος δ' ἐπιβατικοῦ καὶ πληρωμάτων, καὶ πάλιν φορτίδων μὲν καὶ ὀλκάδων ναύκληρος, κυβερνήτης δὲ πλωτήρων· οἱ πάντες δύνανται μὲν ἄμφω τό τε εὖ καὶ τὸ χεῖρον, βούλεσθαι δ' ὀφείλουσι τὸ ἄμεινον· τὸ ἄμεινον δ' ἐστὶν ὠφελεῖν
- 187 ἀλλὰ μὴ βλάπτειν ὅσους ἂν οἶόν τε ᾗ. τὸ γὰρ ἔπεσθαι θεῷ τοῦτ' ἐστίν, ἐπεὶ κακείνῳ δύναμις μὲν ἐστὶ δρᾶν ἐκάτερα, βούλεται δὲ μόνον τὰγαθὰ. μὴνύει δὲ ἡ τοῦ κόσμου γένεσις τε καὶ διοίκησις· τὰ γὰρ μὴ ὄντα ἐκάλεσεν εἰς τὸ εἶναι τάξιν ἐξ

¹ So Cohn for mss. διότι. The correction seems to me uncertain. See note a.

his children so that he himself may be honoured in return as by true-born sons, and therefore ^a good rulers may be truly called the parents of states and nations in common, since they show a fatherly and sometimes more than fatherly affection. But those who assume great power to destroy and injure their subjects should be called not rulers but enemies acting like foemen in bitter war, though indeed those who do wrong craftily are more wicked than open adversaries. These last show their hostility stripped naked and it is easy to make defence against them; the villainy of the others is hard to catch or trace since they assume a strange garb as in a theatre to hide their true appearance. Now "rule" or "command" is a category which extends and intrudes itself, I might almost say, into every branch of life, differing only in magnitude and amount. For the relation of a king to a state is the same as that of a headman to a village, of a householder to a house, of a physician to his patients, of a general to an army, of an admiral to the marines and crews, or again of a skipper to merchant and cargo vessels or of a pilot to the seamen. All these have power both for good and for worse, but they ought to will the better, and the better is to benefit instead of injuring as many as they possibly can. For this is to follow God since He too can do both but wills the good only. This was shown both in the creation and in the ordering of the world. He called the non-existent into existence and produced order from disorder,

^a "Therefore" is perhaps more logical than the "because" of the mss. (see note 1). But Philo is not incapable of saying "good rulers are the parents of their subjects and *therefore* a ruler must behave as such."

ἀταξίας καὶ ἐξ ἀποίων ποιότητος καὶ ἐξ ἀνομοίων
 ὁμοιότητος καὶ ἐξ ἑτεροιοτήτων ταυτότητας καὶ
 ἐξ ἀκοινωνήτων καὶ ἀναρμόστων κοινωνίας καὶ
 ἁρμονίας καὶ ἐκ μὲν ἀνισότητος ἰσότητα ἐκ δὲ
 σκότους φῶς ἐργασάμενος· αἰὲ γάρ ἐστιν ἐπιμελὲς
 αὐτῷ καὶ ταῖς εὐεργέτισιν αὐτοῦ δυνάμεσι τὸ
 πλημμελὲς τῆς χείρονος οὐσίας μεταποιεῖν καὶ
 188 μεθαρμόζεσθαι πρὸς τὴν ἀμείνω. XXXVI. ταῦτα
 μιμῆσθαι προσήκει τοὺς ἀγαθοὺς ἄρχοντας, εἴ γέ
 τις αὐτοῖς φροντὶς ἐστὶν ἐξομοιώσεως τῆς πρὸς
 θεόν.

Ἐπεὶ δὲ ὑπορρεῖ μυρία καὶ λανθάνει τὸν ἀνθρώ-
 πινον νοῦν, ἅτ' ἐνδεδεμένον αἰσθήσεων ὅχλῳ
 τοσοῦτῳ παραγαγεῖν καὶ ἀπατῆσαι ψευδέσι δόξαις
 ἱκανωτάτῳ, μᾶλλον δ' ἐντετυμβευμένον θνητῷ
 σώματι, ὃ κυρίως ἂν τις σῆμα καλέσειε, μηδεὶς
 αἰδεῖσθω δικαστῆς ὁμολογῶν ἀγνοεῖν ὅπερ ἀγνοεῖ.
 189 πρῶτον μὲν γὰρ ὁ ψευδόμενος αὐτὸς αὐτοῦ γενή-
 σεται χείρων, ἀλήθειαν ὑπερόριον τῆς ψυχῆς
 πεφυγαδευκώς· ἔπειτα δὲ μυρία βλάβει τοὺς
 κρινομένους, τυφλὴν γνῶσιν ἀποφαινόμενος τῷ μὴ
 190 βλέπειν τὰ δίκαια. ὅταν οὖν ἀμαυρὰν ποιῇται¹
 τὴν ἀντίληψιν τῶν πραγμάτων ἀσάφειαν καὶ πολὺν
 σκότος ἀπεργαζομένων, παραιτεῖσθω τὰς κρίσεις

¹ Cohn in his footnote and still more strongly in a note to Heinemann's translation condemns ποιῇται and suggests οἷται or ἡγῇται. But examples of ποιεῖσθαι τι coupled with

THE SPECIAL LAWS, IV. 187-190

qualities from things devoid of quality, similarities from dissimilars, identities from the totally different, fellowship and harmony from the dissociated and discordant, equality from inequality and light from darkness. For He and His beneficent powers ever make it their business to transmute the faultiness of the worse wherever it exists and convert it to the better. XXXVI. These things good rulers must 188 imitate if they have any aspiration to be assimilated to God.^a

But since a vast number of circumstances slip away from or are unnoticed by the human mind, imprisoned as it is amid all the thronging press of the senses, so competent to seduce and deceive it with false opinions, or rather entombed in a mortal body which may be quite properly called a sepulchre,^b let no judge be ashamed, when he is ignorant of anything, to confess his ignorance. Otherwise in the first 189 place the false pretender will himself deteriorate as he has banished truth from the confines of the soul, and secondly he will do immense harm to the suitors if through failing to see what is just he pronounces a blind decision. So then if the facts create a sense of 190 uncertainty and great obscurity, and he feels that his apprehension of them is but dim, he should

^a See App. p. 436.

^b Σῆμα σῶμα—a well-known play of words, Plato, *Cratylus* 400 B, *Gorgias* 493 A. See App. p. 436.

an adjective or adjectival phrase in the sense of "consider" are fairly common, and though perhaps none quoted are quite analogous to this "considers his apprehension to be dim," they come near enough to it to forbid dogmatism. On the other hand is *οἰεσθαι* followed by the adjective, without an expressed infinitive, in ordinary Greek?

καὶ ἀναπεμπέτω πρὸς ἀκριβεστέρους δικαστάς· οὗτοι δὲ τίνες ἂν εἶεν ἢ ἱερεῖς καὶ ὁ τῶν ἱερέων
 191 ἑξαρχος καὶ ἡγεμών; οἱ γὰρ λειτουργοὶ θεοῦ γνήσιοι τὴν διάνοιαν ἐπιμελῶς ἡκόνηνται, τὸ παρὰ μικρὸν οὐ μικρὸν σφάλμα ἡγούμενοι, διὰ τὰς ἐν ἅπασιν ὑπερβολὰς τοῦ θεραπευομένου βασιλέως—διὸ καὶ προστέτακται πᾶσι τοῖς ἱερωμένοις νηφάλια¹ θύειν, ἵνα μηδὲν τοῦ παραπαίειν καὶ παραλθεῖν φάρμακον ὑπείσελθὸν τοὺς τῆς διανοίας
 192 ὀφθαλμοὺς ἀμαυρώσῃ—, τάχα δ' ἐπειδὴ καὶ ὁ πρὸς ἀλήθειαν ἱερεὺς εὐθύς ἐστι προφήτης, οὐ γένει
 [368] μᾶλλον ἢ ἀρετῇ παρεληλυθὼς ἐπὶ | τὴν τοῦ ὄντως ὄντος θεραπείαν, προφήτῃ δ' οὐδὲν ἄγνωστον, ἔχοντι νοητὸν ἥλιον ἐν αὐτῷ καὶ ἀσκίους αὐγὰς, εἰς ἐναργεστάτην κατάληψιν τῶν αἰσθήσει μὲν ἀοράτων διανοία δὲ καταληπτῶν.

193 XXXVII. Πάλιν οἱ σταθμία καὶ ζυγὰ καὶ μέτρα διαχειρίζοντες ἔμποροι καὶ κάπηλοι καὶ ἀγοραῖοι καὶ ὅσοι ἄλλοι τὰ πρὸς τὸ ζῆν ὥνια πιπράσκουσι ξηρά τε καὶ ὑγρὰ τάττονται μὲν ὑπ' ἀγορανόμοις, ὀφείλουσι δ' αὐτοὶ ἑαυτῶν, ἐὰν σωφρονῶσιν,

¹ So mss. except one νηφαλίου. Cohn, who corrects to νηφαλίου here and in i. 100, must have failed to observe, as I did also there, that νηφάλια θύειν is found in exactly the same connexion in *De Ebr.* 126 and probably *ibid.* 140. So also in *De Vit. Cont.* 74 νηφάλια γὰρ ὡς τοῖς ἱερεῦσι θύειν καὶ τούτοις (*i.e.* the Therapeutae) βιοῦν ὁ ὀρθὸς λόγος ὑφηγείται. See App. p. 436.

THE SPECIAL LAWS, IV. 190-193

decline to judge the cases and send them up to more discerning judges.^a And who should these be but the priests, and the head and leader of the priests? For 191 the genuine ministers of God have taken all care to sharpen their understanding and count the slightest error to be no slight error, because the surpassing greatness of the King whom they serve is seen in every matter; and therefore all officiating priests are commanded to abstain from strong drink when they sacrifice, that no poison to derange^b the mind and the tongue should steal in and dim the eyes of the understanding. Another possible reason for sending such 192 cases to the priests is that the true priest is necessarily a prophet, advanced to the service of the truly Existent by virtue rather than by birth, and to a prophet nothing is unknown since he has within him a spiritual sun and unclouded rays to give him a full and clear apprehension of things unseen by sense but apprehended by the understanding.^c

XXXVII. Again those who handle weights and 193 scales and measures, merchants, pedlars and retailers and all others who sell goods to sustain life, solid or liquid, are no doubt subject to market-controllers,^d but ought, if they have sound sense, to be their own thee in judgement . . . thou shalt come unto the priests, the Levites, and unto the judge that shall be in those days." Philo understands "the judge" to be the high priest. See App. p. 436.

^b I understand *παρπαίειν* to indicate insanity in general, and *παρληρεῖν* as shown in speech. They may, however, be mere synonyms.

^c Here or perhaps at § 188, since the next sections apply to the judge rather than to the ruler, ends all that can fall under the head of "appointment of a ruler," and the rest of the treatise is taken up with miscellaneous matters of justice.

^d See App. p. 437.

PHILO

- ἄρχοντες εἶναι, μὴ φόβῳ τὰ δίκαια δρῶντες ἀλλ' ἐκουσίῳ γνώμῃ· τοῦ γὰρ μετ' ἀνάγκης τὸ αὐτο-
 194 κέλευστον κατόρθωμα τιμιώτερον πανταχοῦ. διὸ προστάττει τοῖς καπήλοις καὶ ἐμπόροις καὶ εἴ τινας ἄλλοι τὴν τοιαύτην προαίρεσιν ἐπανήρηνται τοῦ βίου ζυγὰ δίκαια καὶ σταθμία καὶ μέτρα παρασκευάζεσθαι, μηδὲν ἐπὶ βλάβῃ τῶν ὠνουμένων κακοτεχνοῦντας, ἀλλ' ἀπ' ἐλευθέρας καὶ ἀδόλου ψυχῆς ἕκαστα καὶ λέγειν καὶ πράττειν ἐκείνῳ λογιζομένους, ὅτι τὰ μὲν ἄδικα κέρδη βλαβερώτατα, ὁ δὲ μετὰ δικαιοσύνης πλοῦτος ἀναφαίρετος.
- 195 Ἐπεὶ δὲ φιλεργίας ἄθλα μισθοὶ πρόκεινται τοῖς δημιουργοῖς, δημιουργοῦσι δὲ οἱ ἐν ἐνδείαις, ἀλλ' οὐχ οἷς ἄφθονοι περιουσίαι, κελεύει μὴ ὑπερτίθεσθαι τὰς δόσεις, ἀλλ' αὐτῇ παρέχειν ἡμέρα τὸν διομολογηθέντα μισθόν. ἄτοπον γὰρ τὰ μὲν ἐκ τῆς τῶν πενήτων ὑπηρεσίας ἀπειληφέναι τοὺς εὐπόρους, τὰς δ' ἀντὶ τούτων ἀμοιβὰς μὴ ἀντι-
 196 παρασχεῖν ἀπόροις εὐθὺς περιουσίᾳ ζῶντας. ἄρ' οὐκ ἐναργῇ δείγματα ταῦτ' ἐστὶ προφυλακῆς μειζόνων ἀδικημάτων; ὁ γὰρ μηδὲ μισθὸν τὸν πάντως ἀποδοθησόμενον ἐὼν ἐκπρόθεσμον γενέσθαι, προθεσμίαν ὀρίσας ἐσπέραν, ἐν ᾗ δεήσει τὸν δημιουργὸν ἀπαλλαττόμενον οἴκαδε κομίσασθαι τὴν ἀμοιβήν, οὗτος οὐ πολὺ πρότερον ἀρπαγὴν
 128

THE SPECIAL LAWS, IV. 193-196

rulers and do what is just not through fear but of their own free will, for a right action if self-prompted is everywhere held in higher honour than if done under compulsion.^a And therefore he commands 194 tradesmen, merchants and all who have taken up such a line of life to provide themselves with just scales and weights and measures, and eschew dishonest plots to injure their customers, and rather let every word and deed spring from a liberal and guileless spirit, considering that unjust gains are utterly pernicious but wealth which comes of justice can never be taken away.^b

Since workmen or labourers are offered wages as a 195 reward for their industry and the persons so employed are the needy and not those who have abundance of resources to spare, he orders the employer not to postpone his payment but to render the stipulated wages on that very day.^c For it is against all reason that the well-to-do, with their ample means of livelihood should after receiving the services of the poor fail to render at once to the needy the recompense for their services. Have we not here clearly indicated a 196 warning against worse iniquities? He who having appointed the evening^d as the time in which a labourer should receive his recompense when he leaves for home, and does not even permit the wage though its final payment is assured to be delayed beyond the agreed hour—how much more does he forbid robbery

^a Lev. xix. 35, 36, Deut. xxv. 13-15.

^b I understand this to mean not, as Heinemann, justly earned wealth, which Philo could hardly suppose to be absolutely secure, but the spiritual wealth which the possession of justice entails, *cf. e.g. De Virt.* 8.

^c Lev. xix. 13, Deut. xxiv. 15.

^d "The sun shall not go down upon it," Deut. *l.c.*

PHILO

ἀπαγορεύει καὶ κλοπὴν καὶ χρεωκοπίαν καὶ ὅσα
τούτοις ὁμοιότροπα, διαπλάττων καὶ διαμορφῶν
τὴν ψυχὴν πρὸς δόκιμον εἶδος τὸ καλοκάγαθίας
αὐτῆς;

- 197 XXXVIII. Εὖ μέντοι καὶ κείνο διείρηται, ὅπως
μηδεὶς μηδένα βλασφημῇ καὶ κακηγορῇ, καὶ
μάλιστα κωφὸν οὔτε αἰσθῆσιν ὧν ἀδικεῖται δυνά-
μενον λαβεῖν οὔτε ἐν τοῖς ἴσοις αὐτὸ τοῦτο¹ ἀμύ-
νασθαι. μάχη γὰρ πασῶν ἐκνομωτάτη, καθ' ἣν
τὸ μὲν ἕτερον μέρος ἐν τῷ δρᾶν ἐξετάζεται, τὸ δ'
198 ἕτερον ἐν τῷ μόνον πάσχειν. τοῖς δὲ κακηγοροῦσι
τοὺς ἀναύδους καὶ τὰ ὦτα βεβλαμμένους ὅμοιον
ἀδίκημα δρῶσιν οἱ τυφλοῖς ὀλίσθους ἐμποιοῦντες
καὶ ἕτερ' ἅττα² ἐν ποσὶ τιθέντες· ἀνάγκη γάρ,
οὐχ οἷους τε ὄντας ὑπερβαίνειν δι' ἄγνοιαν, περι-
πταίοντας ἀμφότερα καὶ τῆς ὁδοῦ διαμαρτάνειν
199 καὶ τὰς βάσεις βλάπτεσθαι. τοῖς δὲ τῶν τοιούτων
ἐργάταις τε καὶ ζηλωταῖς ἐπανατείνεται θεοῦ
[369] φόβον ὁ νόμος, εἰκότως καὶ | προσηκόντως, ἐπειδὴ
μόνος οὗτος τὴν χεῖρα ὑπερέχει καὶ προασπίζει
τῶν αὐτοῖς βοηθεῖν ἀδυνατούντων· καὶ μόνον οὐκ
200 ἀντικρὺς φησι τοῖς ἀδικοπραγοῦσι· “ τοὺς μὲν

THE SPECIAL LAWS, IV. 196-200

and theft and repudiation of debts and other things of the same kind, and thus mould and shape the soul into the approved standard, into the form of true goodness itself.

XXXVIII. Another excellent injunction is that no 197 one is to revile or abuse any other, particularly a deaf-mute^a who can neither perceive the wrong he suffers nor retaliate in the same way, nor on an equal footing. For no kind of fighting is so utterly unfair as that where activity is the part assigned to one side and only passivity to the other. This offence of reviling 198 those who have lost the power of speech and the use of their ears is paralleled by those who cause the blind to slip or put some other obstacles in their way.^b For since in their ignorance they cannot surmount them, they needs must stumble about so that they both miss the right path and damage their feet.^c Those who carry out or have a zest for such tricks 199 are menaced by the law with the terrors of God's wrath; this is right and reasonable, since it is God alone whose arm is extended to shield those who are unable to help themselves. And his words are little less than a plain declaration to the workers of iniquity "Ye senseless fools, you expect to go un- 200

^a Lev. xix. 14. E.V. "thou shalt not curse the deaf." LXX "thou shalt not speak ill of the deaf." The sequel shows that Philo understands *κωφόν* to include dumbness.

^b *Ibid.* "nor put a stumbling-block before the blind."

^c Cf. Deut. xxvii. 18 "cursed be he that maketh the blind to wander out of the way."

¹ Some mss. *παρ' αὐτὸ τοῦτο* = "for this very reason," i.e. that they are *κωφοί*. The *αὐτὸ τοῦτο* alone somewhat strains the use of the cognate accusative.

² Mangey with some mss. *ἐνεδρα* = "traps."

πλημμελουμένους, ὧ κενοὶ φρενῶν,¹ λήσεσθαι νομίζετε γέλωτα ἡγούμενοι τὰς ἐκείνων συμφορὰς καὶ εἰς ταῦτα ἑξαμαρτάνοντες, περὶ ᾧ συμβέβηκεν ἀτυχεῖν αὐτοῖς, ὧτα μὲν διὰ κακηγοριῶν, ὀφθαλμοὺς δὲ διὰ τῶν ἐν ποσὶν ὀλίσθων· τὸν δὲ πάντων ἔφορον καὶ δίοπον θεὸν οὐδέποτε λήσεσθε κακοπραγίαις ἀθλίων ἀνθρώπων ἐπεμβαίνοντες, ὥς τὰς ὁμοίας κήρας οὐκ ἐνδεξόμενοι, σῶμα μὲν πάσαις ἄλωτὸν νόσοις περιφέροντες, αἰσθήσεις δ' ἐπικήρως ἐχούσας, αἱ μικρὰς ἔνεκα καὶ τῆς τυχούσης προφάσεως οὐκ ἀμαυροῦνται μόνον, ἀλλὰ καὶ
 201 ἀνιάτους ὑπομένουσι πηρώσεις." τοὺς οὖν ἐπιληλησμένους μὲν ἑαυτῶν, ἐπικυδεστέρους δ' οἰομένους εἶναι τῆς φυσικῆς ἀνθρώπων ἀσθενείας, ἐκπεφευγῆναι δὲ τὰς ἀδήλους καὶ ἀτεκμάρτους τῆς τύχης ἐπιβουλὰς, ἣ πολλάκις αἰφνιδίους σκηπτοὺς ἐπέρριψε καὶ εὐπλοία βίου χρωμένους μόνον οὐκ ἐν αὐτοῖς λιμέσιν εὐδαιμονίας κατέκλυσε, τί δεῖ μεγαλαυχεῖν καὶ ἐπεμβαίνειν συμφοραῖς ἑτέρων, μηδὲ τὴν πάρεδρον δίκην τοῦ πάντων ἡγεμόνος

¹ The punctuation here should be specially noted. All other editions have φησι τοῖς ἀδικοπραγοῦσι τοὺς μὲν πεπλημμελημένους· "ὧ κενοὶ φρενῶν," κτλ. Mangey, Cohn, and Heinemann all take this punctuation for granted. Mangey strangely translates "videtur affari insontes laedentibus." Cohn pronounced τοὺς μὲν πεπλημμελημένους to be corrupt (see his discussion in *Hermes*, 1908, p. 210). The μὲν, as he says, has no δέ or other antithesis, and πεπλημμελημένους, which he unnecessarily thinks intended to = "the disabled," cannot have that meaning. (If however it is taken in the ordinary sense of "the wronged," it is merely otiose after ἀδικοπραγοῦσι.) Accordingly he proposed τοὺς μέρος τι πεπηρωμένους and Heinemann follows him.

With the changed punctuation all difficulty, I believe, is removed. τοὺς μὲν πλημμελουμένους is in its right place as an

THE SPECIAL LAWS, IV. 200-201

detected by those whom you wrong when you count their calamities a laughing matter and work your wickedness against those parts in which misfortune has befallen them, against their ears by your reviling, against their eyes by the pitfalls which you set in their way. But you will never go undetected by God who surveys and controls all things, when you trample on the misfortunes of stricken men, as if you could never fall into like disasters, though the body which you have always with you can become the prey of every disease and your senses are perishable, liable through some trifling and quite ordinary occasion, not merely to be dulled and darkened but also to suffer incurable disablement." These persons have 201 lost the knowledge of their real selves; they think that distinction raises them above the natural weakness of mankind and that they have escaped the uncertainties and caprices of fortune's hostility, fortune who often launches her sudden blasts on those who are sailing prosperously through life and sends them foundering when almost in the very harbour of felicity. What right have they to vaunt themselves and trample on the misfortunes of others without respect for the assessor of the ruler of all, justice,

antithesis to τὸν δὲ . . . θεὸν, and the sense is improved, as the tricksters of course are right in thinking that they will go undetected by their victims. I do not think any objection can be raised by the transference of the vocative from the beginning of the clause to a later place. Such a position, if not general, is certainly found, *e.g.* in i. 320, iii. 66. The general use of ἀδικοπραγεῖν intransitively also supports my view. See App. p. 437.

Between πλημμελουμένους and πεπλημμελημένους the mss. are divided. I have a very slight preference for the present, as the authors of the outrage are undetected at the time.

αἰδουμένους, ἢ θέμις ἀκοιμήτοις καὶ ὀξύωπεστάτοις
 ὄμμασι καὶ τὰ ἐν μυχοῖς ὡς ἐν ἡλίῳ καθαρῷ
 202 περιαθρεῖν; οὗτοί μοι δοκοῦσι μηδ' ἂν τετελευ-
 τηκότων ἀποσχέσθαι δι' ὑπερβολὴν ὠμότητος,
 ἀλλὰ (τὸ λεγόμενον δὴ τοῦτο παρὰ τοῖς πολλοῖς)
 μὴ ἂν ὀκνήσαι νεκροὺς ἐπισφάττειν, ἐπεὶ καὶ
 μέρεσι τοῖς τρόπον τινὰ προτεθνηκόσιν ἐναλύειν
 καὶ ἐνυβρίζειν ἀξιούσιν—ὀφθαλμοὶ τε γὰρ μὴ βλέ-
 ποντες νεκροὶ καὶ ὦτα μὴ ἀκούοντα—, ὥστ' εἰ
 καὶ οὐ μέρη ταῦτ' ἐστὶν ἐξ ἀνθρώπων ἀφανισθεῖη,
 τὸ ἀνηλεές καὶ ἀσύμβατον ἐπιδείξονται, μηδὲν
 ἀνθρώπινον καὶ συμπαθὲς δράσαντες, ἃ τετελευ-
 τηκόσι καὶ πρὸς ἐχθρῶν ἐν ἀκηρύκτοις πολέμοις
 σῶζεται. ταῦτα μὲν ἐπὶ τοσοῦτον.

203 XXXIX. Ἀρμονίαν δέ τινα στοιχηδὸν ἐξῆς
 τίθησιν ὁμοιοτρόπων παραγγελμάτων, φάσκων τὰ
 κτήνη μὴ ὀχεύειν ἑτεροζύγοις, τὸν ἀμπελῶνα μὴ
 κατασπείρειν δίφορον,¹ ἱμάτιον ἐκ δυοῖν ὑφασμένον,
 κίβδηλον ἔργον, μὴ ἀμπέχεσθαι. λέλεκται δὲ τὸ
 μὲν πρῶτον ἐν τοῖς κατὰ μοιχῶν, πρὸς ἔμφασιν
 [370] τρανοτέραν τοῦ μὴ δεῖν ἀλλοτρίοις γάμοις | ἐφ-
 εδρεύειν, φθείροντας μὲν ἡθὴ γυναικῶν, φθείροντας
 δὲ καὶ τὰς ἐπὶ τέκνων σπορᾷ γνησίῳ χρηστὰς
 ἐλπίδας· ὁ γὰρ τὰς ἐν ἀλόγοις ζώοις ἑτερογενῶν

¹ Some mss. διάφορον and in § 208. The same variation is found in the corresponding passages of the mss. of the LXX.

^a Cf. ii. 94 f.

^b Lev. xix. 19, Deut. xxii. 9-11. Both passages include the rule of the vineyard and the mixed garment. But in Leviticus the different species are not to mate, in Deuteronomy not to plough together. Philo in the main follows Leviticus,

THE SPECIAL LAWS, IV. 201-203

whose right and duty it is with the surpassing keenness of her never-sleeping eyes to survey the secrets of the corner as though they were in bright sunlight. These men, it seems to me, would in their exceeding 202 cruelty not spare the dead^a but would without a qualm reslay the slain, to use the popular phrase, since they shrink not to vent their outrageous fury on parts in a sense already dead, eyes which seeing not and ears which hearing not are just corpses. And therefore if he to whom these parts belong should be removed from amongst men, they will show their implacable ruthlessness and grant him none of that human and sympathetic treatment which is maintained towards the fallen even by enemies in the bitterest warfare. So much for this part of the subject.

XXXIX. ^b He also lays down an ordered series of 203 injunctions all on the same lines by forbidding them to mate their cattle with those of a different species, or to sow the vineyards for two kinds of fruit, or to wear a garment adulterated^c by weaving it from two materials. The first of these prohibitions has been mentioned in our denunciation of adulterers^d to suggest still more clearly the wickedness of conspiring against the wedlock of other people, thereby ruining the morals of the wives as well as any honest hopes of begetting a legitimate family. For by prohibiting the crossing of irrational animals with different species

but takes account in §§ 205 f. of Deuteronomy, treating it as an illustration. In E.V. Leviticus has "field" of the second injunction, Deuteronomy "vineyard." But the LXX has "vineyard" in both.

^c E.V. "mingled together." The LXX κίβδηλον, which Philo quotes, probably meant the same, but he could easily read into it the sense of adulterated.

^a See iii. 46 ff.

- 204 οχείας ἀπηγορευκὼς ἔοικε πόρρωθεν ἀνακοπὴν
 μοιχῶν ἐργάζεσθαι. λεκτέον δὲ καὶ νῦν ἐν τοῖς
 περὶ δικαιοσύνης· τὸ γὰρ αὐτὸ πλείοσιν ἐφαρμότ-
 τειν, εἰ δύναιτό πως, οὐ παρετέον. ἔστιν οὖν
 δίκαιον εἰς ταὐτὸν ἄγειν τὰ δυνάμενα κοινωνεῖν·
 τὰ δ' ὁμογενῇ πέφυκεν εἰς κοινωνίαν, ἐπεὶ καὶ ὅσα
 ἑτερογενῇ κατὰ τοῦναντίον ἄμικτα καὶ ἀκοινωνήτα,
 οἷς ὁ μηχανώμενος ἐκθέσμους ὁμιλίας ἄδικος,
 205 νόμον φύσεως ἀναιρῶν. ὁ δ' ὄντως ἱερὸς νόμος
 τοσαύτῃ προμηθείᾳ κέχρηται τοῦ δικαίου, ὥστ'
 οὐδ' ἄροτον γῆς ἐπιτρέπει ποιεῖσθαι διὰ τῶν τὴν
 ἰσχὺν ἀνίσων, ἀλλ' ἐν ταὐτῷ καταζεύξαντας ὄνον
 τε καὶ μόσχον ἀροτριᾶν ἐκώλυσεν, ἵνα μὴ περιττῇ
 δυνάμει τοῦ μᾶλλον ἐρρωμένου τὸ ἀσθενέστερον
 206 ἀμιλλᾶσθαι βιασθὲν ἀπειπή καὶ προκάμῃ. καίτοι
 τὸ μὲν ἐρρωμενέστερον, ὁ ταῦρος, ἐν τῇ τάξει τῶν
 καθαρῶν ζώων ἀναγράφεται, τὸ δ' ἀσθενέστερον,
 ὁ ὄνος, ἐν τῇ τῶν μὴ καθαρῶν. ἀλλ' ὅμως καὶ
 τοῖς χείροσιν εἶναι δοκοῦσιν οὐκ ἐφθόνησεν ὠφε-
 λείας τῆς ἀπὸ τοῦ δικαίου, πρὸς ἀναγκαιοτάτην
 μάθησιν, ὥς γ' οἶμαι, δικαστῶν, ἵνα μηδὲν ἐν ταῖς
 κρίσεσιν ἐλαττωσὶ τοὺς δυσγενεῖς ἐν οἷς οὐ γένους
 ἀλλ' ἀρετῆς ἢ κακίας ἐστὶν ἐξέτασις.
 207 ἐμφερές ἐστι τούτοις διάταγμα καὶ τὸ τελευταῖον
 τῶν ἐν τῇ συζυγίᾳ, τὸ μὴ συννυφαίνειν τὰς ἑτεροει-
 δεῖς οὐσίας, ἔρια καὶ λῖνα· καὶ γὰρ ἐπὶ τούτων οὐ
 μόνον ἡ διαφορότης ἀκοινωνήτων, ἀλλὰ καὶ ἡ
 ἐπικράτεια θατέρου ῥῆξιν ἀπεργαζομένη¹ μᾶλλον ἢ
 ἔνωσιν, ὅταν δέῃ χρῆσθαι.
 208 XL. Μέσον ἦν τῆς ἐν συζυγίᾳ τριάδος τὸ μὴ

¹ MSS. ἀπεργαζόμενον -σόμενον -σάμενον.

THE SPECIAL LAWS, IV. 203-208

he appears to be indirectly working towards the prevention of adultery. But the law should be mentioned 204 also here, where the theme is justice, for we must not neglect the opportunity where possible of using the same point to bring out more than one moral. Now it is just to join together things which can associate, and the homogeneous are made for association just as the heterogeneous on the other hand cannot be blended or associated, and one who plans to bring them into abnormal companionship is unjust because he upsets a law of nature. But the law in its essential 205 holiness shows such thoughtfulness for what is just that it does not even allow the land to be ploughed by animals of unequal strength and forbids the ass and the young bull to be yoked together for this purpose, lest the weaker partner, forced to compete with the extra power of the stronger, should break down and faint on the way. It is true indeed that 206 the stronger, the bull, is named in the list of clean animals while the weaker, the ass, belongs to the unclean. Nevertheless the law did not grudge the help of justice to the seemingly inferior, in order, I believe, to teach judges a most indispensable lesson that they should not in their judgements set the meanly born at a disadvantage, when the point under examination is not concerned with birth but with good and bad conduct.

Also similar to these two 207 is the last enactment in the group, which forbids wool and linen, substances differing in kind, to be woven together, for in this case not only does the difference forbid association, but also the superior strength of the one will produce a rupture rather than unification when they have to be worn.

XL. Midway in the group of the three comes the 208

- κατασπείρειν ἀμπελῶνα δίφορον. πρῶτον μὲν, ἵνα μὴ φύρηται συγχεόμενα τὰ γένους ὄντα ἑτέρου· σπαρτὰ γὰρ δένδροις καὶ δένδρα σπαρτοῖς ἀνοί-
κεια. παρὸ καὶ ἡ φύσις οὐ τὴν αὐτὴν προθεσμίαν ἀμφοτέροις ὥρισεν εἰς τὴν τῶν ἑτησίων καρπῶν γένεσιν, ἀλλὰ τοῖς μὲν εἰς ἄμητον ὥραν ἀπένειμε τὸ ἔαρ, τοῖς δ' εἰς συγκομιδὴν ἀκροδρύων λῆγον
- 209 θέρος. συμβαίνει γοῦν κατὰ τὸν αὐτὸν χρόνον τὰ μὲν ἀφαναίνεσθαι προανθήσαντα, τὰ δὲ βλαστά-
ναι προαφανανθέντα· χειμῶνι μὲν γὰρ φυλλορρο-
ούντων δένδρων τὰ σπαρτὰ ἀνθεῖ, ἔαρ δὲ κατὰ τοῦναντίον αὐαινομένων ὅσα σπαρτὰ βλαστάνουσιν αἱ δένδρων ἡμέρων τε καὶ ἀγρίων ὕλαι· καὶ σχεδὸν ὁ αὐτὸς ὅρος ἐστίν, ἐν ᾧ οἱ μὲν τῶν σπαρτῶν καρποὶ τελειοῦνται, οἱ δὲ τῶν δένδρων ἀρχὴν
- 210 γενέσεως λαμβάνουσιν. εἰκότως οὖν τὰ τοσοῦτον
[371] ἀλλήλων | διηρημένα καὶ ταῖς φύσεσι καὶ ταῖς ἀνθήσεσι καὶ τοῖς εἰς τὸ γεννᾶν τὰ οἰκεῖα καιροῖς δι-
έξυξε καὶ διώκισε τάξιν ἐξ ἀταξίας εἰσηγούμενος· τάξει μὲν γὰρ συγγενὲς κόσμος, ἀταξία δὲ τὸ
- 211 ἄκοσμον. δεύτερον δέ, ἵνα μὴ ἑκάτερα τὰ εἶδη βλάβπηται τε καὶ ἀντιβλάβπη, τὴν τρο-
φήν τὰ ἕτερα τῶν ἑτέρων παρασπώμενα, ἥς κατα-
κερματιζομένης, οἷα ἐν λιμῷ καὶ σπάνει, ἀναγκαίως τὰ φυτὰ πάντα διὰ πάντων ἐξασθενήσῃ καὶ ἡ στεί-
ρωσιν ἐνδέξεται πρὸς τὸ παντελὲς ἀφορήσαντα ἢ

^a ὕλη is here a collective noun embracing a genus or variety of trees or vegetation. So below § 229 and i. 74 τῆς ἀγρίας ὕλης. This sense is not given in L. & S.

^b This word is very inadequate as a translation for κόσμος here, but I doubt whether any equivalent to it exists in English. It is something higher than mere τάξις, and thus

THE SPECIAL LAWS, IV. 208-211

order not to sow the vineyard for bearing two kinds of fruit. The first reason for this is to keep things of a different kind from being mixed and confused. For sown crops have no relation to trees nor trees to sown crops and therefore nature has not appointed the same date to both for producing their annual fruits, but has assigned spring to the one for reaping the corn harvest and the end of summer to the other for gathering the fruits. Thus we find that the sown 209 plants after their flowering wither at the same time as the trees sprout after withering. For the sown plants flower in the winter when the trees shed their leaves while on the contrary in the spring when all the sown plants are withering the trees of both types^a the cultivated and the wild are sprouting, and practically it is at the same time that the crops reach their fullness and the fruits begin to grow. These two so greatly differing in their natures, their 210 flowerings and their seasons for gendering their own particular products he rightly put asunder and set at a distance from each other, thus reducing disorder to order. For order is akin to seemliness^b and disorder to unseemliness.

The second reason 211 was to prevent each of the two species from hurting and being hurt in return by abstracting the nourishment from each other. For if this nourishment is divided up, as it is in times of famine and dearth, all the plants will necessarily lose all their strength and either become sterilized and completely unproductive or else bear nothing but poor fruit as a consequence can be used to signify good behaviour and adornment and the perfection of the cosmic system (*cf.* § 237). Perhaps "harmony" might come nearest to it. Heinemann gives "regularity" and "order" ("Regelmässigkeit" and "Ordnung").

- εὐγενεῖς καρπούς οὐδέποτε οἷσει προεξασθενήσαντα
 212 ταῖς ἐνδείαις. τρίτον δέ, ὅπως ἀρετῶσα
 γῇ μὴ πιέζεται βαρυτάτοις ἄχθεσι, τοῦτο μὲν ὑπὸ
 τῆς τῶν σπειρομένων ἐν ταὐτῷ καὶ φυομένων
 συνεχούς καὶ ἐπαλλήλου πυκνότητος, τοῦτο δ' ὑπὸ
 τῆς τῶν καρπῶν διπλασιαζομένης φορᾶς. ἀπόχρη
 γὰρ ἐξ ἐνὸς χωρίου λαμβάνειν ἓνα δασμὸν ἐτήσιον
 τῷ κεκτημένῳ, καθάπερ ἐκ πόλεως βασιλεῖ· τὸ δὲ
 φόρους ἐπιχειρεῖν πλείους ἐκλέγειν φιλοχρηματίας
 ὑπερβαλλούσης ἔργον ἐστίν, ἥ καὶ τὰ φύσεως
 213 ἀνατρέπεται νόμιμα. διὸ φαίη ἂν ὁ νόμος τοῖς
 ἐγνωκόσι τοὺς ἀμπελῶνας ἕνεκα πλεονεξίας κατα-
 σπείρειν· “ μὴ χεῖρους γίνεσθε τῶν ὅπλοις καὶ
 στρατείαις πόλεις καὶ χώρας ὑπηγμένων βασιλέων,
 οἱ προνοία τοῦ μέλλοντος καὶ ἅμα φειδοῖ τῶν
 ὑπηκόων ἓνα δασμὸν ἐτήσιον ἐκλέγειν ἀξιούσι,
 στοχαζόμενοι τοῦ μὴ βραχεῖ καιρῷ κατὰ τὸ
 παντελὲς εἰς ἐσχάτην ἀπορίαν αὐτοὺς ἀγαγεῖν.
 214 ὑμεῖς δ' εἰάν ἐκ τοῦ αὐτοῦ ἐδάφους ἕαρι μὲν τοὺς
 κριθῶν καὶ πυρῶν φόρους ἀναπράττητε, θέρει δὲ
 τοὺς τῶν ἀκροδρύων, διπλασίοις αὐτὸ δασμοῖς
 ἐκτραχηλιεῖτε· ἀπαγορεύσει γὰρ κατὰ τὸ εἰκὸς
 ἀθλητοῦ τρόπον οὐκ ἐωμένον διαπνεῖν καὶ συλ-
 215 λέγεσθαι δύναμιν εἰς ἐτέρας ἀγωνίας ἀρχήν. ἀλλ'
 εἰκόκατε ῥαδίως ὧν διεταξάμην κοινωφελῶν ἐκ-
 λανθάνεσθαι· εἰ γοῦν ἐμέμνησθε τῆς περὶ τοῦ
 ἐβδόμου ἔτους εἰσηγήσεως, καθ' ἣν ἐδικαίωσα
 τὴν ἱερὰν χώραν ἐξανίσθαι μηδενὶ τῶν κατὰ
 γεωργίαν ἔργων ἀποτρυχομένην ἕνεκα τῶν ἐν
 ἐξαετία πόνων, οὓς ὑπέστη καρποφοροῦσα ταῖς

^a This use of *καιρός* for a space of time is strange. Pos-

THE SPECIAL LAWS, IV. 211-215

of the debility caused by their lack of nourishment.

The third reason was that good soil 212 should not suffer from the pressure of two very heavy burdens, one the close unbroken density of the plants which are sown and grow on the same spot, the other the task of bearing a double crop of fruit. A single yearly tribute from a single piece of ground is enough for the owner to receive, as the same from a city is enough for a king. To attempt to levy more than one toll shows excessive avarice, and that is a vice which upsets the laws of nature. And therefore the 213 law would say to those who are minded to gratify their covetousness by laying down seed in their vineyard "do not show yourselves inferior to kings who have subdued cities and countries by arms and military expeditions. They with an eye to the future and at the same time wishing to spare their subjects deem it best to levy one yearly tribute in order to avoid reducing them in a short space of time^a to the utmost depths of poverty. But you if you 214 exact from the same plot in the spring its contributions of wheat and barley and in the summer the same from the fruit trees will wring the life out of it by the double taxation. For it will naturally become exhausted like an athlete who is not allowed a breathing space and a chance of rallying his forces to begin another contest. But you appear to forget 215 too easily the injunctions which I gave for the common weal.^b If only you had remembered my instruction as to the seventh year, in which I laid it down that the holy land should be left at liberty in consideration of its six-years labours, which it under-

sibly he means "with (*i.e.* for) a small advantage." See Dictionary.

^b See ii. 87-93.

ἐτησίους ὥραις κατὰ τοὺς τῆς φύσεως θεσμούς,
οὐκ ἂν ἐπινεανευόμενοι καὶ ἐπιχειρονομοῦντες ταῖς
πλεονεξίαις καινοὺς σπόρους ἐπενοεῖτε τὴν δενδρί-
τιδα γῆν καὶ μάλιστα τὴν ἀμπελόφυτον κατα-
σπεύροντες, ἵνα διτταῖς προσόδοις καθ' ἕκαστον
ἐνιαυτὸν ἀμφοτέραις ἀδίκοις αὔξητε τὰς οὐσίας
ὑπὸ φιλοχρηματίας, ἐκνόμου ἐπιθυμίας,¹ ἀργυρο-
216 λογοῦντες. οὐ γὰρ ἂν ὑπομεῖναι ὁ αὐτὸς ἔτει τε
ἐβδόμῳ τὰ οἰκεία χωρία ἀνιέναι μὴ προσοδεύό-
μενος, ὑπὲρ τοῦ τὴν γῆν ἀνακτήσασθαι πονηθείσαν,
καὶ βαρύνειν αὐτὴν καὶ πιέζειν διττοῖς ἄχθεσιν.
217 ἀναγκαίως οὖν ἀπεφηνάμην τῶν τοιούτων κτημά-
[372] των ἀνίερων εἶναι καὶ ἀναγνον | τό τε τῆς ὀπώρας
γέννημα καὶ τὸν τοῦ σπόρου καρπὸν, διότι αὐχενί-
ζεται τρόπον τινὰ καὶ ἄγχεται πνεῦμα ζωοφυτοῦν
ἐν ἀρετώσῃ γῇ καὶ ὅτι ταῖς τοῦ θεοῦ δωρεαῖς ὁ
κεκτημένος ἐναλύει καὶ ἐνσπαθᾷ προσαναρρηγνὺς
τὰς ἀδίκους ἐπιθυμίας αὐτοῦ, μέτροις αὐτὰς μὴ
218 περιορίζων." ἄρ' οὐκ ἄξιον ἐρασθῆναι τῶν τοιού-

¹ MSS. ἐκνόμοις ἐπιθυμίαις.

^a This double phrase ἐπινεανευόμενοι καὶ ἐπιχειρονομοῦντες has been used in *Quod Deus* 170, where the translation "with swaggering air and gestures of pride" suits the contents. Here any reading that retains the literal sense of "gesticulating" seems out of place, and the phrase may be regarded as a familiar expression for "taking pride in." L. & S. (revised) refer to this passage and suppose that ἐπιχειρονομοῦντες means "grasping at." But this does not fit ταῖς πλεονεξίαις. ἐπιχειρονομεῖν is not quoted from any other writer.

^b Deut. xxii. 9. R.V. "lest the whole fruit be forfeited, the seed which thou hast sown, and the increase of the vineyard." In margin for "forfeited," Heb. "consecrated."

THE SPECIAL LAWS, IV. 215-218

went in bearing fruit at the annual season prescribed by the laws of nature, and not be worn out by any of the husbandman's operations, you would not, recklessly and triumphantly giving full play^a to your covetous feelings, have planned strange forms of tillage by laying down seed in land fitted for the culture of trees and particularly the vine, just to gain every year two separate revenues both unjustly earned and thus increase your property with the levy which the lawless passion of avarice has led you to exact. For he who can bring himself to let his 216 own farms go free in the seventh year and draw no income from them in order to give the land fresh life after its labours is not the man to overload and oppress them with a double burden. And therefore 217 of necessity I pronounced on such acquisitions that both the autumn harvest and the fruit of the sown crops were unholy and impure,^b because the life-creating spirit-force in the rich soil is so to speak throttled and strangled, and because the owner vents his wild wastefulness^c on the gifts of God in an outburst of unjust desires which he does not confine within moderate bounds." Should not our passionate 218 affection go out to such enactments as these which

The A.V. has "defiled." The explanation of this word seems to be that "it is separated to Jehovah and his sanctuary like things under the ban" (Adam Smith) and so shown to be a religious offence. The LXX has *ἵνα μὴ ἀγίασθῇ* which Philo, taking *ἵνα* as often to be consecutive, makes = "so that it is not sanctified."

^c Heinemann's translation of these words "mishandles and mutilates" (or "mangles"), seems to me to miss their force. Mangey's "insultat et illudit" is better. The general meaning of *σπαθᾶω* is "to spend wastefully," though since wastefulness is not a very obvious characteristic of the action here, "wantonness" might be better.

των ὑφηγήσεων, αἱ μακρόθεν τῶν ἐπ' ἀνθρώποις πλεονεξιῶν τὴν λύσσαν ἀνείργουσι καὶ ἀνακόπτουσιν; ὁ γὰρ ἀπομαθὼν ἐν φυτοῖς ἰδιώτης κέρδος ἄδικον, εἰ λαβόμενος μειζόνων πραγμάτων γένοιτο βασιλεύς, χρήσεται τῷ ἔθει πρὸς ἄνδρας ὁμοῦ καὶ γυναῖκας οὐ διττοὺς φόρους ἀναπράττων οὐδὲ¹ δασμοῖς τοὺς ὑπηκόους ἐκτραχηλίζων· ἱκανὸν γὰρ τὸ σύντροφον ἔθος μαλάξαι σκληρὰ ἦθη καὶ τρόπον τινὰ παιδαγωγῆσαι καὶ διαπλάσαι πρὸς βελτίονας τύπους· τύποι δ' ἀμείνους εἰσὶν, οὓς ἐνσφραγίζεται ψυχῇ δικαιοσύνη.

- 219 XLI. Ταῦτα μὲν ἐνὶ ἐκάστῳ νομοθετεῖ. καθολικώτεροι δὲ προστάξεις εἰσὶν ἕτεραι, ἃς ἅπαντι τῷ ἔθνει κοινῇ διαγορεύει, παραινῶν ὥς προσενεκτέον οὐ φίλοις καὶ συμμαχοῖς αὐτὸ μόνον ἀλλὰ
220 καὶ τοῖς τῆς συμμαχίας ἀφισταμένοις. ἐὰν γάρ, φησὶν, εἴσω τειχῶν κατακλείσαντες αὐτοὺς ἀπαυχενίζωσιν, ἢ ὑμετέρα νεότης εὐοπλοῦσα μετὰ τῶν εἰς πόλεμον παρασκευῶν ἐπίτω καὶ στρατόπεδον ἐν κύκλῳ βαλλομένη παραδοκείτω μηδὲν ὀργῇ πρὸ λογισμοῦ χαριζομένη, βεβαιότερον ὅπως καὶ στα-
221 θερώτερον ἐγχειρῇ τοῖς πρακτέοις. εὐθύς οὖν πεμπέτω κήρυκας τοὺς προκαλεσομένους εἰς συμβάσεις καὶ ἅμα τὸ ἀξιόμαχον τῆς παρίδρυμένης δυνάμεως δηλώσοντας· καὶ ἐὰν μὲν ἐφ' οἷς ἐνεω-

¹ Cohn inserts *διττοῖς* before *δασμοῖς*. It does not seem to me necessary.

^a Or perhaps "covetous actions directed against men" (as opposed to those directed against plants).

^b Deut. xx. 10 ff., which describe the proper conduct of

THE SPECIAL LAWS, IV. 218-221

by implication restrain and shackle the mad covetous desires which beset mankind?^a For he who as a commoner has learned to shun unjust gains in the treatment of his plants will, if he becomes a king with greater matters in his charge, follow his acquired habit when he comes to deal with men and also women. He will not exact a double tribute nor wring the life out of his subjects with his imposts. For long familiar habit has the power to soften harsh temperaments and in a sense to tutor and mould them to better forms, and the better forms are those which justice imprints on the soul.

XLI. These laws he gives to each single person 219 but there are other more general commands which he addresses to the whole nation in common, advising them how to behave not only to friends and allies but also to those who renounce their alliance.^b For 220 if these revolt, he tells us, and shut themselves up within their walls your well-armed fighting force should advance with its armaments and encamp around them, then wait for a time, not letting anger have free play at the expense of reason, in order that they may take in hand what they have to do in a firmer and steadier spirit. They must therefore 221 at once send heralds to propose terms of agreement and at the same time point out the military efficiency of the besieging power. And if their opponents repent of their rebellious conduct and give way and

war against distant nations, as opposed to the heathen Canaanites, who are to be exterminated. The curious way in which Philo here limits this to war against those who revolt from an alliance, which might perhaps be taken to include breaking treaties in general, can only be explained, I think, as expressing a conviction that the Law could never have intended to sanction wars of conquest or aggression.

τέρισαν μετανοήσαντες ὑπείκωσι πρὸς τὸ εἰρηναῖον
 τραπόμενοι, δεχέσθωσαν ἄσμενοι τὰς σπονδάς·
 εἰρήνην γάρ, κὰν ἡ σφόδρα ἐπιζήμιος, λυσιτε-
 222 λεστέρα πολέμου. ἐὰν δὲ πρὸς ἀπόνοιαν ἀποτεί-
 νωνται θρασυνόμενοι, ῥωσθέντες ταῖς προθυμίαις,
 ἔχοντες καὶ τὴν τοῦ δικαίου συμμαχίαν ἀήττητον,
 ἐφορμάτωσαν τὰς ἐλεπόλεις τοῖς τείχεσιν ἐφιστάν-
 τες, εἴτα μέρη τούτων παραρρήξαντες ἐπεισχεί-
 σθωσαν ἀθρόοι καὶ βάλλοντες μὲν τοῖς δορατίοις
 εὐστόχως ἐπιστροφάδην δὲ τοῖς ξίφεσιν ἀναιροῦντες
 ἀφειδῶς ἀμυνέσθωσαν, ἃ παθεῖν ἐμέλλησαν δια-
 τιθέντες, ἄχρις ἂν τὸν ἀντιτεταγμένον ἅπαντα
 223 στρατὸν ἡβηδὸν καταστορέσωσιν. ἄργυρον δὲ καὶ
 χρυσὸν καὶ τὴν ἄλλην λείαν λαβόντες [καὶ] τὴν
 πόλιν ἐμπρησάτωσαν πῦρ προσαγαγόντες, ἔνεκα
 τοῦ μηδ' αὐθίς ποτε δυνηθῆναι τὴν αὐτὴν πόλιν
 διαπνεύσασαν ἐγερθῆναι καὶ στασιάσαι καὶ ὑπὲρ
 [373] τοῦ νουθετῆσαι φόβῳ τοὺς ὁμόρους, | ἐπειδὴ τοῖς
 ἐτέρων πάθεσιν ἄνθρωποι διδάσκονται σωφρονεῖν·
 παρθένους δὲ καὶ γυναῖκας μεθέσθω-
 σαν, μηδὲν τῶν ὅσα νεωτερίζει πόλεμος ἐξ αὐτῶν
 πείσεσθαι προσδοκῶντες ἔνεκα φυσικῆς ἀσθενείας
 224 τετιμημένων ἀστρατεία. ἐξ οὗ δῆλον ὅτι τὸ Ἰου-
 δαίων ἔθνος ἔνσπονδον μὲν καὶ φίλον πᾶσι τοῖς

^a Verse 11 "they shall become tributary and serve thee," which Philo much softens down.

^b Verse 13. Again much softened down from "thou shalt smite every male thereof," *i.e.* in the city, not merely the opposing force. On the other hand, burning the city is not

THE SPECIAL LAWS, IV. 221-224

show an inclination to peace, the others must accept and welcome the treaty,^a for peace, even if it involves great sacrifices, is more advantageous than war. But if the adversaries persist in their rashness to the 222 point of madness, they must proceed to the attack invigorated by enthusiasm and having in the justice of their cause an invincible ally. They will plant their engines to command the walls and when they have made breaches in some parts of them pour in altogether and with well-aimed volleys of javelins and with swords which deal death all around them wreak their vengeance without stint, doing to their enemies as the enemies would have done to them, until they have laid the whole opposing army low in a general slaughter.^b Then after taking the silver 223 and gold and the rest of the spoil they must set fire to the city and burn it up, in order that the same city may not after a breathing space rise up and renew its sedition, and also to intimidate and so admonish the neighbouring peoples, for men learn to behave wisely from the sufferings of others. But they must spare the women,^c married and unmarried, since these do not expect to experience at their hands any of the shocks of war as in virtue of their natural weakness they have the privilege of exemption from war service. All this shows clearly 224 that the Jewish nation is ready for agreement and

suggested, except in the case of those who have apostatized from the religion of Jehovah, and then the spoil also is accursed and burnt (Deut. xiii. 16).

^c Here though the Hebrew (v. 14) includes the women in the booty, Philo has some authority for his more merciful interpretation in the LXX, which has "thou shalt smite every male, except the women and the stuff (ἀποσκεύη)," and then goes on to describe the booty.

ὁμογνώμοσι καὶ τὴν προαίρεσιν εἰρηνικοῖς ἔστιν,
 οὐ μὴν εὐκαταφρόνητον, ὡς τοῖς ἄρχουσι χειρῶν
 ἀδίκων ὑπ' ἀνανδρίας ἐνδιδόναι, διακρίνει δ', ὅποτε
 πρὸς ἄμυναν ἴοι, τοὺς ἐπιβούλως ζῶντας καὶ τοῦ-
 225 ναντίον· τὸ γὰρ κατὰ πάντων καὶ τῶν ἐλάχιστα ἢ
 μηδὲν ἡμαρτηκότων φονᾶν εἵπομι' ἂν ἀνημέρου καὶ
 ἀτιθάσου ψυχῆς καὶ τὸ προσθήκην ἀνδρῶν πόλεμον
 κατασκευασάντων ποιεῖσθαι γυναῖκας, ὧν ὁ βίος
 226 εἰρηνικὸς φύσει καὶ κατοικίδιος. τοσοῦ-
 τον δ' ἔρωτα δικαιοσύνης ἐνεργάζεται τοῖς κατ'
 αὐτὸν πολιτευομένοις, ὥστ' οὐδὲ πόλεως ἐχθρᾶς
 τὴν ἀρετῶσαν γῆν ἐφίησι λυμαίνεσθαι δηοῦντας ἢ
 227 δενδροτομοῦντας ἐπὶ φθορᾷ καρπῶν. "τί" γάρ
 φησι "τοῖς ἀψύχοις μὲν τὴν δὲ φύσιν ἡμέροις καὶ
 ἡμέρους καρποὺς ἀπογεννῶσι μνησικακεῖς; μὴ
 γάρ, ὦ οὗτος, ἀνθρώπου πολεμίου δυσμένειαν
 ἐπιδείκνυται δένδρον, ὡς ἀνθ' ὧν διατίθῃσιν ἢ
 διατιθέναι παρεσκευάσται ρίζαις αὐταῖς ἀνα-
 228 σπᾶσθαι; τοῦναντίον δὲ ὠφελεῖ παρέχον τοῖς
 νενικηκόσιν ἀφθονίαν τῶν ἀναγκαίων καὶ τῶν πρὸς
 ἀβροδίατον βίον· οὐ γὰρ ἄνθρωποι μόνον δασμοὺς
 φέρουσι τοῖς κυρίοις, ἀλλὰ καὶ φυτὰ τοὺς ὠφελιμω-
 τέρους κατὰ τὰς ἐτησίους ὥρας, ὧν ἀνευ ζῆν οὐκ
 229 ἔστιν." ἀγόνων δὲ καὶ ἐστερωμένων καὶ τῶν ὅσα¹
 τῆς ἀγρίας ὕλης ἔστω μηδεμία φειδῶ τοῖς ἐθέλουσι

¹ MSS. ὅσα τῶν *et alia*.

^a Deut. xx. 19 f.

^b Verse 20 "Is the tree of the field man, that it should be besieged of thee?" The LXX in the last part has εἰσελθεῖν ἀπὸ προσώπου σου εἰς τὸν χάρακα ("enter before thee into siege-work"), which may mean like the Hebrew "to be besieged," but might easily be taken to mean "besiege," whence Philo's "show ill will."

THE SPECIAL LAWS, IV. 224-229

friendship with all like-minded nations whose intentions are peaceful, yet is not of the contemptible kind which surrenders through cowardice to wrongful aggression. When it takes up arms it distinguishes between those whose life is one of hostility and the reverse. For to breathe slaughter against all, even those who have done very little or nothing amiss, shows what I should call a savage and brutal soul, and the same may be said of counting women, whose life is naturally peaceful and domestic, to be accessories to men who have brought about the war.

Indeed so great a love for justice does the law instil into those who live under its constitution that it does not even permit the fertile soil of a hostile city to be outraged by devastation or by cutting down trees to destroy the fruits.^a "For why," it says, "do you bear a grudge against things which though lifeless are kindly in nature and produce kindly fruits? Does a tree, I ask you, show ill will to the human enemy that it should be pulled up roots and all, to punish it for ill which it has done or is ready to do to you?" On the contrary it benefits you by providing the victors with abundance both of necessities^c and of the comforts which ensure a life of luxury. For not only men but plants also pay tributes to their lords as the seasons come round, and theirs are the more profitable since without them life is impossible. But as to the trees which have never had or have lost the power to bear fruit and all the wild type there should be no stinting in cutting them

^c As the trees include vines and olives, they provide necessities. The other fruits give the comfortable life (*cf. De Praem.* 107).

τέμνειν εἰς χαρακώματα καὶ σταυροὺς καὶ σκόλοπας τάφροις¹ καί, ὅποτε δέοι, κλιμάκων καὶ πύργων ξυλίνων κατασκευάς· εἰς γὰρ ταῦτα καὶ τὰ τούτοις ὅμοια γένοιτ' ἂν αὐτῶν χρεία προσήκουσα.

- 230 XLII. Τὰ μὲν οὖν εἰς δικαιοσύνην ἀναφερόμενα εἴρηται. δικαιοσύνην δ' αὐτὴν τίς ἂν ἀξίως ποιητῆς ἢ λογογράφος ὑμνῆσαι δύναιτο παντὸς ἐπαίνου καὶ παντὸς ἐγκωμίου κρείττονα καθεστῶσαν; ἐν γοῦν τὸ πρεσβύτατον ἀγαθὸν αὐτῆς, ἡ εὐγένεια, κἂν τᾶλλα τις παραλιπὼν ἡσυχάζῃ,
- 231 γένοιτ' ἂν ἀνταρκέστατος ἔπαινος. ἔστι γὰρ ἰσότης, ὡς οἱ τὰ φύσεως ἀκριβοῦντες ἡμῖν παρέδοσαν, μήτηρ δικαιοσύνης. ἰσότης δὲ φῶς ἄσκιον, ἥλιος, εἰ δεῖ τάληθές εἰπεῖν, νοητός, ἐπειδὴ καὶ τοῦναντίον ἀνισότης, ἐν ᾗ² τό τε ὑπερέχον καὶ τὸ
- 232 ὑπερεχόμενον, σκότους ἀρχή τε καὶ πηγὴ. πάντα ἰσότης τὰ τε κατ' οὐρανὸν καὶ τὰ ἐπὶ γῆς εὖ διετάξατο νόμοις καὶ θεσμοῖς ἀκινήτοις. τίς γὰρ
- [374] ἄγνοεῖ τοῦθ', ὅτι | ἡλίῳ μεμέτρηνται πρὸς νύκτας ἡμέραι καὶ πρὸς ἡμέρας νύκτες ἰσότητι διαστη-
- 233 μάτων ἀναλογούντων; τὰς μὲν καθ' ἕκαστον ἐνιαυτὸν ἀπὸ τοῦ συμβεβηκότος προσαγορευομένης ἰσημερίας, ἑαρινὴν τε καὶ μετοπωρινήν, οὕτως ἡ φύσις ἐτράνωσεν, ὡς καὶ τοὺς ἀμουσοτάτους αἰσθάνεσθαι τῆς ἐν τοῖς μεγέθεσιν ἡμερῶν πρὸς
- 234 νύκτας ἰσότητος. τί δέ, σελήνης περίοδοι διαυλοδρομούσης ἀπὸ συνόδου μέχρι πλησιφαοῦς καὶ

¹ Some MSS. καὶ τάφρους. See note a.

² MSS. ἐν ᾧ (= φ).

THE SPECIAL LAWS, IV. 229-234

down at will for siege works and stakes and pales for entrenchment^a and when necessary for constructing ladders and wooden towers. For these and similar purposes will be a fitting use to which to put them.

XLII. So much then for the rules which come 230 under the head of justice. But as for justice itself what writer in verse or prose could worthily sing its praise, standing as it does superior to all that eulogy or panegyric can say? Indeed one, and that the most august, of its glories, its high lineage, would be a self-sufficient matter for praise if all the rest were left untold. For the mother of justice is equality,^b as 231 the masters of natural philosophy^c have handed down to us, and equality is light unclouded, a spiritual sun we may truly call it, just as its opposite, inequality, in which one thing exceeds or is exceeded by another is the source and fountain of darkness. All things in heaven and earth have been ordered 232 aright by equality under immovable laws and statutes, for who does not know that the relation of days to nights and nights to days is regulated by the sun according to intervals of proportional equality? The 233 dates in spring and autumn every year, whose name of equinoxes is derived from the facts observed, are so clearly marked out by nature that even the least learned perceive the equality of length in the days and nights. Again are not the cycles of the moon, 234 as she runs her course backwards and forwards from

^a I can hardly think that Philo would use the dative in this way. But the other reading *καὶ τάφρους* is not very suitable. Perhaps *ἐπὶ τάφροις*.

^b Cf. *De Plant.* 122 *δικαιοσύνην δὲ ἰσότης ἔτεκε*; *Quis Rerum* 163 *ἰσότητα τὴν δικαιοσύνης τροφόν*.

^c Presumably the Pythagoreans. See App. p. 437.

ἀπὸ τελείας ἐπὶ σύνοδον ἄρ' οὐ διαστημάτων
 ἰσότητι μεμέτρηνται; καθ' ὅσα γὰρ καὶ ἡλίκαι αἱ
 συναυξήσεις, κατὰ τοσαῦτα καὶ τηλικάυτα αἱ
 μειώσεις ἐπ' ἀμφοτέραις ἰδέαις τοῦ ποσοῦ, τῇ τε
 235 κατὰ πλῆθος καὶ τῇ κατὰ μέγεθος. ὥς γε μὴν ἐν
 τῷ καθαρωτάτῳ τῆς οὐσίας, οὐρανῷ, διαφερόντως
 ἰσότης τετίμηται, οὕτως καὶ ἐν τῷ γείτονι ἀέρι·
 τετραχῇ γὰρ τοῦ ἐνιαυτοῦ διαιρεθέντος εἰς τὰς
 καλουμένας ἐτησίους ὥρας, τρέπεσθαι καὶ μετα-
 βάλλειν ὁ ἀὴρ πέφυκεν ἐν ταῖς τροπαῖς καὶ μετα-
 βολαῖς ἄλεκτον ἐπιδεικνύμενος ἐν ἀταξία τάξιν·
 ἰσαριθμοῖς γὰρ μηνὶ διακρινόμενος εἰς τε χειμῶνα
 καὶ ἔαρ θέρος τε καὶ μετόπωρον, τρισὶν εἰς ἐκάστην
 ὥραν, ἐκπληροῖ τὸν ἐνιαυτόν, ὅς, καθάπερ¹ αὐτὸ
 μὴνύει τοῦνομα, αὐτὸς ἐν ἑαυτῷ πάντα περιέχει
 συμπεραιούμενος, ἐτέρως οὐκ ἂν τοῦτ' ἐργάσασθαι
 δυνηθείς, εἰ μὴ ταῖς ἐτησίαις ὥραις αὐτόν ἐπ-
 236 ἐχρησεν. ἰσότης <δ'> ἀπὸ τῶν οὐρανίων καὶ
 μεταρσίων καὶ πρὸς τὰπίγεια τέταται,² τὴν μὲν
 ἀκραιφνή φύσιν ἑαυτῆς αἰθέρος οὐσαν ἀγχίσπορον
 ἄνω μετέωρον διαίρουσα, τὴν δ' ὥσπερ αὐγὴν
 ἡλίου τρόπον <ἐπὶ γῆν>³ ἀποστέλλουσα, δεύτερον
 237 φέγγος. ὅσα γὰρ πλημμυλεῖ μὲν τῶν παρ' ἡμῖν,
 ἀνισότης, ὅσα δὲ τάξιν ἔχει τὴν προσήκουσαν,
 ἰσότης ἀπειργάσατο, ἥτις ἐν μὲν τῇ τοῦ παντὸς
 οὐσίᾳ, κυριώτατα φάναι, κόσμος ἐστίν, ἐν δὲ

¹ MSS. ὥς καθάπερ.² MSS. τέτακται.³ This insertion of Cohn's is perhaps hardly necessary, if ποστέλλουσα = "sending away."

THE SPECIAL LAWS, IV. 234-237

the conjunction to the full orb and from her consummation to the conjunction, regulated on the principle of equal intervals? The sum total of her phases and their sizes are exactly the same in her waxing and waning, and so correspond in both forms of quantity, namely number and magnitude. And as equality has 235 received special honour in heaven, the purest part of all that exists, so has it also in heaven's neighbour, the air. The fourfold partition of the year into what we call the annual seasons involves changes and alternations in the air and in these changes and alternations it shows a marvellous order in disorder. For as it is divided by an equal number of months into winter, spring, summer and autumn, three for each season, it carries the year to its fulfilment and the year, as the name *ἐνιαυτός*^a indicates, contains as it runs to its completion everything in itself, which it would not have been able to do if it had not accepted the law^b of the annual seasons. But equality stretches 236 down from the celestial and aerial regions to the terrestrial too. The pure part of its being which is akin to ether it raises into the heights, but another part sun-like it sends earth-wards as a ray, a secondary brightness. For all that goes amiss in our life is the 237 work of inequality, and all that keeps its due order is of equality, which in the universe as a whole is most properly called the cosmos,^c in cities and states is

^a Plato, *Cratylus* 410 D.

^b Lit. "lent it itself," "put itself at the service of." Both Mangey and Heinemann seem to suppose that it means "helped itself with" or "made use of." But no such usage is recorded of the active verb, either in this compound or the uncompounded *χράω*.

^c Or "cosmic system." See on § 210.

PHILO

ἄστεσιν ἡ εὐνομωτάτη καὶ πολιτειῶν ἀρίστη
 δημοκρατία, ἔν τε αὖ σώμασιν ὑγεία καὶ ἐν ψυχαῖς
 καλοκάγαθία· καὶ γὰρ τὸ ἄνισον ἔμπαλιν νόσων
 238 καὶ κακιῶν αἴτιον. ἐπιλείψει καὶ τὸν μακροβιώ-
 τατον ὁ χρόνος, εἰ πάντας ἐθελήσειε τοὺς ἐπαίνους
 ἰσότητος καὶ δικαιοσύνης ἣν ἐγέννησε διεξιέναι·
 παρό μοι δοκεῖ βέλτιον εἶναι τοῖς λεχθεῖσιν
 ἀρκεσθέντα, τοῦ διακινήσαι χάριν τὴν τῶν φιλεπι-
 στημόνων μνήμην, τὰ λοιπὰ ἐν ταῖς ἐκείνων
 ἀνάγραπτα ψυχαῖς καταλιπεῖν, ἱερωτάτῳ χωρίῳ
 θεῖα ἀγάλματα.

THE SPECIAL LAWS, IV. 237-238

democracy,^a the most law-abiding and best of constitutions, in bodies is health and in souls virtuous conduct. For inequality on the other hand is the cause of sicknesses and vices. But since if one 238 should wish to tell in full all the praises of equality and her offspring justice the time will fail him, be his life of the longest, it seems better to me to content myself with what has been said to awake the memory in the lovers of knowledge, and to leave the rest to be recorded in their souls, the holiest dwelling place for the jewels ^b of God.

^a See note on *Quod Deus* 176 (vol. iii. p. 489) and further App. p. 437.

^b See on § 76.