

ABSTRACT

THESIS TITLE: Josephus' Representation of Female Slaves in *Jewish Antiquities* Books I-IV

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The purpose of this study is to present and analyse material in *Antiquities* I-IV where Josephus deals with the topic of female slaves and their relationships with Jewish masters, noting where Josephus agrees with the canonical versions of the Pentateuch and where he represents considerable variations. Much of the analysis is, therefore, concerned with an in-depth critical comparison between Josephus' material and the evidence of the laws and narratives of the Pentateuch. The analysis demonstrates, in particular, the extent to which Josephus' accounts represent a reordering, augmentation, fusing together of different texts, or omissions from the texts of the Pentateuch, and the extent to which he, like other writers of the Second Temple Period, engages in the rewriting of scripture. As for the significance of Josephus' rewriting of the Pentateuchal material on female slaves, special attention is given to the following issues. Firstly, Josephus' alterations to the characterisations of the main protagonists in the Genesis narratives, secondly, Josephus' attitude to slaves and slavery; and thirdly, his general attitude towards gender in his retellings of the laws and narratives. Looking more broadly in the wider context of Josephus' *Antiquities*, attention is also given to the questions of why Josephus rewrote as he did and to what extent his work on female slaves point to the identity of his readership, especially to an elite Roman readership?

Chapter One focuses on Josephus as an interpreter of the Pentateuch. It concentrates on the various contexts and circumstances of his life that may have influenced his technique and agenda for rewriting the slave laws and narratives in the *Antiquities* I-IV. This introductory chapter is also concerned with what may have shaped Josephus' view of slaves and slavery, as well as his attitude to women and social class.

Chapter Two is an analysis of Josephus' representation of the Pentateuchal laws that regulate marriage and sexual relationships between free Jewish men and slave women. This chapter looks at three examples of Josephus' modifications to the canonical Pentateuch in the *Antiquities* III and IV: a) his innovation of slave legislation that he represents as Mosaic law; b) his interpretation of the Levitical laws that prohibit priestly marriage to certain categories of women, including slaves; and c) his interpretation of the regulations for the acquisition of the 'beautiful captive' in Deuteronomy.

Chapter Three looks at Josephus' interpretation of the Hagar episodes, paying particular attention to where he modifies the text and where he has altered the dynamics of the relationships between Hagar, Sarah and Abraham. This chapter presents a comparative critical analysis of Josephus' retelling of the stories and canonical Genesis: it also compares Josephus' version with other Second Temple Period sources that also deal with the Hagar narratives.

Chapter Four attends to Josephus' treatment of the Jacob narratives, with special attention to his representation of Jacob's relationship with the slave women, Zelpha and Balla, and Josephus' alterations to the status of the slaves in relation to canonical Genesis. This chapter notes firstly, Josephus' considerable alterations to this section of the Jacob story, and secondly, his substantial modifications to the manner in which canonical Genesis characterises the main protagonists of the scenes.

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JOSEPHUS' REPRESENTATION OF FEMALE SLAVES IN
JEWISH ANTIQUITIES BOOKS I - IV

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ABBREVIATIONS

Josephus

<i>A. J.</i>	Josephus' <i>Antiquities of the Jews</i>
<i>Con. Ap.</i>	Josephus' <i>Contra Apionem</i>
<i>Life</i>	Josephus' <i>Life</i>
<i>War</i>	Josephus' <i>Jewish War</i>

Philo

<i>De Cher.</i>	<i>De Cherubim</i>
<i>De Cong.</i>	<i>De Congressu Quaerendae Eruditionis Gratia</i>
<i>De Sacrificiis</i>	<i>De Sacrificiis Abelis et Caini</i>
<i>De Somn.</i>	<i>De Somniis</i>
<i>De Virt.</i>	<i>De Virtutibus</i>
<i>De Vita</i>	<i>De Vita Mosis</i>
<i>Quod Deus</i>	<i>Quod Deus Immutabilis Sit</i>
<i>Spec. Leg.</i>	<i>De Specialibus Legibus</i>
<i>De Sob.</i>	<i>De Sobrietate</i>

Biblical Abbreviations

Gen.	Genesis
Exod.	Exodus
Lev.	Leviticus
Num.	Numbers
Deut.	Deuteronomy
Josh.	Joshua
Jdg.	Judges
1,2 Sam.	1,2 Samuel
Isa.	Isaiah
Jer.	Jeremiah
Neh.	Nehemiah
Chr.	Chronicles

New Testament

Mt.	Matthew
Mk.	Mark
Lk.	Luke

Pseudepigrapha

<i>Let. Ar.</i>	<i>Letter of Aristeas</i>
<i>Jub.</i>	<i>Jubilees</i>
<i>Test Ben.</i>	<i>Testament of Benjamin</i>
<i>Test. Issach.</i>	<i>Testament of Issacher</i>
<i>Test. Levi</i>	<i>Testament of Levi</i>
<i>Test Napht.</i>	<i>Testament of Naphtali</i>

Rabbinic Works

<i>Quidd.</i>	<i>Quiddushin</i>
<i>Sifre Deut.</i>	<i>Sifre Deuteronomy</i>

Other Abbreviations

<i>ABD</i>	<i>Anchor Bible Dictionary</i>
<i>BA</i>	<i>Biblical Archaeology</i>
BCE	Before the Common Era
BDB	Brown, Driver & Briggs
<i>Bib. Hist.</i>	<i>Diodorus, Biblical History</i>
CE	Common Era
CD	Cairo Damascus Document
<i>Dig.</i>	<i>Digest</i>
<i>Hor. Ep.</i>	<i>Horace, Epigrams</i>
<i>Hor. Sat.</i>	<i>Horace, Satires</i>
<i>HTR</i>	<i>Harvard Theological Review</i>
<i>HUCA</i>	<i>Hebrew Union College Annual</i>
<i>IEJ</i>	<i>Israel Exploration Journal</i>

<i>JAOS</i>	<i>Journal of the American Oriental Society</i>
<i>JBL</i>	<i>Journal of Biblical Literature</i>
<i>JJS</i>	<i>Journal of Jewish Studies</i>
<i>JNES</i>	<i>Journal of Near Eastern Studies</i>
<i>JAOS</i>	<i>Journal of the American Oriental Society</i>
<i>JQR</i>	<i>Jewish Quarterly Review</i>
<i>JRS</i>	<i>Journal of Roman Studies</i>
<i>JSJ</i>	<i>Journal for the Study of Judaism</i>
<i>JSOT</i>	<i>Journal for the Study of the Old Testament</i>
<i>JSP</i>	<i>Journal for the Study of the Pseudepigrapha</i>
LSJ	Liddell, Scott, Jones
LXX	Septuagint
MT	Masoretic Text
NT	New Testament
<i>NT</i>	<i>Novum Testamentum</i>
<i>NTS</i>	<i>New Testament Studies</i>
OT	Old Testament
<i>PAAJR</i>	<i>Proceedings of the American Academy of Jewish Research</i>
<i>NT</i>	<i>Novum Testamentum</i>
<i>Praep. Evang.</i>	Eusebius, <i>Praeparatio Evangelica</i>
<i>SBL</i>	<i>Society of Biblical Literature</i>
SP	Samaritan Pentateuch
<i>SZ</i>	<i>Zeitschrift der Savigny-Stiftung für Rechtsgeschichte</i>
<i>TAPA</i>	<i>Transactions of the American Philological Association</i>
<i>VT</i>	<i>Vetus Testamentum</i>
<i>VTSup</i>	<i>Vetus Testamentum Supplement</i>

Chapter One

Introduction

Aims

This thesis has as its central focus the nature of Flavius Josephus' retellings of Pentateuchal laws that regulate the sexual relationships between free Jewish men and slave women, and the narratives that speak of the sexual relationships between Abraham and the slave Hagar, and Jacob and the slaves Zelpha and Balla. This study engages with these laws and narratives in the light of Josephus' promises to translate scripture as he found it in the biblical books "neither adding nor omitting anything".¹ It is clear in these instances, however, that Josephus has in fact made many significant modifications to his source for the Pentateuch in his retellings. The contradictions between Josephus' claims for his reliability and his method have been interpreted by modern scholars in many ways and the debate remains open. It could be that the phrase "neither adding nor omitting" is not as important as it might first appear and that Josephus saw the *Antiquities* as more of an interpretation than a translation.² I argue that this is evidence of his wider apologetic motivations as an author of Jewish history, religion and culture.

Description of Chapters

The following chapters of this thesis present three systematic studies of these narratives and laws. The first study addresses three issues in Josephus' *Jewish Antiquities* III-IV. a) Josephus' total prohibition of marriages between free men and slave women, which has no parallel representation in the Pentateuch (*A. J.* IV: 244-245). b) His representation of Leviticus 21: 7 and 13-14 where he makes several modifications to the Pentateuchal laws regarding priestly marriages (*A. J.* III: 276). c) Josephus' representation of Deuteronomy 21: 10-14, the guideline for the treatment of the "beautiful captive", in which he makes frequent additions and omissions to his biblical source (*A. J.* IV: 257). The second engages with Josephus' retelling of both Hagar episodes at Genesis 16: 1-16 and 21: 1-21. In his retelling Josephus has made major alterations to the manner in which Genesis portrays the characters in these episodes, as well to how these characters interact in their domestic and social setting in the narratives (*A. J.* I: 186-191 and 215-221). The third chapter looks at Josephus' recasting of the status of the slave women Zelpha and Balla in the Jacob narratives at Genesis

29: 15-35 and 30: 1-24, and at how and where he has made substantial alterations to the content and chronology of the narrative (*A. J. I*: 303-308).

Purpose

The purpose of this study is to present and analyse material in *Antiquities* I-IV where Josephus deals with the topic of female slaves and their relationships with Jewish masters, noting where Josephus agrees with the canonical versions of the Pentateuch and where he represents considerable variations. Much of the analysis is, therefore, concerned with an in-depth critical comparison between Josephus' material and the evidence of the laws and narratives of the Pentateuch. The analysis demonstrates, in particular, the extent to which Josephus' accounts represent a reordering, augmentation, fusing together of different texts, or omissions from the texts of the Pentateuch, and the extent to which he, like other writers of the Second Temple Period, engages in the rewriting of scripture. As for the significance of Josephus' rewriting of the Pentateuchal material on female slaves, special attention is given to the following issues. Firstly, Josephus' alterations to the characterisations of the main protagonists in the Genesis narratives, secondly, Josephus' attitude to slaves and slavery; and thirdly, his general attitude towards gender in his retellings of the laws and narratives. Looking more broadly in the wider context of Josephus' *Antiquities*, attention is also given to the questions of why Josephus rewrote as he did and to what extent his work on female slaves point to the identity of his readership, especially to an elite Roman readership?

Method

This study engages with several methodological concerns. The first is to present substantial comparative analyses of Josephus' treatment of the laws and narratives under discussion and their representation in the Pentateuch. In so doing, this analysis establishes where Josephus deviates from the Pentateuch's representation of the laws and narratives, where he rearranges, supplements and expands his biblical source, and where he omits material. In addition, these comparisons show a) the extent to which Josephus recasts the Pentateuch's characterisations of the individuals represented in the texts, and the relationships between the patriarchs, their wives and their slaves and how he wished to portray this to his audience; b) his attitude towards slaves and slavery; and c) Josephus' attitudes towards social class and gender. The second aspect of my method is to compare and contrast Josephus' retellings with those of other Second Temple Period sources that engage with the relevant laws and narratives in order to establish whether Josephus' modifications of the Pentateuchal laws and narratives

were influenced by sources other than the Pentateuch. These comparisons show that it is highly unlikely that any source other than the Pentateuch was used as a source for Josephus' retellings of the laws and narratives in question in this thesis. Thirdly, in the absence of evidence for Josephus' dependence on any known source for his modification of the Pentateuch, this study argues that his modifications were made to suit an elite Roman audience.

But which version(s) of the Pentateuch did Josephus use for his retellings of the Genesis narratives and the Pentateuchal slave laws? The evidence of multiple variant manuscripts of the Pentateuch from the Dead Sea Scrolls has added to the already considerable evidence supplied by differences between the Masoretic Text (MT), the Septuagint (LXX) and the Samaritan Pentateuch (SP), showing that no standard text of these books existed in antiquity.³ On the other hand, the similarities are infinitely greater than the differences, so it is appropriate to assume that versions of the Pentateuch known to Josephus were close to MT and the other canonical versions.⁴ Indeed the ordering and content of the *Antiquities* I-IV point strongly in this direction. From the linguistic point of view, Josephus will have been able to read in Hebrew, Aramaic and Greek so it is possible that he would have been able to employ any of these versions in his retellings. However, Josephus' paraphrase of the Pentateuch reveals very little to determine precisely which version of the Pentateuch he is closest to. As far as the comparative biblical material for this thesis is concerned, however, there are very few significant variations between the canonical versions.

Josephus' *Vorlage(n)* for *Antiquities* I-IV

The question of Josephus' *Vorlage* or *Vorlagen* for his retelling of the Pentateuchal narratives and biblical law in his *Antiquities* is a much debated subject. In some cases, such as the close relationship between *Antiquities* and the *Letter of Aristeas*, his primary source can be determined with some certainty.⁵ However, for most examples, the problem of identifying the precise source or sources for Josephus' rewriting of the Pentateuch in *Antiquities* I to IV has proved far more difficult.⁶ For the Pentateuch a variety of opinions prevails, with no clear consensus as to whether Josephus was reliant exclusively upon a Hebrew,⁷ Greek⁸ or Aramaic text, or dependent rather upon a combination of these sources (plus an Aramaic Targum) with a different primary source being used in a variety of sections of the *Antiquities*.⁹

Evidence for his use of an Aramaic Targum as a source for the earlier books of his *Antiquities* is also rather unconvincing: most of the alleged evidence merely points to the unsurprising fact that Josephus spoke Aramaic. As Cohen rightly states, “not one of the [Schalit’s] ten proofs for the use [by Josephus] of a Targum is decisive.” Cohen also questions whether we should assume that just because Josephus shows a similarity to an extant Targum in Aramaic he was dependent on it, noting that all that the Aramaic transliterations concretely show is that Josephus was conversant with the Aramaic tongue and not that he used a Targum.¹⁰ There are only sections of eighteen passages that demonstrate stronger evidence for the author’s use of a written Aramaic source as noted by Thackeray and Rappaport,¹¹ none of which correspond to the passages that are under scrutiny in this thesis. Feldman,¹² sets out all eighteen examples of Josephus’ correspondence with an Aramaic Targum. Begg has summed up the reservations of many Josephus scholars who doubt that Josephus directly utilized targumim. These reservations are based on uncertainty about the dating of the targumim. It has been suggested that any terminological similarities may arise from independent extrapolations from elements in the biblical text whilst parallels in content may be derived from a lost common oral or written tradition of biblical interpretation.¹³

It is also rightly assumed that Josephus supplemented his Pentateuchal *Vorlage* with other traditions and the evidence for this is stronger in some places than others. The relationship of Josephus’ re-presentation of the Pentateuch to other Jewish traditions is contentious, in particular his representations of legal material. For the most part, in this field, the *Antiquities* have been compared to rabbinic tradition¹⁴ and the instances where Josephus differs from rabbinic law in his retellings are attributed to his ignorance or forgetfulness of the appropriate piece of oral law or reflect his application of contemporary law.¹⁵ This approach, however, is problematic for two main reasons. Firstly, the late date of the Mishnah and rabbinic material in general makes any conclusive connection with Josephus difficult to determine.¹⁶ Secondly, this approach treats rabbinic literature as proof of the existence of a monolithic or normative Judaism in the Second Temple Period, a view that the diverse nature of sources from the period does not support.¹⁷ This study, therefore, takes the view that where Josephus’ retellings have parallels with rabbinic tradition, the similarities do not reflect Josephus’ dependence on oral law but that both sources are indebted to a common tradition.¹⁸ In the case of the often free and creative nature of Josephus’ reworking and interpretation of Pentateuchal slave law and the Hagar and Zelpha and Balla narratives it is impossible to know

with any certainty whether he consulted a different text or texts, or whether he has simply substantially recast his biblical source.¹⁹

Assertions such as these have been made in an attempt to identify precisely Josephus' source for the occasions where his retellings are directly parallel to the scriptural text. This, of course, does not account for the numerous occasions where Josephus' interpretation deviates from any known biblical text.²⁰ In practice, however, Josephus' version is usually compared with the Masoretic Text, which fails to account for Josephus' intention to write in Greek for a Greek speaking audience (*A. J.* I: 5) or his admiration for the translation of Scripture into Greek (*A. J.* I: 10; XII: 85 f.). These factors suggest that it is likely that Josephus would at least have consulted a Greek version of the Pentateuch for his rewriting of the slave laws and narratives. Thus, the comparative analysis in this thesis compares the *Antiquities* I-IV primarily with the Septuagint, to compare the Greek, but also refers to the Masoretic Text.

Importance

The importance of this thesis to the wider field of Josephus research is in its presentation of the first detailed investigation of the subject of slavery in Josephus. It does so through an analysis of case studies of the representation of female slaves, drawn from Josephus' version of the Pentateuch in *Antiquities* I-IV. What little has been written on this subject previously falls into three main areas: a) studies focussing on isolated details where the main subject is not slavery;²¹ b) studies of Josephus' terminology for slaves, which, as I suggest, are of limited value because they lack attention to the varied contexts in which they appear;²² and c) studies where the main aim is to compare Josephus' work with rabbinic teaching on slavery, in which Josephus serves only as a source to either confirm the antiquity of rabbinic law or to show Josephus' 'deviant' approach to Jewish law.²³ This thesis takes a new and different approach, looking at how the evidence for Josephus' interpretation of slavery illuminates our understanding primarily of Josephus, as well as where Josephus stands in relation to Jewish tradition, on the one hand, and his Roman context, on the other. Because this thesis focuses on Josephus' presentation of slavery in the Pentateuch, one of the central issues is to understand Josephus as a biblical interpreter, and a large part of this thesis is concerned with a detailed account of the relation of Josephus' representation of female slaves to the canonical versions of the Pentateuch. Because it also focuses on female slaves and their relations to their masters, it also sheds new light on Josephus' representation of women.

The main part of this thesis is divided into three distinct sections: Josephus' representation of Hagar; his account of Zelpha and Balla; and his account of the Pentateuchal laws which deal with female slaves. In this introductory chapter, however, I begin with a brief consideration of the main critical questions with which this thesis engages. Firstly, let us look at Josephus as a writer of the *Antiquities*, its genre and purpose, especially as regards books I-IV. The *Jewish Antiquities*, Josephus' *magnum opus*, represents the history of the Jewish people from the beginning of creation to the war against Rome, completed towards the end of his life in 93-94 CE.²⁴ Because of its genre and length, *Antiquities* has been compared to Dionysius of Halicarnassus' *Roman Antiquities*, which may have been a model for Josephus' work.²⁵ The subject matter of *Antiquities* is divided into two nearly equal parts, the dividing line being the close of the exile at the end of Book X.²⁶ The first ten books constitute a paraphrase of the biblical narratives, while subsequent books recount the later history of the Jewish people, concluding with an account of the death of Agrippa I in 44 to the outbreak of the revolt under Gessius Florus in 66.²⁷ Accordingly the sources for *Antiquities* follow this division: scriptural sources of various kinds for books I-X, and non-scriptural historical sources from Jewish and non-Jewish authors for books XI-XX. Further distinct sub-divisions may also be seen in the work as a whole. At *Antiquities* I-X there are two sections, I-V recount the foundation of Israel, whilst VI-X describe its realisation.²⁸

The question of the aims and audience of *Antiquities* is clearly crucial to understanding the context in which Josephus rewrites the Pentateuch's traditions on slavery. For many modern scholars, the *Antiquities* is most often categorized as 'apologetic' historiographical literature, similar in this respect to the works of other Hellenistic writers including Berossus, Manetho, Demetrius, Artapanus, Eupolemus, and Pseudo-Eupolemus.²⁹ The case for viewing the *Antiquities* as apologetic historiography is argued vigorously by Sterling who offers this definition of the apologetic genre of history writing as:

The story of a subgroup of people in an extended prose narrative written by a member of the group who follows the group's own traditions but Hellenises them in an effort to establish the identity of the group within the setting of the larger world.³⁰

But is this what Josephus does in his *Antiquities*? Most scholars of Josephus' works express the view that *Antiquities* was aimed at a non-Jewish audience in the wake of Judaea's defeat in the Jewish War, and that its purpose was to heal some of the rifts that Josephus felt had emerged after the conflict.³¹ Accusations, criticisms and persecutions apparently levelled at

Josephus after the war are viewed as having led him to offer an explanation of his conduct during the hostilities.³² Moreover, the personal discomfiture experienced by Josephus coupled with the social and political disaster that befell the Jews in the wake of the conflict provide a persuasive explanation for why he perceived that an extended literary record was needed to offer a favourable account of the Jewish people to the non-Jewish world in the face of increasing suspicion and hostility.³³

Josephus' stated aims in another of his later works, *Against Apion*, were to demonstrate as he puts it "the extreme antiquity of our Jewish race, the purity of the original stock, and the manner in which it established itself in the country we occupy today".³⁴ The term used here to denote the ancient history of his people is *ἀρχαιολογία* (archaeology),³⁵ the term used in the title of Josephus' *Jewish Antiquities* (*Ἰουδαϊκὴ Ἀρχαιολογία*), emphasising the importance of the establishment and antiquity of the Jewish people.³⁶ This is also how non-Jewish Greek writers such as Dionysus of Halicarnassus and Roman historians like Livy presented histories of Rome as *Ῥωμαϊκὴ Ἀρχαιολογία*.³⁷ In *Against Apion*, Josephus goes to great lengths to criticise the unreliability of Greek historians, accusing them of a preoccupation with style above accuracy, in contrast to his claims to great accuracy.³⁸ However, in *Antiquities* he cites and praises the same Greek writers, reflecting the need of his writing context, as evidence for the reliability of his own narrative³⁹ also Josephus, occasionally, used non-Jewish sources to strengthen and support statements he made about scripture and events in Jewish history.⁴⁰ For example, he establishes the historicity of the Flood narrative by equating a Greek flood story with that of Noah's Ark. Here Josephus uses the word *λάρνα*⁴¹ for Noah's Ark, following the usage of Apollodorus,⁴² Lucian,⁴³ and Plutarch,⁴⁴ as opposed to *κιβωτός*,⁴⁵ used in the Septuagint,⁴⁶ which Philo follows.⁴⁷ Josephus' practice of avoiding distinctively Septuagint Greek terminology characterises his version of the Pentateuch, though it does not preclude his knowledge of it. He also cites external non-Jewish sources⁴⁸ as evidence to refute claims that the biblical Flood narrative was a myth.⁴⁹ In another example the historicity of the building of the Tower of Babel is established by citing the highly venerated Sibylline Oracles (*A.J.* I: 118). It appears that the establishment of Abraham as the founder of the Jewish people was also important to Josephus' drive to prove the historicity of people and events. Here again he turns to non-Jewish sources to achieve this. In all Josephus cites three non-Jewish authors in his attempt to establish the historicity of Abraham, and also to show his own impartiality as an historical researcher.

Josephus' contribution to the interpretation and reinterpretation of ancient Jewish tradition in the post-70 CE period is to be found most extensively in *Jewish Antiquities*. Josephus' efforts in this regard can be seen in terms of his using his position in the Flavian court as an opportunity to acquaint the educated Roman elite with the history and culture of his people via the vehicle of *Jewish Antiquities*.⁵⁰ The apologetic content of his work is also discernible in the moralising tone of the biblical paraphrase and his strenuous defence of Jewish rights, especially as safeguarded by Roman authority, in the post-war era. The didactic dimension of the biblical material in the *Antiquities* is at its most obvious when Josephus deals with the lives of the Patriarchs and other biblical heroes. There is high praise for characters such as Saul,⁵¹ David⁵² but particularly Moses⁵³ wherein their courage, wisdom, tenacity, piety and endurance are given great emphasis. Josephus also singles out traits that lead to moral degeneration and rejection of Jewish Laws i.e. sensuality,⁵⁴ ambition⁵⁵ and presumption.⁵⁶ The apologetic in the didactic function of *Antiquities* may be indirect but it does show that Jewish tradition is underwritten by the highest ethical and religious ideology and as such is allied with the ethical ideals of the Graeco-Roman philosophies. Moreover, Josephus' argument also shows the deep roots of his theology in Deuteronomy's understanding of history – namely that the abandonment of Mosaic law “ends in irretrievable disasters”.⁵⁷ Interpreted in this light, Josephus argues that the conflict between the Jews and Rome occurred only after the Jews had abandoned their traditions, the result of which could have been foreseen by anyone with a proper understanding of Jewish history.⁵⁸

One of the most obvious signs of Josephus' expected audience can be seen in his introduction to *Antiquities* I: 5 where he states, “And now I have undertaken this present work in the belief that the whole Greek-speaking world will find it worthy of attention; for it will embrace our entire ancient history and political constitution from the Hebrew records”. The aim of *Antiquities* is even more clearly stated at XIV: 186, when he provides details of the Roman documents that detail the privileges granted by them to the Jewish people throughout the years:

And here it seems to me necessary to make public all the honours given our nation and the alliances made with them by the Romans and their emperors, in order that the other nations may not fail to recognise that both the kings of Asia and of Europe have held us in esteem and have admired our bravery and loyalty.

ἔδοξεν δ' ἀναγκαῖον εἶναι μοι πάσας ἐκθέσθαι τὰς γεγενημένας Ῥωμαίοις καὶ τοῖς αὐτοκράτορσιν αὐτῶν τιμὰς καὶ συμμαχίας πρὸς τὸ ἔθνος ἡμῶν, ἵνα μὴ λανθάνη τοὺς ἄλλους ἅπαντας, ὅτι καὶ οἱ τῆς Ἀσίας καὶ οἱ τῆς Εὐρώπης βασιλεῖς διὰ σπουδῆς ἔσχον ἡμᾶς τὴν τε ἀνδρείαν ἡμῶν καὶ τὴν πίστιν ἀγαπήσαντες.

This passage amounts to a response to what Josephus terms the “enmity” against the Jews expressed by persons who refuse to believe the genuineness of such documents.⁵⁹ Indeed in another work, *Jewish War*, Josephus speaks of the “hatred of the Jews” in the works of Greek historians.⁶⁰ The following passage from *Antiquities* XVI: 174-175, explains the purpose of citing pro-Jewish legislation:

Now it is necessary for me to cite these decrees since this account of our history is chiefly meant to reach the Greeks in order to show them that in former times we were treated with all respect and were not prevented by our own rulers from practising any of our ancestral customs but, on the contrary, even had their co-operation in preserving our religion and our way of honouring God. And if I frequently mention these decrees, it is to reconcile the other nations to us and to remove the causes for hatred which have taken root in thoughtless persons among us as well as among them.

Ταῦτα μὲν οὖν παρεθέμην ἐξ ἀνάγκης, ἐπειδὴ μέλλουσιν αἱ τῶν ἡμετέρων πράξεων ἀναγραφῆαι τὸ πλεόν εἰς τοὺς Ἕλληνας ἵεναι, δεικνύς αὐτοῖς ὅτι πάσης τιμῆς ἄνωθεν ἐπιτυγχάνοντες οὐδὲν τῶν πατρίων ἐκωλύθημεν ὑπὸ τῶν ἀρχόντων πράττειν, ἀλλὰ καὶ συνεργούμεθα τὰ τῆς θρησκείας ἔχοντες καὶ τῶν εἰς τὸν θεὸν τιμῶν. ποιούμεαι δὲ πολλάκις αὐτῶν τὴν μνήμην ἐπιδιαλλάττων τὰ γένη καὶ τὰς ἐμπεφυκυίας τοῖς ἀλογίστοις ἡμῶν τε κάκεινων μίσους αἰτίας ὑπεξαιρούμενος.

It is clear in this passage that Josephus’ motive for citing these decrees is the very existence of conflict between Greeks or non-Jews and the Jewish people. From this citation, and from the other apologetic references throughout *Antiquities*, it seems clear that the purpose of the work is to defend the Jews and their rights within the Roman world.⁶¹ Josephus’ agenda was, therefore, to both exonerate himself personally and the Jewish people as a whole. Specifically within the general scope of the apologetic genre, Josephus needed to provide a favourable account of who the Jews were, what they represented, and to extol the virtues of the foundations of their religious and legal structures. Moreover, and this was the overarching aim of his apologetic, it would need to convince the Romans that Jewish culture and their way of life was not fundamentally at odds with their own and, moreover, that Greek literary sources endorsed this. Jews and Romans, according to Josephus’ method of constructing his

history/apologetic, could live together in peace and understanding. If the objective of the apologetic were achieved the hope was that the status of the Jews would shift from that of enemy to partner, with the memory of the war becoming irrelevant to the future of Jewish-Roman relations.⁶²

Josephus' Method: *Jewish Antiquities* I-IV.

a. Josephus' Educational Context

Nineteenth century scholarship of the works of Josephus was often sceptical of the extent to which a Judaeen Jew such as Josephus could have mastered the degree of Hellenistic learning that is evident in his writings. The starting point of this misconception assumed that Josephus was simply a plagiarist and compiler and, as such, scholars engaged with isolating and identifying the multiplicity of sources present in Josephus' works.⁶³ More specifically, Josephus' retellings of the Pentateuchal laws and narrative were considered to have been appropriated from an Alexandrian source, or sources, which had already re-presented the Pentateuch based on a composite of Hebrew and Greek biblical material and non-Jewish and apocrypha.⁶⁴ These theories did not take into account, as have some subsequent historians, the evidence in Josephus' writings that demonstrates his competence as a historian and biblical interpreter in his own right rather than a plagiarist subordinate to his sources.⁶⁵ There is a current, and in my view correct, tendency in Josephus scholarship to accept his testimony on matters of his education and his suitability to interpret and convey scripture to his audience.⁶⁶

Indeed, Josephus' account of his academic prowess suggests he was a child genius possessed of an excellent memory, understanding and analytical skill especially in Jewish biblical tradition.⁶⁷ So great, in fact, were these attributes that, according to *Life* 9, Josephus, at the age of fourteen, was consulted by chief priests and the city elders on points of the Law.⁶⁸ Josephus elsewhere claims to be well versed in the φιλοσοφία (philosophy) of the writings of the bible (*Con. Ap.* I: 54).⁶⁹ His use of the term φιλοσοφία in this context suggests that his knowledge extended beyond that of written scripture to include supplementary traditions, whether written or oral.⁷⁰ Furthermore, he also claims that his education was supplemented with training in all the major schools of Jewish thought of his time by the age of sixteen: the Sadducees; the Pharisees; and the Essenes, rounded off with a three year stint with a hermit in the desert (*Life* 11).⁷¹ At the age of nineteen, Josephus returned to Jerusalem (*Life* 11-12), by this time deciding to follow the Pharisaic school that, in his view, resembled the philosophy

of the Greek Stoics (*Life* 12).⁷² Josephus' account of his education and his intellectual prowess may contain elements of exaggeration but it indicates that an important element of his schooling was knowledge of interpretation of the Bible.⁷³ Moreover, the complexity of Josephus' treatment of the biblical laws and narratives in his *Antiquities* indicates that he was very familiar with a variety of traditions of biblical interpretation of his time.

b. Josephus' Stated Purpose and Method:

Josephus' confidence in his abilities as well as his stated methodology for the presentation of the laws and narratives of the Pentateuch is expressed in *Antiquities* I: 17, where he promises to set out the precise details of the scriptures "neither adding nor omitting anything" of the content of the biblical books. This claim is repeated elsewhere: "I have recounted each detail here told just as I found it in the sacred books" (*A. J.* II: 347). He tells us that he has recorded each event and person "as I have found them in the ancient books....I was only translating (*μεταφράζειν*)⁷⁴ the books of the Hebrews...promising to report their contents without adding anything of my own to the narrative or omitting anything therefrom" (*A. J.* X: 218). Again, just prior to his retelling of the biblical laws he repeats the same claim: "All is here written as he [Moses] left it: nothing have we added...nothing which has not been bequeathed by Moses" (*A. J.* IV: 196). Josephus emphasises that he is merely making a 'translation' of scripture and he tells his audience that his *Antiquities* "will embrace our entire ancient history and political constitution, translated from the Hebrew records", (*A. J.* I: 5 and *A. J.* XX: 261). In another of his works he repeats this claim. Referring to his previous work he tells his audience for *Against Apion* that "in my *Antiquities* as I said, I have given a translation of our sacred books" (*Con. Ap.* I: 54).

There have been numerous explanations for the apparent inconsistency in Josephus' claim to 'translate' the biblical narratives and what he actually does, but none are particularly satisfactory. For example, Bassler, in his study of Josephus' interpretation of the Garden of Eden story concludes that what appears to be an omission is in fact Josephus' novel reading of the text. Moreover, the fact that Josephus considers Moses as the author of the Bible, and not God, allowed him to interpret the narrative.⁷⁵ Secondly, it has been suggested that Josephus simply relied on the literary ignorance of his audience who were unlikely to be able or bothered to cross reference what they had read in Josephus with the appropriate primary manuscript.⁷⁶ However, some non-Jews demonstrate a high degree of familiarity with Jewish traditions, Pseudo-Longinus (first century CE) in his *On the Sublime* 9. 9, for example,

paraphrases Genesis 1: 3 and 1: 9-10 and refers to Moses as simply “the lawgiver of the Jew”, presumably because he assumed that more concrete identification for his readers was unnecessary. Moreover, it is not unfeasible to suggest that Diaspora Jews would have been in a strong position to compare Josephus’ treatment of the biblical books with the Septuagint.⁷⁷

Furthermore, it has been suggested that the phrase “neither adding nor omitting anything” was a clichéd Graeco-Roman literary formula that was intended to convince the reader of the authors’ accuracy. If this is the case the precedent for this kind of claim had already been made by, among others, the Greek Dionysius of Halicarnassus (*Thucydides* 5 and 8); and the Roman Pseudo-Cornelius Nepos in the introduction to *Dares Phrygius*, both first century BCE historians.⁷⁸ Josephus uses similar phraseology in other contexts at other places in his writings. In his summary of the *Letter of Aristeas* (*A. J.* XII: 109 ff.), he tells us that after it had been agreed that the Septuagint should not be altered the leaders of the Alexandrian community proclaimed that “if anyone saw any further addition made to the text of the law or anything omitted from it, he should examine it and make it known and correct it. Furthermore, as proof of the accuracy of the biblical text Josephus tells his audience that “although such long ages have now passed, no one has ventured to add or to remove or to alter a syllable” (*Con. Ap.* I: 42).⁷⁹

Moreover, there are early precedents for the modification of the biblical text: fundamental examples are the Book of Chronicles as compared to Kings, and crucially, the Greek bible corpus as compared to the Hebrew and Aramaic original. It could be, therefore, that the word ‘translation’ was understood in antiquity to mean something very different to its meaning today.⁸⁰ Another possibility is that Josephus equated this phrase with the commandment in Deuteronomy that nothing was to be added to or subtracted from the commandments of scripture (Deut. 4: 2 and 12: 32).⁸¹ Furthermore, the phrase may mean that it was forbidden to make additions to the content of the biblical narratives but that it was acceptable to make modifications to the consonantal text.⁸² Also, some scholars have interpreted the word *μεταφράς*⁸³ to mean not only the written bible, but also the whole Jewish tradition embodied in the Midrashim. Thus Josephus’ statement would not be at odds with his method.⁸⁴ Finally, the various words used by Josephus for ‘translate’ are all ambiguous and seem to include techniques such as the paraphrasing and amplification of established texts.⁸⁵

Despite the various explanations for the contradiction between Josephus' stated method and writing style it is clear, however, that his methodological approach is not simply to provide a translation of scripture. On the contrary, as Franxman notes in his investigation of what Josephus has retold and how he has shaped what he has retold in his treatment of the Genesis narratives, he has added and subtracted material, and has amplified and modified his sources throughout his retelling.⁸⁶ Attridge's study concentrates on understanding Josephus' theology. He notes that theology was not done by Josephus in a systematic or dogmatic way but by "tendentious, interpretative retelling of history". Josephus' theology can be seen by the way he reworks scripture, transform some key scriptural motifs and by employing specific Greek terminology and it is this methodology "which distinguishes the *Antiquities* from its scriptural source".⁸⁷ Much scholarly activity focuses on this aspect of Josephus' writings interpreting sections of his *Antiquities* in relation to the whole work. Foremost here is the work of Attridge who seeks to interpret sections of the *Antiquities* in relation to the wider work. Attridge has identified several themes in the *Antiquities*, most notably God's watchful care over human life, and Josephus' interest in the moral lessons which can be learned from Jewish history, demonstrating how Josephus constructed his retelling of the Bible in *Antiquities* I-XI to convey these concepts.⁸⁸ Josephus' many variations from the canonical biblical narrative are exhaustively assembled in studies by Feldman, noting for example, that Moses' campaign in Ethiopia (*A. J.* II: 238-253), does not appear in the Pentateuch, whilst the Judah-Tamar episode (*Gen.* 38), is not retold in *Antiquities*.⁸⁹

It could be that Josephus derived his claim to accuracy from similar examples from Porphyry, preserved in Eusebius' *Preparatio Evangelica* IV. 7. 1, and Aristobulus, *PE* XIII. 12. 7. Although referring to very different subject matter these authors also make inconsistent statements with regard to accuracy of translation and actual method. It is likely that writers in general in antiquity perceived accuracy and faithfulness to their source text in a manner different to ours.⁹⁰ And this is certainly born out in analyses of Josephus' writings. Detailed studies of Josephus' treatment of various parts of the canon including Genesis,⁹¹ 1 and 2 Samuel, Esther, the *Letter of Aristeas*, Ruth⁹² and 1 Maccabees, all agree that Josephus, despite the fact that he modifies rather than "translates" biblical texts, is nevertheless careful to preserve, to a large extent, the content, order and meaning of his biblical source. Outside this framework, however, Josephus' technique also makes free use of language, style form and composition.⁹³ On language, for example, Cohen reveals inconsistencies in Josephus' use of vocabulary throughout the *Antiquities* showing that overall, the treatment of *Antiquities* I-V

is markedly different from that of Books VI onwards.⁹⁴ In particular, Cohen concludes that Josephus' method of retelling the biblical narrative in books I to V is much freer both in vocabulary and stylistically compared to books VI to X.⁹⁵ For the Book of Ruth, Sterling has catalogued five types of material that Josephus omits or reduces in his version of the story: redundant or non-essential material; textual difficulties; direct speech; references to God and genealogical material.⁹⁶ He also isolates four categories of alterations to the narrative: stylistic improvements; changes in sequence; changes in actor; and changes in actions,⁹⁷ and six categories of expansions and additions: temporal markers; explanatory glosses; filling of narrative lacunae; dramatic expansions; moralizing additions and interpretative colophon.⁹⁸ Despite the number and variety of alterations Sterling has discovered in Josephus' treatment of the Ruth narrative, he concludes that Josephus has preserved the integrity of his biblical text.⁹⁹ This agrees with Franxman's earlier summation of Josephus' technique. Franxman rightly states that Josephus' promise not to add or subtract from scripture "is a bit of hyperbole"¹⁰⁰ but also concludes that he is careful to "toe the line of the text of his original [Genesis] quite faithfully".¹⁰¹

ii. Retelling of the Laws.

As in the retelling of the narratives so too with the laws of the Pentateuch, Josephus assures his audience that his presentation of Jewish law is given as it appears in the Pentateuch. Thus at *Antiquities* IV: 196, Josephus states, "All here is written [regarding the laws] as he [Moses] left it: nothing have we added for the sake of embellishment, nothing which has not been bequeathed by Moses". He further claims that his only deviation from this tradition has been to classify the laws thematically "because he left what he wrote in a scattered condition." This course of literary action is justified by Josephus' statement "I have thought it necessary to make this preliminary observation, lest perchance my fellow countrymen who read this work should reproach me for having gone astray," (*A.J.* IV: 197). The first statement is similar to Josephus' other claims to the accuracy for his version of the Pentateuch,¹⁰² whilst the second statement is similar to a comparable disclaimer his makes in *Antiquities* XIV in attempting to justify the additions and omissions he makes to his presentation of historical events. Whereas in the narrative material Josephus generally adheres to the sequence of the Bible, the legal material is rearranged in places to produce a cohesive discourse on the laws.¹⁰³ The statement anticipating a Jewish readership contradicts that made in the proem to *Antiquities* (*A. J.* I: 5) in which Josephus anticipates primarily a non-Jewish audience and may

be intended to deflect potential criticism from fellow Diaspora Jews who may have been inclined to read a work in Greek by a Jewish author.¹⁰⁴

Attridge was among the first to recognise the significance of Josephus' conflicting statements about his intentions as set out in the prologues and speeches in his *Antiquities* as compared to what he actually produced.¹⁰⁵ As with Josephus' treatment of the biblical narratives, his deviations from the legal material in scripture should not be seen as translation in the sense that they represent a verbatim copy of the MT or LXX, rather they, like his narratives, are interpretative. As is the case with Josephus' treatment of the biblical narratives various explanations have been suggested for the contradiction between his stated method and his actual practice.¹⁰⁶ It may be that it is misleading to see *Antiquities* IV: 196 f. as simply a claim to accuracy as it is possible that his rearrangement of the legal material is derived from other parts of Scripture, thus, to Josephus, he has indeed included "nothing which has not been bequeathed by Moses".¹⁰⁷ Regarding Josephus' rearrangement of Pentateuchal material in *Antiquities* I-IV, for example, Feldman concludes that the result of Josephus' modifications is to provide a more systematic summary of the laws and that Josephus has organised them in a more orderly and logical manner than they appear in his biblical source: specifically Josephus demonstrates the connection of each law with its preceding law and with those that follow on from it.¹⁰⁸ Other studies correlate parallels in Josephus' interpretations of Pentateuchal law (and the narratives) with other Jewish traditions, especially from the rabbinic corpus,¹⁰⁹ concluding that the modifications to Scripture in *Antiquities* is a vehicle by which Josephus gave his implicit approval of the Pharisaic-rabbinic movement at Yavneh. Thus, S. Cohen argues that Josephus' methodology in the *Antiquities* sets out to interpret Judaism in terms of rabbinic thought for a Jewish audience whilst simultaneously advocating the merits of the movement to his Roman audience.¹¹⁰ More recently, Schwartz's proposal advances Cohen's view, claiming that the *Antiquities* amounts to a propagandistic treatise on behalf of the emerging rabbinic movement which was connect indirectly with the Pharisees.¹¹¹ Proponents of this view argue that examples of Josephus' deviations from rabbinic law indicate his failing memory, or his ignorance of, specific rabbinic oral traditions¹¹² or, alternatively, that he is referring to the practice of a contemporary law.¹¹³

Although I have drawn attention to only a limited sample of scholarship on these issues,¹¹⁴ a review of scholarship in general shows many absences in the discussion of specific aspects of Josephus' biblical interpretation with regard to the subjects discussed in this thesis.¹¹⁵ The

laws of slavery have received very little attention, likewise Josephus' interpretation of the patriarchal narratives about Hagar and Zelpha and Balla. Of the few studies on Josephus' interpretation of Pentateuchal slave laws, most focus on comparisons between his interpretation and rabbinic tradition.¹¹⁶ Where parallels are in evidence, Josephus' alterations to Pentateuchal law are seen as representative of rabbinic tradition.¹¹⁷ Thus, Olitzki and Weyl¹¹⁸ have compared, and found similarities with, Josephus' slave laws and halakhah from the Mishnah to Maimonides and Nachmanides.¹¹⁹ Cohen's comparative study of Jewish and Roman law also argues for many similarities between Roman law and Josephus and the Mishnah in matters of slave law and the practice of slavery.¹²⁰ Although Cohen was reluctant to "make any statement on the question of whether the Jews and the Romans had profited to any great extent from each other's legal experiences", Josephus' reliance upon rabbinic discourse on slaves and slavery is accepted.¹²¹ There is, however, little evidence in Josephus' retelling of the biblical laws to suggest his reliance on any particular textual or oral traditions, other than a version of the canonical Pentateuch such as the MT or LXX.¹²²

Studies that presuppose the normative status of rabbinic Judaism in Josephus' time suffer from the same methodological flaw that others, focussing on representations of slave law and tradition in a variety of Second Temple Period Sources (Pentateuch, Josephus, Philo, New Testament, manumission inscriptions, papyri and so on), do not. In general terms, these rightly conclude that we must be wary of using rabbinic materials in the reconstruction of Jewish social institutions of the Roman period,¹²³ such as slavery, because these sources did not intend to "reflect actual practice or historical reality, but depict an imaginary or utopian world".¹²⁴ They also suggest two other important things. Firstly, that Josephus' modifications to biblical slave law, when compared to those of Philo and other sources, show that there was little consensus on the Jewish treatment of, and interaction with slaves, and that a variety of practices existed; and, secondly, that, although biblical slave law was respected by Jews such as Josephus, it was not implemented in practice.¹²⁵ Indeed, one strand of thought concludes that, by Josephus' time, Jewish and non-Jewish slave tradition and practices were the same in many, if not most respects.¹²⁶ Likewise, Gibbs and Feldman¹²⁷ provide an exhaustive survey of Josephus' use of slave vocabulary and conclude, as does Wright,¹²⁸ that his application of slave terms accords with Hellenistic usage, thus, slave vocabulary is used by Josephus randomly, rather than to denote a particular status or function to the slave. Moreover, for Wright, Josephus' use of Greek slave terminology demonstrates that by the first century CE Jewish and Roman slave traditions were virtually identical.

We must, however, remember the limitations of the evidence on which such conclusions are based – rabbinic literature,¹²⁹ Greek literature written by Jews¹³⁰ and documentary evidence.¹³¹ Even a study that claims to have included all of the available evidence of the relationship between Jews in antiquity and slavery reaches the same conclusion and must be treated cautiously.¹³² The various types of evidence predominantly reflect the views, traditions and practices of elite Jews in a wide variety of contexts – Judaeans and Diaspora. These sources do not represent the traditions and practices of *all* Jews of during the *whole* of the Second Temple Period which are either unrecorded or no longer extant. For this reason my analysis does not take Josephus’ representation of the Pentateuchal slave material as representative of the wider Jewish engagement with slaves and slavery in his time, but as an expression of a meeting of his own views and agendas which must be understood as the product of a specific location and time-frame.

Hagar, Zelpha and Balla:

The relationship between Abraham, Hagar and Sarah, and the characters in the parallel narrative, Jacob, Rachel, Leah, Zelpha and Balla are the subject of a considerable body of – especially feminist - research. Some¹³³ look at their representation in Genesis alone; while others¹³⁴ compare the nature of Josephus’ narratives with those of the biblical narratives. Tribble’s work on Hagar is particularly useful as she draws out of the narrative the social and legal dynamics of the conflicts between Sarah and Hagar that are played out around Abraham, Ishmael and Isaac. Teubal’s monograph also engages with this complex set of relationships, but her study is essentially an alternative reading of what she considers to be narratives blighted by centuries of androcentric editing that has submerged the “true” meaning and intent of the biblical story.¹³⁵ Although Teubal, like Tribble, provides an insightful assessment of the power structures of the relationships between Hagar, Sarah and Abraham, her analysis is marred by her reliance on evidence from ancient Near Eastern sources which leads her to make assumptions with regard to the status of Hagar (not Abraham’s concubine or Sarah’s slave, but her heir) and Sarah (a priestess) that are not evident in Genesis.¹³⁶ Neither Tribble nor Teubal include any substantial analysis of the Zelpha and Balla narratives in their studies. This thesis, however, does not assume that Josephus would have been aware of the pre-biblical traditions that form the basis of the Pentateuchal narratives, especially because his versions reflect the events and characters as they are portrayed in Genesis of MT and LXX – that is the form of the story which essentially informs his interpretation.

Brenner's study takes as its starting point the "birth of a hero" myth or paradigm which appears in the literature of many ancient cultures telling of the birth of a hero, of many hardships that attend his birth and early life, and how he spends his formative years. The biblical paradigm possesses its own specific features and circumstances. Thus, in the case of the Hagar and Sarah/Rachel, Leah, Zelpha and Balla stories these are as follows: a) at least two heroes are born one of which, generally the first born, proves to be the 'false' hero, while the second child emerges from the narrative as the 'true' hero who carries the divine promise, b) two mothers produce between them one hero.¹³⁷ Brenner's discussion looks at how the "birth of the hero" paradigm is played out against the backdrop of the social and legal aspects of the behaviour and interaction of the women, noting also the absence of the father of the hero in the paradigm's episodes.

Baily and Amaru also provide detailed analyses of Josephus' portrayal of Sarah, Rachel and Leah and emphasise the high degree of Hellenization of the women and their respective narratives but without sufficient comparisons with examples from non-Jewish Hellenistic literature. Both studies are useful for two principal reasons: Baily, in particular, provides a table of the modifications Josephus has made to the narratives, most of which were already available in Franxman's¹³⁸ appraisal of Josephus' treatment of the Genesis narrative;¹³⁹ the strength of Amaru's study is in her assessment of Josephus' "idealised abstractions" of the Genesis narratives.¹⁴⁰ Neither, however, goes very far to examine Josephus' portrayal of the relationships between Sarah, Rachel and Leah, on the one hand, and their slave women, on the other, nor for that matter, do they attend, to any great extent, to how Josephus represents Hagar, Zelpha and Balla in his narrative. On the whole, the analyses of Baily and Amaru treat Hagar, Zelpha and Balla as incidental to their main themes, namely Josephus' idealisation of the matriarchs, and as a result they omit several important aspects of the slave women's story.

Previous scholarship of Josephus' *Antiquities* often fails to be completely satisfactory because it looks at wider themes of Josephus as a writer with little analysis of the smaller details, or examines restricted contexts of his works at the expense of encompassing all of the factors that may have informed and shaped his retelling of the various contexts, characters, laws and narratives in books I-IV. For example, Franxman¹⁴¹ and Feldman¹⁴² show us how and where Josephus has modified his biblical source in the *Antiquities* I-IV, but pay very little attention to the question of why and for whom the texts have been reshaped. Others have concentrated

on analysing very limited subject areas, such as Josephus' Hellenizations of individual characters or scenes in the Pentateuch and beyond,¹⁴³ generally at the expense of looking at the wider context of the narratives in which these characters or scenes appear in the biblical text.¹⁴⁴ The analysis in this thesis differs from much of previous scholarship because it provides a detailed assessment of Josephus' sources, method of biblical interpretation and agenda within limited, specific contexts of *Antiquities* I-IV, namely female slaves and their Jewish masters, rather than looking at the wider themes and contexts as have Franxman, Attridge, Feldman, Sterling and others. This study also advances the scope of the discussions by Tribble, Teubal, Brenner, Baily and Amaru in several ways by looking at all, rather than a limited portion of the evidence for the representation of female slaves in the Pentateuch and Josephus' *Antiquities*. Beginning by developing the themes of the legal and social interaction of all the characters instead of focussing primarily on the female figures, I go on to compare my analysis of the MT and LXX Genesis narratives other sources that mention the characters with a comprehensive summary of the modifications of Josephus' retelling to see how and where Josephus differs from his source of the Pentateuch and whether he was reliant on other traditions. Thirdly, I compare Josephus' Hellenizations, additions, omissions and expansions with concrete examples of Hellenistic-Roman slave traditions and practices rather than with loosely defined "Hellenisms". Fourthly, my discussion concentrates on the topic of slaves, slavery and the relationship of slaves to the biblical characters and how Josephus portrays these contexts to his audience. By the very nature of the discussions in this study issues other than slavery arise from the analysis. We are also given an insight into Josephus' view of women, not in isolation as is the tendency of Baily and Amaru, but in the context of their relationships with their husbands and other social interactions. Given the current high level of scholarly interest in the representation of women in ancient Jewish literary sources over the past few decades,¹⁴⁵ it is surprising to find that very little work been conducted on women in the works of Josephus.¹⁴⁶ The only monograph that I am aware of is a comparative study that focuses on representations of Deborah, Jephtha's daughter, Hanna and the Witch of Endor in Josephus' *Jewish Antiquities* and Pseudo-Philo's *Biblical Antiquities*.¹⁴⁷ This oversight is despite Baily's assertion that: "A careful examination of Josephus' writings could yield important results for the study of women in antiquity since these works [*Antiquities*] offer depictions of Hasmonaeon and Herodian women of the post-biblical period and Josephus' own reworked portraits of women from the biblical tradition".¹⁴⁸

The analysis which follows confirms the findings of scholarship on Josephus that concludes that he freely interprets the narratives and legal material as we know them from the Pentateuch like that of the MT and LXX, often substantially modifying the characters, contexts and chronology of the biblical text in accordance with his apologetic agenda and, despite the sometimes radical changes to the biblical narratives, the basic framework of the stories is retold and the outcomes preserved. However, the general tendency of much of previous scholarship on Josephus' methodology in his retelling of scriptural narratives and laws is to investigate large sections of *Antiquities* in order to discover how he interprets biblical material and also to identify his sources.

Section Two: Josephus & Slavery: Jewish & Roman Tradition and Practice

The purpose of this section is to set out the context for Josephus' life experiences that may have helped to shape his retellings of slave narratives and law in his *Antiquities*. Accounts of Josephus' early life, his education, his career in Rome, and the authorship of his works are all topics covered in general studies of Josephus, and what follows does not attempt to repeat what has been well said elsewhere.¹⁴⁹ Instead, my discussion will focus on two key questions. Firstly, I look at the Jewish context: what aspects of Josephus' socio-economic background, education, and life experiences in Judaea may have helped to form his attitude towards slaves and slavery? Here I summarise Jewish slave law from the Pentateuch, going on to discuss the wider context of Jewish slavery using the evidence of Josephus and elsewhere. Secondly, I look at the Roman context: what aspects of Roman slave law and tradition would Josephus have been familiar with? Thirdly, I look at how the combination of his life experiences and knowledge of Jewish and Roman slave laws is reflected in his retellings of the Pentateuchal laws and narratives in *Antiquities* I to IV.

a) The Jewish Context:

Josephus presents us with an impressive picture of his wealthy and aristocratic origins in Judaea. He represents himself as born to a wealthy and distinguished Jewish family who were directly connected to the Jerusalem priesthood during the reign of the emperor Gaius (37-38 CE).¹⁵⁰ Moreover, he reinforces his illustrious ancestry by claiming royal descent via the Hasmonean dynasty on his mother's side (*Life* 2-4), and Suetonius' description of him as 'one of the captured noblemen' in his history of Vespasian (*et unus ex nobilibus captivus*) lends credence to Josephus' own claims.¹⁵¹ Josephus tells us that he was in a position of great

diplomatic authority at the age of twenty-six (c. 64 CE) when he went to Rome as part of an embassy to free Jewish priests imprisoned by Nero (*Life* 13). Josephus provides an account of his participation as a general in the Jewish War which, for the most part, was led by and on behalf of aristocrats,¹⁵² the prevailing attitudes of whom are reflected, to a large extent, those of the aristocracy of the Graeco-Roman world in general.

This information suggests that Josephus belonged to the traditional Judaeian social, religious and political elite of his time who were associated with the first of twenty-four priestly courses who managed the Jerusalem Temple service in rotation.¹⁵³ Unfortunately it is impossible to say with any certainty whether Josephus' family were slave owners as he makes no specific references to slaves in his paternal household in any of his writings. However, we may make some assumptions on this point, based on the evidence available for the slave practices of elite Jewish families in Josephus' time. For example, we know that virtually all wealthy families in the Graeco-Roman world owned domestic and agricultural slaves.¹⁵⁴ There is evidence from the eighth century BCE that noble Jewish families, including those of the priestly orders, were landowners that used slaves.¹⁵⁵

According to Seth Schwartz, both the high priesthood and lower priests enjoyed a high social status that was inextricably linked with their connection to the Temple and that was conferred by the possession of land.¹⁵⁶ Moreover, he concludes that part of the reason the high priesthood failed to re-establish itself as a political force in the post-70 CE period was precisely because its power had evaporated after the Romans confiscated its landholdings.¹⁵⁷ In order to increase the productivity and profitability of these estates it is likely that agricultural slaves, rather than salaried employees, worked this land. As members of the Judaeian priestly elite it is probable that Josephus' wealthy and aristocratic family would have been no different to their contemporaries in this regard.

The bulk of the biblical legal guidelines for the acquisition, release, and sexual relationships of slaves are amalgamated into blocks of legislative material in different books of the Pentateuch: Exodus 21: 2-11; Leviticus 25: 39-55; and Deuteronomy 15: 12-18. The content of these texts raises many questions regarding the socio-economic history of ancient Israel and the history of the redaction of the Pentateuch with which this thesis is not directly concerned.¹⁵⁸ Among the principal sources informing Josephus' Jewish context is the slave legislation on slaves set out in the Pentateuch. These laws present two types of slave law:

temporary slavery which applied to Hebrews and permanent slavery which applied to foreigners. The distinction occurred because the chief sources for slaves in the Ancient Near East were war captives who, as foreigners, could be enslaved for life.¹⁵⁹ However, economic conditions also ensured a regular supply of native-born slaves, minors, for example, could be sold by poor or indebted parents, or adults could sell themselves into slavery through debt or insolvency.¹⁶⁰ Thus an attempt to minimise slavery among Israelites, as opposed to foreigners, based perhaps on the memory of their enslavement in Egypt and the belief that Israelite society should be made up of free men,¹⁶¹ restricted the tenure of the Hebrew enslaved for debt.

Exodus:

Within the oldest biblical legal collection of the Pentateuch, Exodus, appears a series of laws on slaves.¹⁶² The first part of the slave legislation (Exodus 21: 2-6) provides guidelines for the ownership of a male Hebrew slave, stating a time limit of this service of six years, after which he is to be set free without debt.¹⁶³ If the Hebrew slave was married at the time of his enslavement his wife would also have been enslaved but would be released with him. These slaves could expect to maintain family ties so their service, therefore, can be seen as more akin to that of an indentured servant rather than chattel slave.¹⁶⁴ There was the option for the Hebrew slave to remain with his owner after the six years and the transition of the status from temporary slave to permanent slave is marked by a ritual described at Exodus 21: 6.¹⁶⁵

Exodus 21: 7-11 focuses on the female slave sold as a concubine by her father.¹⁶⁶ If the master declined to take her as a concubine for himself the woman was to be given to his son or freed. Although her ethnicity is not specified, the fact that she was not to be sold to a foreigner implies that she is of Hebrew origin.¹⁶⁷ Exodus, therefore, provides explicit legislation for the ownership of a Hebrew slave. There has been much scholarly debate with regard to the term 'Hebrew', its etymology, and its referent in early biblical texts. Some conclude that originally the term 'Hebrews' did not denote Israelites and contend instead that the term is derived from the Semitic root *habiru/hapiru*, which designates foreigners, but not a specific ethnic group.¹⁶⁸ It is thought that the term *habiru/hapiru* was gradually superseded, and by the time of the monarchy the Hebrew term עברי became the designation of the Hebrew peoples.¹⁶⁹ Thus according to Gibson this passage from Exodus may have originally provided legislation for the enslavement of foreigners among the ancient Israelites. However, Exodus 21: 2-6 was eventually interpreted, even by the Deuteronomist, to refer to Israelites.¹⁷⁰

Leviticus:

The slave legislation in Leviticus appears in the context of the Holiness Code, a collection of legal material that has been incorporated into the Priestly Source and is generally given a date prior to the Exile.¹⁷¹ It is generally agreed that the compilers of the Leviticus material were also aware of and employed the Covenant Code within their corpus.¹⁷² It appears that the treatment of slaves and slavery in the Holiness Code was intended to clarify the circumstances set out in Exodus in which a Hebrew could serve another Hebrew. Thus, according to Leviticus, a Hebrew who was forced to sell himself because of debt was not to be treated as a slave but as a kind of indentured servant.¹⁷³ The conviction is expressed in Leviticus that Hebrews must not be enslaved to foreigners and that fellow Hebrews must redeem their countrymen if they sold themselves as slaves to non-Hebrews.¹⁷⁴ With respect to the release of slaves Leviticus provides separate guidelines for Hebrews and non-Hebrews. Hebrews enslaved to other Hebrews or resident aliens, and temporary slaves such as debtors and paupers could expect to be released from their servitude in the Jubilee year.¹⁷⁵ Foreign slaves could be slaves for life and did not benefit from the Jubilee clause.¹⁷⁶

Deuteronomy:

The slave laws of Deuteronomy represent the final form of a collection of legal material originating in both Exodus and Leviticus and date from around the seventh or sixth century BCE.¹⁷⁷ Several indicators show the Deuteronomist's dependence on the previous legislative material, especially Exodus.¹⁷⁸ For example, the period of service of six years is derived from Exodus,¹⁷⁹ whereas, derivations from Leviticus are less obvious. The reminder that God brought the Hebrews out of Egypt (Lev. 25: 55) is presented between two clear derivations from Exodus: the six year release rule, and the slave's option to remain with the master (Deut. 15: 12-18).¹⁸⁰ The Deuteronomist also avoids using the precept from Leviticus that Hebrews should not serve as slaves at all. Instead it is recast to support Deuteronomy's specific emphasis on the charity to be shown to the outgoing slave.¹⁸¹ Moreover, the Deuteronomist rejects the separate regulations for men and women that are a distinct feature of Exodus, instead Deuteronomy applies equally to both sexes (Deut. 15: 12, 17).

How does Josephus deal generally with these laws? For example, in books III and IV of *Jewish Antiquities* Josephus, like Philo¹⁸² and the rabbis,¹⁸³ provides his audience with a systematised restatement of Mosaic slave law in one paragraph in accordance with his claim

to only have classified what he found in the Pentateuch (*A. J.* IV: 197). Within this short statement of slave law he combines the laws of Exodus, Leviticus and Deuteronomy on the acquisition and release of slaves but shows no particular preference for any of them. In the excerpted sections of Exodus and Deuteronomy he shares their expectation that a slave will serve for six years and that, as with Exodus, a slave can opt for permanent slavery if he so wishes, but Josephus omits the reference to the ceremony with the awl that marks the slave's transition from temporary to permanent slavery. Josephus also omits Deuteronomy's charitable instruction to supply the outgoing slave with provisions for his regained freedom. He does, however, include Leviticus' instruction to release slaves in the Jubilee year but makes an innovative comment that this clause relates only to a slave who has chosen to remain with his master.

Despite Josephus' inclusion of elements of Leviticus in his statement he omits the reference to the special treatment a Hebrew slave of a Hebrew master can expect i.e. that he be treated as an indentured servant. Finally, Josephus does not include either of the biblical phrases, 'Hebrew' or 'kinsmen' to identify the ethnicity of the slaves in question. Instead he opts for the more neutral term "ὁμοφυλός" ("of the same race") as a substantive.¹⁸⁴ The fact that authors such as Josephus, Philo before him, and the later rabbis, continued to comment in response to the Pentateuchal slave laws shows that these laws remained of fundamental importance to Jewish writers in the Graeco-Roman period. But how far did the attitudes towards slaves and slavery of later Jews, such as Josephus, reflect the Pentateuch's precepts even if they did not act upon them. In the case of Josephus this question can be addressed by looking at how he perceives slaves and slavery in incidental remarks in his writings rather than in the set pieces of his biblical re-presentations.

Let us look at a few examples of Josephus' treatment of the legal material in *Antiquities*. At *Antiquities* IV: 219 Josephus tells us that the testimony of one witness is insufficient in court and women, due to the "frivolity and rashness of their sex", and slaves, because of the "ignobility of their souls", are also prevented from giving testimony. A study of Josephus' representation of the witness laws of Deuteronomy has shown that although Josephus has linked the subject matter in the same manner as his source, probably the Septuagint's version of Deuteronomy 19: 15-20, the details of the biblical laws have been ignored in favour of representing the material in accordance with the traditional values of the Roman elite.¹⁸⁵ My own research in the preparation of this thesis shows that Josephus has modified many aspects

of Jewish slave law in order to appeal to the taste of his non-Jewish audience. For example, we have already seen that in his re-presentation of the biblical laws regulating the acquisition and release of slaves at *Antiquities* IV: 273 Josephus has made no additions to the scriptural material, instead he has amalgamated excerpts of similar laws from three books of the Pentateuch, Exodus 21: 2-5, Deuteronomy 15: 12, 16 and Leviticus 25: 10, 40, 41.

Furthermore, Josephus has also made many omissions as follows. Although Josephus is similar to Exodus and Deuteronomy in his opening sentence that the Hebrew slave serves a master for seven years only, he has omitted the Deuteronomic expansion of Exodus that specifically includes female Hebrews in its legislation (Deuteronomy 15: 12). Josephus omits Exodus 21:3, which states that a single man or one who is married must leave his master's service at the end of seven years either alone or with his wife). Missing from Josephus' text is the reference to enslavement in Egypt (Deuteronomy 15: 13-15). Although Exodus 21: 4 states that a male slave given a slave wife from his master's house must leave his wife and any children from that relationship behind in the seventh year, Josephus omits this from his rendering: instead he offers a combined version of Exodus 21: 5 and 6 and Deuteronomy 15: 16 and 17. Here he tells his readers that the slave who has made a family in his master's house, or the slave who is content to remain with the master may do so until the Jubilee year, at which time he and his family may go free. This notion of release in the Jubilee year does not occur in either Exodus or Deuteronomy but has been appropriated from Leviticus 25:39 to 41. Also omitted from Josephus' account is any reference to the ear-boring ceremony, an event that features in both Exodus and Deuteronomy. *Antiquities* IV 273 makes no mention of Exodus 21: 7-11 that makes provision for the treatment of the female Hebrew who is sold into slavery by her father. Josephus may have made these changes because Exodus, Deuteronomy and Leviticus no longer accurately represented the manner in which first century Jewish society went about acquiring and releasing its slaves. As Gibson, Martin and Wright have suggested, Josephus' representation of these laws may well reflect the Jewish practice current in his time.¹⁸⁶ If this is the case then it is likely that other Second Temple Period written sources will have recorded these updated practices in a similar manner. The only extant source other than the Hebrew and Greek Pentateuch to Exodus 21: 2-11 is in 4Q156 fragments 7-8 from the Qumran caves. This document, however, repeats its Pentateuchal source almost verbatim. In the absence of further comparative evidence we may assume that Josephus' alterations and omissions in this instance were executed to simplify the various biblical accounts, but also to make the text conform to elite non-Jewish sensibilities

towards acquiring and manumitting slaves, in which case Josephus would be in complete accord with his aims as a Jewish apologist.

The above summary of Josephus' omissions shows that what has been left out of his text falls into three thematic categories. In the first category, Josephus disregards the biblical legislation that is inclusive of, or provides specifically for, the acquisition, emancipation and treatment of female slaves. Josephus refers only to the rights extended to male Hebrew slaves. Roman law does not distinguish between the sexes in this regard. In the second category, Josephus has removed references to God's redemption of the Hebrews from slavery in Egypt, and the reference to a religious ritual for the making of a permanent slave. The minimization of the role of God is common to Josephus' apologetic technique. The third category pertains to the compulsory periods of time after which the Hebrew slave must be manumitted. In this case Josephus has simplified slave releases to six years for the single male slave and to release at the Jubilee year for the male slave who has gained a wife and family during his period of enslavement.

Boaz Cohen's comparative study of Jewish and Roman law has also isolated instances where Josephus' interpretation of the Pentateuch's slave law has been harmonized to bring it in line with Roman law. For example, Exodus 22: 2 tells us that a convicted thief who could not afford to compensate his victim was to be sold into slavery, whereas in Josephus' version, the thief compensates his victim by becoming his slave (*A. J.* IV: 272).¹⁸⁷ Furthermore, Josephus tells his readers that at the time of the Jubilee when "debtors are absolved from their debts and slaves are set at liberty, that is to say those who are members of the race and having transgressed some requirement of the law have by it been punished" (*A. J.* III: 282). Josephus was aware that Exodus 21: 2 set the emancipation of Hebrew slaves after six years of service whilst Leviticus 25: 40 and 54 set emancipation at the Jubilee year. Josephus sought to resolve this contradiction by assuming that Jewish law, as in Roman law, an individual could be reduced to penal slavery for committing a capital offence. In Roman law there were a number of capital crimes for which an individual could be punished by becoming a *servus poenae* (penal slave). Moreover, individuals sentenced to death would also endure *servus poenae* due to the often long delay between sentencing and execution. Inasmuch as in Jewish law executions took place on the day of sentencing, Josephus was thus compelled to explain that criminals sentenced in Jewish law could be sold into slavery for crimes that did not incur the death penalty and were then freed in the Jubilee year.¹⁸⁸

If we turn to the subject of the value of slaves to their masters and of how slaves should be treated by them, Josephus is selective of the sources he uses and material he omits to demonstrate Jewish practice, and presumably his own views, to his audience. For example, he is content to show his readers that the Pentateuch¹⁸⁹ legislates that if a slave is killed by another person's ox the animal is to be stoned and its owner must pay cash compensation to the slaves' owner (*A. J.* IV: 282). It may be no coincidence that this piece of legislation is retained by Josephus as it has direct parallels with Roman practice¹⁹⁰ whereby an injury to a slave by a third party was considered an attack on the owner's rights that he was liable to be compensated for.¹⁹¹

Josephus, however, omits from his retelling of Pentateuchal slave law the statute that should a Jewish master murder his male or female slave, that master is to be punished for his crime (Exodus 21: 20). Furthermore, Josephus also omits the legislation in Exodus that promises that "if [a master] smite out the eye...tooth of his manservant or his maidservant..." the slave is to be freed as compensation for his or her injury at the hands of their master (Exodus 21: 27). It is likely that Josephus has omitted this piece of humanitarian legislation either because he disagreed with it, or it had fallen out of use, or because his elite Roman audience would have balked at such an infringement of the rights they enjoyed over their slaves. In the early Republic, the right for an owner to treat his slaves exactly as he pleased was absolute. Under the Empire there emerged a general tendency for the state to restrict, or at least monitor, the rights of slave-owners to beat their slaves,¹⁹² whilst the owner who killed a slave could be charged with homicide.¹⁹³ However, as Bradley demonstrates the theory of these so-called humanitarian laws did not necessarily match actual practice and most often, because slaves could not testify against their owners, protection from maltreatment was not great.¹⁹⁴

Josephus' general attitude towards slaves can be ascertained from the scattered references to slaves and slavery throughout his writings. These give us an insight into his thinking on slavery and show that his view, probably representative of all elite Jews, was no different to that of aristocratic Romans. That his view of slaves is not complementary is suggested by his inclusion of them in his description of the "dregs of society and the bastard scum of the nation" (*B. J.* V: 443). It is also clear from his statement at *Antiquities* XVIII: 21 that Josephus considered slaves and slave ownership a normal and natural occurrence in Jewish society. In this passage he tells us that the Essenes were notable in the fact that the

community eschewed slave ownership. Philo, too, finds this practice noteworthy but adds the Therapeutatae to the Essenes as non-slave owning sects of Jews.¹⁹⁵ The evidence from Qumran also suggests that the Jewish community there were required to forfeit their slaves on entry to the sect. An ostrakon discovered at the Qumran site records how Hōnî gave up all of his property, including his slave Hōlôn, on entry to the community.¹⁹⁶ The implication of Josephus' statement is, however, that from his perspective the refusal to keep slaves was an unusual trait in his contemporary Jewish social setting.¹⁹⁷ Elsewhere, Josephus' view that slaves were intellectually, morally and socially inferior to free persons is amply demonstrated at *Antiquities* IV: 219. Here Josephus tells his audience, contrary to Pentateuchal tradition, that a slave's testimony cannot be accepted in court "because of the baseness of their soul, since whether from cupidity or fear it is like that they will not attest the truth".¹⁹⁸ Here we can see that according to Josephus slaves, as opposed to a free man, cannot be depended on to speak the truth because they lack intellect and moral integrity. This stereotypical view of the slaves pervades Graeco-Roman thought and is certainly not unique to Josephus.¹⁹⁹ For example, testimony extracted under torture was considered to be the only reliable, although not infallible,²⁰⁰ method of obtaining the truth from a slave witness in Roman legal practice.²⁰¹ Although Josephus has not gone so far as to recommend torture it does seem likely that he has in this instance modified Pentateuchal law to conform to Roman elite sentiments on the admissibility of slave testimony.²⁰²

b. The Roman Context:

In the Roman period the supply of slaves was guaranteed by an empire wide network of slave markets and later by the number of slaves that were bred within slave societies by other slaves.²⁰³ Jews and Romans were the inheritors of slave traditions, which for the Jews, had its beginnings in the Ancient Near East. Sources from this period confirm that slaves were obtained as war captives, as debt slaves or were acquired abroad - foreign slaves were sold as a commodity by merchants who also traded in wheat, cattle and so on.²⁰⁴ Piracy too played a large part in the ancient Graeco-Roman slave supply. Strabo (XIV, 5, 2) speaks of the second century BCE pirates of Sicily and Crete who supplied the slave market of Delos with many thousands of slaves. This figure may not accurately represent the sum of the activities of the pirates alone, and probably includes slaves brought to market by other means, but it does give some indication of the numerical scale of just one centre of the Greek slave trade.²⁰⁵ Aside from external sources of slaves, which probably dwindled as the empire peaked, slaves were

sourced internally by the collection before death of exposed infants but primarily through self-renewal (slave breeding).²⁰⁶

It is probable that Josephus was familiar with Roman slave practices even whilst living in Judaea. Gibson, Wright and Martin have shown that Jews followed the slave practices of the dominant Hellenistic culture in which they lived,²⁰⁷ so it is likely that Josephus would have been conversant with much of the elite Roman traditions on slaves and slavery before taking up residence in Rome after the Jewish Revolt of 66-70 CE. Josephus hints in his writings at his first-hand knowledge of slaves and slavery from a Roman perspective. Vespasian ordered him to marry a female war captive from Caesarea (*Life* 414), his son was tutored by a eunuch slave (*Life* 429). Furthermore, Vespasian granted him a tract of land in Judaea, the income from which was exempt of tax.²⁰⁸ We may surmise that controlling his estates in absentia would have been impossible, so salaried managers and slave workers are likely to have run them. Whilst in Rome Josephus would have had contact with court slaves and the slaves of the Roman aristocracy: he was doubtless able to observe closely the interactions of elite slave/master relationships and to perhaps gain some insight into Roman slave law.

However, it is difficult to know the precise nature of Roman slave law in Josephus' time as our knowledge of it generally is constructed from a variety of sources both legal and literary, and extant legal sources are mainly from the period after the first century CE.²⁰⁹ The jurist Florentinus defined slavery as "an institution of the *ius gentium* whereby someone is subject to the *dominium* of another contrary to nature".²¹⁰ Thus, because slaves were considered to be property, as much as one would consider a chair or a book to be property, Roman law had to deal with them more than with any other single subject. Every act or relationship, whether civil or criminal, contractual or delictual or familial, required special guidelines and adaptations to existing laws if slaves were involved. Roman law did not deal expressly with slaves and slavery *en bloc* as we have seen was the case with the collections of slave law in the Pentateuch, apart from the rules that determined a man's status and there were only special provisions with respect to slaves within the laws of contracts, sales etc. Any modifications specific to slaves varied, within rather narrow limits, between Gortyn and Athens or between Rome of the XII Tables and the Rome of Cicero. As Roman society and its economy expanded and grew more complex with the growth of the empire during the second and first centuries BCE²¹¹ more slaves were used in higher status managerial and semi-independent roles which required new legal regulations with regard to *peculium*, for

example. These changing roles led inevitably to new recognition of *de facto* personality, to quasi-marriage rights or to the rights of asylum. At best this amelioration of the slave's lot in life barely altered the social and legal attitudes of most Romans towards their slaves. It is notable that Justinian's lawyers had to fill the *Corpus Iuris* with classical slave legislation.²¹²

There were few Roman laws that legislated for the slaves' protection from abuse by their masters. Every aspect of the life of a slave was under the control of the person who owned them: simply put, slaves were non-persons.²¹³ In Roman law slaves were fully owned by their masters who could inflict any punishment, even death, upon them: there were no legal limits to the power of the master over their slaves,²¹⁴ although the emperor Hadrian removed the right to kill slaves in the second century CE.²¹⁵ The Roman playwright, Plautus, provides us with an exaggerated, but none the less realistic, idea of the kind of floggings and beatings a slave could expect from his/her master,²¹⁶ Cato the Elder, on the other hand, speaks of a kind of rustic idyll for the slaves in his country estates.²¹⁷ Roman law, as embodied in the Twelve Tables, did not recognise slaves as persons, so that they could not enter a legally recognised marriage, although a marriage-like relationship (*contubernium*) was recognised in law. This regulation did not favour the slave couple so much as their master. Even though anyone who bought a 'married' pair of slaves was compelled to return both should one of them prove in some way faulty, individual slaves could, however, be sold without their married partner.²¹⁸ The killing of a slave, even by someone who was not their master, was not considered to be an act of murder in early Roman law, later, however, there were moves to make owners more accountable.²¹⁹

Roman law, like Jewish law, recognised the rights of action of the master in seeking financial recompense for injury to a slave caused by a third party. In the Twelve Tables restitution was calculated at half that for a free person assimilating the compensation to a free citizen. Later law assimilated compensation for injury of a slave to that awarded for injury to an animal (Chapter III *Lex Aquila*). According to Dionysius, however, Roman law provided for the protection against excessive cruelty towards a slave by his master. He asserts that the actions of Roman individuals were open to the authority of the censor who would ensure that "a master [should not] be cruel in the punishment doled out to his slaves" (*Roman Antiquities* XX: 13). Dionysius provides no examples of punitive measures taken against citizens who were cruel to their slaves. In fact other evidence demonstrates that punishments for cruelty did not happen at all. Censors were appointed every four to five years and according to the

Lex Aemilia served for only eighteen months. For three and a half years out of every five there were no censors.

Moreover, slaves had no access to the legal system at all and a high level of physical control by the master over his slave would have prevented a complaint coming to light in the first place.²²⁰ Ill-treatment of a slave, unless blatantly public, was unlikely to have attracted witnesses of the citizen class who, because of their status, could act in court. And in any case the class solidarity would probably have ensured the cruel master's immunity from prosecution.²²¹ In any case, the fact that legislation may have existed to protect slaves from cruel treatment does not presuppose that such legislation was being applied in the wider society: Finley and Bradley both question how easily or often slaves were able to obtain legal redress under Rome's supposedly humanitarian legislation.²²²

It is impossible to speculate on how far the laws of Rome were applied in the rest of the vast Roman Empire but in general terms, the Romans allowed the conquered provinces to continue with their legal life in accordance with their own traditions.²²³ However, it is fair to say that, in some areas at least, there were substantial similarities between Roman and provincial practice.²²⁴ There is significant evidence to show that formulae which are faithful to the practices attested by the juristic writings for Rome were in operation in Roman Arabia, Spain, Transylvania and Southern Italy.²²⁵ In a Jewish context, the Babatha archive shows that a non-Roman citizen sued in the court of the Roman governor at Petra, where Roman law was applied, this appears to have been a voluntary decision on her part. Apparently the Jewish population there made use of foreign laws and practices as well as their own. Within the empire there were local variations, thus, in places such as Arabia and Egypt where indigenous legal orders survived they were tolerated by the Roman administration.²²⁶ If Babatha, a non-elite Jew, had knowledge of, and access to the Roman and Jewish legal systems, then it seems to me highly probable that, given Josephus' educated, elite status, he would also have had a sound understanding of both Jewish and Roman law.

¹ See *A. J.* I: 7; II: 347; IV: 196; IX: 214; X: 218; XIV: 1; XX 260-263.

² See G. Sterling, *Historiography and Self-Definition: Josephos, Luke-Acts and Apologetic Historiography* (Leiden, New York, Köln: E. J. Brill, 1992), pp. 253.

³ For discussions on the text of the Old Testament see B. S. Childs, *Introduction to the Old Testament as Scripture* (London: SCM Press, 1979); J. A. Soggin, *Introduction to the Old Testament*, Third Edition (London: SCM Press, 1989); J. T. Barrera, *The Jewish Bible and the Christian Bible: An Introduction to the History of the Bible* (Leiden, New York, Köln: E. J. Brill; Grand Rapids, Michigan, Cambridge University Press: Eerdmans,

- 1998), pp. 259-366; J. Barton and J. Muddiman (eds.), *The Oxford Bible Commentary* (Oxford University Press, 2001), pp. 5 f.; O. Kaiser, *Introduction to the Old Testament: A Presentation of its Results and Problems* (Oxford: Blackwell, 1975).
- ⁴ For discussions on the Pentateuch see J. Blenkinsopp, *The Pentateuch: An Introduction to the First Five Books of the Bible* (London: SCM Press, 1992); R. N. Whybray, *The Making of the Pentateuch: A Methodological Study* (Sheffield Academic Press, 1987); R. Albertz, *A History of Israelite Religion in the OT Period*, ET (2 vols.: London: SCM Press, 1994).
- ⁵ According to S. Cohen, Josephus used a text very similar to extant versions of *Aristeas* and no other. See Cohen, *Josephus in Galilee and Rome: His Vita and Development as a Historian* (Boston, Leiden: Brill Academic Publishers, 1979), pp. 22-23. See also the full-length study by A. Pelletier, *Flavius Josephus adaptateur de la Lettre d'Aristée. Une réaction atticisante contre la koinè* (Paris: Du Cerf, 1962), especially his synopsis of the two texts, pp. 307-327.
- ⁶ Sterling, "The Invisible Presence", p. 81; Cohen, *Josephus in Galilee and Rome*, p. 35; L. H. Feldman, *Josephus, the Bible, and History* (Detroit: Wayne State University Press, 1989), pp. 20-21.
- ⁷ For Josephus' reliance on the MT alone see, I. A. Ernesti, *Exercitationem Flavianarum prima de fontibus Archaeologia* (Leipzig, 1756), and his *Opuscula Philologica Critica* (Leiden: Lugduni Batavorum 1776); also G. Tachaur, *Das Verhältniss von Flavius Josephus zur Bibel und Tradition* (Erlangen: Junge & Sohn, 1871).
- ⁸ See L. T. Spittler, *De usu versionis Alexandrinae apud Josephum* (Göttingen: Vandenhoeckii viduam, 1779); Scharfenburg, *De Josephi et versionis Alexandrinae consensus* (Leipzig, 1780), deals only with material from Samuel and Kings. See also A. Mez, *Die Bibel des Josephus, untersucht für Buch V-VII der Archaeologie* (Basel: Jaeger & Kober, 1895).
- ⁸ R. Shutt, "Biblical names and their Meanings in Josephus, *Jewish Antiquities*, Books I and II, 1-200", *JSJ* 2 (1971), pp. 167-182.
- ⁹ See for examples, H. Bloch, *Die Quellen des Flavius Josephus in seiner Archaeologie* (Leipzig: B. G. Teubner, 1879); E. Schürer, *Geschichte des jüdischen Volkes im Zeitalter Jesu Christi* (Leipzig: Hinrichs, 1901-07), vol. I, p. 80. See also Thackeray who suggests that the main source for the Pentateuchal material was the Hebrew bible or a targum, in H. St. J. Thackeray, *Josephus: the Man and the Historian* (New York: Jewish Institute of Religion Press, 1929), p. 81; G. Hölscher, "Josephus", *PWRE* 18 (1916), pp. 1934-2000, pp. 1952-1955. See also Abraham Schalit, "Evidence for an Aramaic Source in Josephus' 'Antiquities of the Jews'", *Annual of the Swedish Theological Institute* 4 (1965), pp. 163-188. For a recent summary of Josephus sources for *Antiquities* see L. H. Feldman, *Josephus' Interpretation of the Bible* (Berkeley: University of California Press, 1998), pp. 65-73.
- ¹⁰ See Cohen, *Josephus in Galilee and Rome*, p. n. 45, see also, H. Attridge, *The Interpretation of Biblical History in the Antiquitates Judaicae of Flavius Josephus* (Missoula, Montana: Scholars Press, 1976), p. 31-32. These passages have also been noted in H. St. J. Thackeray, *Josephus: the Man and the Historian*, pp. 81-82.
- ¹¹ Thackeray, *Josephus: the Man and the Historian*, pp. 81-82; S. Rappaport, *Agada und Exegese bei Flavius Josephus* (Vienna: Kohut, 1930), pp. xxi-xxiv); and Schalit, *Introduction*, pp. xxxi-xxxii.
- ¹² Feldman, *Josephus' Interpretation of the Bible*, pp. 29-29,
- ¹³ See, C. Begg, *Josephus' Account of the Early Divided Monarchy (AJ 8, 212-240): Rewriting the Bible* (Leuven University Press, 1993), pp. 275-276.
- ¹⁴ See for example Feldman's summary of Josephus' possible dependence on rabbinic traditions in, *Josephus' Interpretation of the Bible*, pp. 65-73.
- ¹⁵ Rappaport, *Agada und Exegese bei Flavius Josephus* (Wien: Alexander Kohut Memorial Foundation, 1930), p. xiv. See also H. Bloch, *Die Quellen des Flavius Josephus*, pp. 52 f.
- ¹⁶ Begg, *Josephus' Account of the Early Divided Monarchy*, pp. 275-276. On the dating of rabbinic material, see M. Goodman, *State and Society in Roman Galilee, AD 132-212* (London: Valentine Mitchell, 200), pp. 3-16.
- ¹⁷ For the variety in Second Temple Period Judaism see E. P. Sanders, *Jewish Law from Jesus to the Mishnah: Five Studies* (London: SCM Press, 1990).
- ¹⁸ Begg, *Josephus' Account of the Early Divided Monarchy*, pp. 276.
- ¹⁹ G. Sterling, "The Invisible Presence: Josephus' Retelling of Ruth", in Steve Mason (ed.), *Understanding Josephus: Seven Perspectives*, Journal for the Study of the Pseudepigrapha Supplement Series 32 (Sheffield Academic Press, 1998), pp. 104-171 (108). P. Bilde, *Flavius Josephus between Jerusalem and Rome: the Man, his Writings, and their Importance*, Journal for the Study of the Pseudepigrapha 2 (Sheffield Academic Press, 1998), p. 80. L. H. Feldman, "Use, Authority and Exegesis of Mikra in the Writings of Josephus," in M. J. Mulder (ed.), *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity* (CRINT 2. 1; Assen: Van Gorcum; Philadelphia: Fortress Press, 1998), pp. 455-519 (456-60).
- ²⁰ See Attridge, *The Interpretation of Biblical History*, p. 33.

- ²¹ See for example, S. Pearce, "Josephus and the Witness Laws of Deuteronomy", in Jürgen V. Kalms (ed.) *Internationales Josephus-Kolloquium, Aarhus 1999* (Münster, Hamburg, London: Lit Verlag, 2000), pp. 122-134.
- ²² See J. G. Gibbs and L. H. Feldman, "Josephus' Vocabulary for Slavery", in L. H. Feldman (ed.), *Studies in Hellenistic Judaism* (Leiden, New York, Köln: E. J. Brill, 1996), pp. 83-110; B. G. Wright, "Ebed/Doulos: Terms and Social Status on the meeting of Hebrew Biblical and Hellenistic Roman Culture", in Richard Horsley, Allen Callahan and Abraham Smith (eds.), *Slavery in Text and Interpretation, Semeia* 83/84 (2001), pp. 83-111 (98-100). See also Wright's modified version of the latter article, "Δουλος and Παις as Translations of 727: Lexical Equivalences and Conceptual Transformations", in Bernard Taylor (ed.), *Proceedings of the IXth Congress of the IOSCS* (Cambridge, Atlanta: Scholars Press, 1997), pp. 263-277.
- ²³ M. Olitzki, *Flavius Josephus und die Halacha I: Einleitung, die Opfer* (Diss. Leipzig: Berlin, 1885), pp. 73-83.
- ²⁴ *A. J.* XX: 267. Thackeray, however, has suggested that *Antiquities* was published in two halves - the first around 93-94 CE, the second after the death of Agrippa to accompany the *Life* around 100 CE. Thackeray also claims to have evidence of unacknowledged literary assistants for the *Antiquities* whose style emulated that of Sophocles and Thucydides. See Thackeray, *Josephus the Man and the Historian*, p. 56, and 100-124. For a discussion of Josephus' apparent conflicting statement in *Life* 359, see Tessa Rajak, *Josephus, the Historian and his Society*, (London: Duckworth, 1983), pp. 237 f.
- ²⁵ Thackeray, *Josephus: the Man and the Historian*, pp. 60-61.
- ²⁶ Thackeray, *Josephus: the Man and the Historian*, p. 58.
- ²⁷ For a comprehensive summary of the content of the books of *Antiquities* see, Bilde, *Flavius Josephus between Jerusalem and Rome*, pp. 80-88.
- ²⁸ Attridge's summary of the contents of *A. J.* can be found in, "Josephus and His Works", in M. E. Stone (ed.), *Jewish Writings of the Second Temple Period: Apocrypha, Pseudepigrapha, Qumran Sectarian Writings, Philo, Josephus* (Assen: Van Gorcum, 1984), pp. 185-232. Attridge showed that the second half of *A. J.* is divided into three units based on their individual contents, p. 213, Bilde, *Flavius Josephus between Jerusalem and Rome*, agrees with this hypothesis but has demonstrated that unity can be established from common literary themes, pp. 89-92. Mason makes additions to those of Attridge, "Josephus and his Works", and Bilde, *Flavius Josephus between Jerusalem and Rome*. See S. Mason's introduction in Mason (ed.), *Flavius Josephus: Translation and Commentary, Volume 3, Judean Antiquities 1-4. Translation and Commentary by Louis H. Feldman* (Leiden, Boston, Köln: E. J. Brill, 2000), pp. XX ff.
- ²⁹ The apologetic motivation for *Antiquities* has been well said in most modern studies of Josephus. For a selection see for example, Thackeray, *Josephus: the Man and the Historian*, pp. 51 ff.; Attridge, *The Interpretation of Biblical History*, pp. 43-66; J. G. Barclay, *Jews in the Mediterranean Diaspora From Alexander to Trajan (323 BCE – 117 CE)* (Edinburgh: T. & T. Clark, 1996), pp. 358 ff.; Bilde, *Flavius Josephus between Jerusalem and Rome*, pp. 99-102; S. Mason, *Flavius Josephus on the Pharisees: a composition critical study* (Leiden: E. J. Brill, 1991), pp. 182-184; Rajak, *Josephus, the Historian and his Society*, pp. 226, 228-229; Sterling, *Historiography and Self-Definition*, pp. 197-198.
- ³⁰ Sterling, *Historiography and Self-Definition*, p. 17.
- ³¹ For an alternative view see S. Mason, "'Should Anyone wish to Enquire Further' (*A. J.* 1. 25): The Aim and Audience of Josephus' *Judean Antiquities/Life*", in S. Mason (ed.), *Understanding Josephus: Seven Perspectives*, *Journal for the Study of the Pseudepigrapha Supplement Series* 32 (Sheffield Academic Press, 1998), pp. 64-103.
- ³² See *Life* 225b, 428b, 429b.
- ³³ Bilde, *Flavius Josephus between Jerusalem and Rome*, p. 60.
- ³⁴ *Con. Ap.* I: 1
- ³⁵ LSJ s.v. ἀρχαῖος: from the beginning or origins; mostly of things ancient.
- ³⁶ For discussion see T. Rajak, "Josephus and the 'Archaeology' of the Jews", *JJS* 33 (1982), pp. 465-477.
- ³⁷ Bilde, *Flavius Josephus between Jerusalem and Rome*, p. 94.
- ³⁸ *Con. Ap.* I: 15-27.
- ³⁹ Feldman, *Josephus' Interpretation of the Bible*, p. 133.
- ⁴⁰ Bilde, *Flavius Josephus between Jerusalem and Rome*, p. 90.
- ⁴¹ LSJ s. v. λάραξ: coffer, box, chest.
- ⁴² 1. 7. 2.
- ⁴³ *De Dea Syria* 12.
- ⁴⁴ *De Sollertia Animalium* 13. 968 f.
- ⁴⁵ LSJ s. v. κιβωτός: box, chest, coffer; Noah's ark in LXX.
- ⁴⁶ Genesis 6: 14.
- ⁴⁷ *De Plantatione* II: 43.

- ⁴⁸ Such as, Berossus the Babylonian, Mnaseas of Patra, Hieronymus the Egyptian and Nicolaus of Damascus.
- ⁴⁹ *A. J. I*: 93-94. See also Feldman, *Josephus' Interpretation of the Bible*, p. 133.
- ⁵⁰ A. Pelletier, "Josephus, the Letter of Aristaeus, and the Septuagint", in L. H. Feldman and G. Hata (eds.), *Josephus, the Bible and History* (Detroit: Wayne State University Press, 1989), pp. 97-115 (97).
- ⁵¹ *A. J. VI*: 346.
- ⁵² *A. J. VII*: 390.
- ⁵³ *A. J. II*: 229-290; *III*: 13, 212; *IV*: 42, 329-331.
- ⁵⁴ *A. J. IV*: 130.
- ⁵⁵ *A. J. VII*: 37-38.
- ⁵⁶ *A. J. IX*: 222-223. Attridge, "Josephus and His Works", p. 224.
- ⁵⁷ *A. J. I*: 14, 20. For similar moralizing statements see *A. J. I*: 23, 72; *VI*: 307; *VII*: 93; *XVII*: 60; *XIX*: 16. See Sterling's comments, *Historiography and Self-Definition*, p. 296 n. 321.
- ⁵⁸ Attridge, "Josephus and His Works", p. 225.
- ⁵⁹ *A. J. XVI*: 187.
- ⁶⁰ *B. J. I*: 2.
- ⁶¹ Bilde, *Flavius Josephus between Jerusalem and Rome*, p. 101.
- ⁶² P. Spilsbury, *The Image of the Jew in Josephus's Paraphrase of the Bible* (Tübingen: Mohr Siebeck, 1998), p. 1.
- ⁶³ For examples of this scholarship see, Bloch, *Die Quellen des Flavius Josephus*; J. von Destinon, *Die Quellen des Flavius Josephus I: Die Quellen der Archäologie Buch XII-XVII = Jüd. Krieg Buch I* (Kiel: Lipsius & Tischer, 1882); G. Hölscher, Josephus Cols. 1934-2000 in vol. 18, *Realenzyklopädie der classischen Altertumswissenschaft*. Ed. A. F. von Pauly, G. Wissowa, et al. (Munich: A. Druckenmüller, 1916).
- ⁶⁴ See, Destinon, *Die Quellen des Flavius Josephus I*, pp. 40-63; Hölscher, Josephus, 1916.
- ⁶⁵ See R. Laqueur, *Der jüdisch Historiker Flavius Josephus: ein biographischer auf neuer quellenkritischer Grundlage* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1970 [1920]), p. 131.
- ⁶⁶ See Rajak, *Josephus, the Historian and his Society*, Chapter One.
- ⁶⁷ *Life* 8. In a society where religious tradition was transmitted orally a good memory was essential. According to the Mishnah (*Avot*. 2. 8), rabbi Eleazar ben Hyrcanus (whose formative years were, like Josephus' pre-70) had a memory like a "Plastered cistern, which lost not a drop".
- ⁶⁸ Rajak, *Josephus, the Historian and His Society*, p. 28.
- ⁶⁹ Josephus' account of his education has parallels with Luke 2: 42-52, where we are told of a similar event in the early life of Jesus.
- ⁷⁰ According to Bilde, *Flavius Josephus between Jerusalem and Rome*, this is highly reminiscent of information about John the Baptist in the New Testament as aspects of the sectarian life of the community represented in the Dead Sea Scrolls, p. 30.
- ⁷¹ Bilde, *Flavius Josephus between Jerusalem and Rome*, p. 30.
- ⁷² This account is repeated at *A. J. XIII*: 171-173, 297-298; *XVIII*: 11-22, and *B. J. II*: 119-166. Josephus' reliability in his account of his activities with the three schools of Jewish learning between the ages of sixteen to nineteen is problematic. He claims to have 'passed through the three course' (*Vita* 11), this presumably means that he completed at least the basic training period of the Schools of the Pharisees, Sadducees and the sectarian Essenes; indeed Josephus calls this training 'a thorough investigation' (*Life* 10). For the Essenes alone he describes a three or more year initiation process that new Essene members undertake before their acceptance into the community (*B. J. II*. 145). Thus it would seem highly improbable Josephus to have had anything like a 'thorough' knowledge of all three Jewish sects as well as completing three years with the hermit Bannus in the desert.
- ⁷³ Rajak, *Josephus, the Historian and his Society*, pp. 27 ff.
- ⁷⁴ LSJ s. v. μεταφράζω: paraphrase; translate.
- ⁷⁵ See, H. W. Basser, "Josephus as Exegete", *JAOS* vol. 107, no. 1 (1987), pp. 21-30 (25).
- ⁷⁶ For example see, H. P. Kingdon, "The Origins of the Zealots", *NTS* 19 (1972-73), pp. 74-81.
- ⁷⁷ See L. H. Feldman, *Studies in Hellenistic Judaism* (Leiden, New York, Köln, E. J. Brill, 1996), p. 7.
- ⁷⁸ See W. Speyer, *Die literarische Fälschung im heidnischen und christlichen Altertum: ein Verush ihrer Deutung* (München: Beck, 1971), pp. 60-62. Feldman adds Berossus, Manetho, Philo of Byblus, Ctesias, and Hecataeus of Abdera to this list, Feldman, *Flavius Josephus: Translation and Commentary*, n. 23, p. 8; see also Attridge, *The Interpretation of Biblical History*, p. 87.
- ⁷⁹ See Sterling, *Historiography and Self-definition*, p. 255.
- ⁸⁰ See Feldman, *Flavius Josephus: Translation and Commentary*, p. 8. See also Attridge, *The Interpretation of Biblical History*; and Cohen, *Josephus in Galilee and Rome*.
- ⁸¹ See, Feldman, *Josephus' Interpretation of the Bible*, p. 42. See also Attridge, *The interpretation of Biblical History*, pp. 59-60.

- ⁸² See B. Albrektson, "Josefus, Rabbi Akiva och Qumran. Tre Argument I discussionen om tidpunkten för den gemmaltestamentliga konsonanttextens standardisering", *Teologinen Aikakauskirja* 73 (1968), pp. 201-215.
- ⁸³ LSJ s.v. *μεταφράζω*: paraphrase, translate.
- ⁸⁴ See L. H. Feldman, "Hellenizations in Josephus' Accounts of Man's Decline", in J. Neusner (ed.), *Religions in Antiquity: Essays in Memory of Erwin Ramsdell Goodenough* (Leiden, New York, Köln: E. J. Brill, 1968), pp. 336-353; Rajak, "Josephus and the 'Archaeology of the Jews'", pp. 465-477; G. Vermes, *A Summary of the Law by Flavius Josephus*, *NT* 24 (1982), pp. 289-303.
- ⁸⁵ See Feldman, *Josephus' Interpretation of the bible*, p. 44-46.
- ⁸⁶ Franxman, *Genesis and the Jewish Antiquities*, p. 24-25. Franxman defines "retelling" as "to tell in a different form", p. 25.
- ⁸⁷ Attridge, *The Interpretation of Biblical History* p. 5, 17.
- ⁸⁸ Attridge, *The Interpretation of Biblical History*, pp. 67-70.
- ⁸⁹ Feldman, *Josephus' Interpretation of the Bible*, pp. 37-38.
- ⁹⁰ See Sterling, *Historiography and Self-Definition*, pp. 253.
- ⁹¹ T. W. Franxman, *Genesis and the 'Jewish Antiquities' of Flavius Josephus* (Rome: Biblical Institute, 1979), has shown where in his retelling of Genesis, Josephus has added to the biblical text: *A. J. I.*: 67-88, 109-121, 122-147, 148-160, 161-168, 222-136, 285-308; *II.*: 9-38, 39-59, 124-159. Franxman shows that Josephus has considerably abbreviated his biblical source at: *A. J. I.*: 27-33, 169-185, 186-193, 194-206, 207-212, 137-256, 257-266, 309-324, 325-336, 337-346; *II.*: 1-8, 189-200. Franxman has also isolated the instances where Josephus' retellings correspond to scripture: *A. J. I.*: 34-40, 41-51, 51-66, 89-108, 213-221, 267-284; *II.*: 60-74, 75-94, 95-113, 114-123, 160-167, 168-188.
- ⁹² Sterling, "The Invisible Presence", pp. 127-130.
- ⁹³ Bilde, *Flavius Josephus between Jerusalem and Rome*, pp. 98-99.
- ⁹⁴ N. G. Cohen, "Josephus and Scripture: is Josephus' Treatment of the Scriptural Narrative Similar Throughout the *Antiquities* I-X?", *JQR* 44 (1963-4), pp. 311-322
- ⁹⁵ Cohen, "Josephus and Scripture", p. 311.
- ⁹⁶ Sterling, "The invisible Presence", p. 111 ff.
- ⁹⁷ Sterling, "The invisible Presence", pp. 117 ff.
- ⁹⁸ Sterling, "The invisible Presence", pp. 122 ff.
- ⁹⁹ Sterling, "The invisible Presence", p. 127. For other studies of Josephus' treatment of the Pentateuch's narratives see, Cheryl Anne Brown, *No Longer be Silent: First Century Jewish Portraits of Biblical Women, Studies in Pseudo-Philo's Biblical Antiquities and Josephus' Jewish Antiquities* (Louisville, Kentucky: John Knox Press, 1992), p. 12; Feldman, "Abraham the Greek Philosopher in Josephus", *TAPA* 99 (1969), pp. 143-156 (155). J. L. Bailey, "Josephus' Portrayal of the Matriarchs", in L. H. Feldman and G. Hata (eds.), *Josephus, Judaism, and Christianity* (Detroit: Wayne State University Press, 1987), pp. 154-179. See also M. Braun, *Griechischer Roman und hellenistische Geschichtsschreibung* (Frankfurt am Main: V. Kostermann, 1934), which analyses Josephus' version of the story of Joseph and Potiphar's wife and concludes that it was refashioned in accordance with Hellenistic romantic literature; W. C. van Unnik, "Josephus' Account of the Story of Israel's Sin with Alien Women an the Country of Midian (Num. 25: 1 ff.)", in *Travels in the World of the Old Testament: Studies Presented to Prof. M. A. Beek* (Assen: Van Gorcum, 1974), pp. 241-261, this article highlights Josephus' elaboration of how Hebrew men were lured into idolatry by the sexual advances of the Midianite women. Josephus' reworked version acts as a warning to Jews in the Graeco-Roman era not to apostatize; L. H. Feldman's article "Hellenizations in Josephus' Version of Esther", *TAPA* 101 (1970), pp. 143-170, concludes that Josephus Hellenized the story of Esther to make it appeal to non-Jewish readers in the first century CE.
- ¹⁰⁰ Franxman, *Genesis and the Jewish Antiquities*, p. 288.
- ¹⁰¹ Franxman, *Genesis and the Jewish Antiquities*, p. 289.
- ¹⁰² See *A. J. I.*: 17: X: 218; XX: 261.
- ¹⁰³ Cohen, *Josephus in Galilee and Rome*, p. 40-42.
- ¹⁰⁴ Sterling p. *Historiography and Self-Definition*, 306.
- ¹⁰⁵ See Mason's introduction to, *Flavius Josephus: Translation and Commentary*, p. XVI
- ¹⁰⁶ These alterations have been explained as being due to one or more of the following reasons as summarised by Goldenburg: firstly, Josephus' knowledge of oral law; second, his reliance on an alternative written source of Jewish law, or on a Targum, on Philo, or on Roman law; thirdly, he may be reporting his observations of contemporaneous Jewish legal practice; fourthly, his apologetic agenda may have lead him to alter Jewish law to favour his audience; fifthly, he may be displaying his own ignorance of the law or his interpretation of it; sixthly, his intention to author a separate work on Jewish law may have influenced his presentation of the laws in *Antiquities*. See, D. M. Goldenberg, "*Antiquities* IV, 277 and 288, Compared with Early Rabbinic Law", in L. H.

Feldman and G. Hata (eds.), *Josephus, Judaism, and Christianity* (Detroit: Wayne State University Press, 1987), pp. 198-211

¹⁰⁷ S. Pearce, "Josephus as an Interpreter of Biblical Law: The Representation of the High Court of Deut. 17: 8-12 according to *Jewish Antiquities* 4. 218", *JJS* XLVI (1995), pp. 30-42 (32).

¹⁰⁸ However, in attempting to show that Josephus' method in this instance was part of an existing and continuing tradition of the reorganisation of biblical material following Philo's *De Specialibus Legibus* through to the rabbis, Feldman's work attracts the standard criticism. His basic contention that Josephus was familiar with and used Philo (Feldman, *Studies in Hellenistic Judaism*, p. 12), as an unacknowledged source is unproven as is Feldman's, and others, problematic assumption of Josephus' familiarity with traditions of interpretation that would not be committed to writing until several centuries after Josephus' death. See L. H. Feldman, "Rearrangement of Pentateuchal Material in Josephus' *Antiquities*, Books 1-4", at: <http://josephus.yorku.ca/pdf/Feldman.pdf>. Accessed September 2003 - Paper presented at 1999 SBL Josephus Seminar, pp. 1-80 (79).

¹⁰⁹ This has been most emphatically supported by S. Rappaport, *Agada und Exegese*.

¹¹⁰ Cohen, *Josephus in Galilee and Rome*, p. 145.

¹¹¹ S. Schwartz, *Josephus and Judean Politics* (Leiden: E. J. Brill, 1990), pp. 179-192.

¹¹² See Olitzki, *Flavius Josephus und die Halacha*; Revel, "Some Anti-Traditional Laws", p. 293; Rappaport, *Agada und Exegese*, p. xiv.

¹¹³ This view is the particular concern of Goldenberg who mostly rejects the view that there are any contradictions between Josephus and rabbinic halakhah. He understands the deviations in terms of the halakhah of his day and argues that the source for Josephus' retellings of law was a written tannaitic legal code. See, Goldenberg "Antiquities IV, 277 and 288, Compared with Early Rabbinic Law", in L. H. Feldman and G. Hata (eds.), *Josephus, Judaism, and Christianity* (Detroit: Wayne State University Press, 1987), pp. 198-211 (199). The view that Josephus reflects contemporary methods of retelling biblical legal material is also shared by Feldman. See Feldman's introduction in, *Josephus, the Bible, and History*, p. 416.

¹¹⁴ See Feldman's bibliography, *Josephus and Modern Scholarship (1937-1980)* (Berlin: De Gruyter, 1984).

¹¹⁵ There is a great deal of scholarship on Jewish slave law, however, and much of this promotes the idea that Jewish slave law was more lenient and humane than that of other cultures. See M. Mielziner, "The Institution of Slavery among the Ancient Hebrews according to the Bible and Talmud", in *Moses Mielziner, 1828-1903: A Biography with a Bibliography of his writings with a Reprint of his "Slavery amongst the Ancient Hebrews" and Other Works*, Ella McKenna Friend Mielziner (ed.), (New York, 1931). Some have even argued on the basis of Talmudic evidence that the practice of Jewish enslavement to other Jews had ceased by the time of the Babylonian exile, see, see, Zadok Kahn, *L'esclavage selon la Bible et la Talmud* (Paris: L. Guérin, 1867), p. 80; Mielziner, "Slavery amongst the Ancient Hebrews", pp. 79-80; Jacob Winter, *Die Stellung der Sklaven bei den Juden in rechtlicher und gesellschaftlicher Beziehung nach talmudischen* (Breslau: Schatzki, 1886), p. 10. The prohibition against the return of the runaway slave (Deut. 23: 15-16) is thought to demonstrate Jewish leniency towards their slaves. It has been suggested that this leniency eventually led the way for other slave societies to moderate their own slave traditions, see, Kahn, *L'esclavage*, pp. 138-140, and Simon Rubin, *Das Talmudisch Recht* (Vienna: Nibur, 1920), p. 8. In more recent times, however, scholars have abandoned the apologetic approach to the study of Jews and slavery. Urbach has stated that in most ancient society's slavery was a factor in their social, political and economic life and that the ancient Jews were no different in this respect, see, E. E. Urbach, "The Laws Regarding Slavery as a Source for Social History of the Period of the Second Temple, the Mishnah, and Talmud", *Papers of the Institute of Jewish Studies London* 1 (1964), pp. 1-94 (4). However, for problems with Urbach's study especially his source interpretation and suppositions see E. Leigh Gibson, *The Jewish Manumission Inscriptions of the Bosphorous Kingdom* (Tübingen: Mohr Siebeck, 1999), pp. 59-60. Other recent studies by Wright, "Ebed/Doulos", pp. 85-111 (87), and D. B. Martin, "Slavery and the Ancient Jewish Family", in Shaye J. D. Cohen (ed.), *The Jewish Family in Antiquity* (Atlanta: Scholars Press, 1993), p. 113, offer the same conclusion but their findings are based on a wider variety of source material than Urbach's. General studies of biblical slave law can be found in Isaac Mendelsohn, *Slavery in the Ancient Near East: A Comparative Study of Slavery in Babylonia, Assyria, Syria, and Palestine from the Middle of the Third Millennium to the End of the First Millennium* (Oxford University Press, 1949; repr. Westport, Connecticut: Greenwood Publishers, 1978); Z. Falk, *Hebrew Law in Biblical Times* (Wahrmann Books: Jerusalem, 1966, pp. 117-122; Gregory Chirichigno, *Debt Slavery in the Ancient Near East* (Journal for the Study of the Old Testament Supplement Series 141 (Sheffield Academic Press, 1993).

¹¹⁶ For example, G. Tachauer, *Das Verhältniss des Flavius Josephus*; M. Olitzki, *Flavius Josephus und die Halacha I. Einleitung, die Opfer* (Berlin: Druck von H. Hizkowski, 1885). S. Rappaport, *Agada und Exegese bei Flavius Josephus* (Wien: Alexander Kohut Memorial Foundation, 1930), p. 38 f.

¹¹⁷ S. Rappaport, *Agada und Exegese*, p. 38 f. See also, B. Revel, "Some Anti-Traditional Laws of Josephus", *JQR* 14 (1923-24), pp. 293-301.

- ¹¹⁸ Olitzki, "Der jüdische Sklave", pp. 73-83; H. Weyl, *Die jüdischen Strafgesetze bei Flavius Josephus in ihrem Verhältnis zu Schrift und Halacha* (Berlin, 1900)
- ¹¹⁹ Olitzki, "Der jüdische Sklave", p. 79
- ¹²⁰ B. Cohen, *Jewish and Roman Law: A Comparative Study* (New York: The Jewish Theological Seminary of America, 1966), pp. 159-178.
- ¹²¹ Cohen, *Jewish and Roman Law*, p. 28.
- ¹²² D. Altshuler, *Descriptions in Josephus' Antiquities of the Mosaic Constitution* (Diss. Hebrew Union College, Cincinnati, 1971), p. 5. In general terms it difficult to be sure of Josephus' textual source because of the nature of his paraphrasing and elaboration in his retelling, see L. H. Feldman, "Use, Authority and Exegesis of Mikra in the Writings of Josephus", in M. J. Mulder (ed.), *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity (Compendia Rerum Judaicarum ad Novum Testamentum)*, (Assen: Van Gorcum), pp. 455-518 (456).
- ¹²³ Martin, "Slavery and the Ancient Jewish Family", p. 118;
- ¹²⁴ P. V. M. Flesher, *Oxen, Women, or Citizens: Slaves in the System of the Mishnah* (Atlanta: Scholars Press, 1988), pp. 35-36.
- ¹²⁵ Gibson, *The Jewish Manumission Inscription*, p. 93.
- ¹²⁶ Martin, "Slavery and the Ancient Jewish Family", 117-118; Wright, "Ebed/Doulos", p. 108-109.
- ¹²⁷ See the conclusions of Gibbs and Feldman, "Josephus' Vocabulary for Slaves".
- ¹²⁸ See Wright, "Ebed/Doulos".
- ¹²⁹ See Urbach, "The Laws Regarding Slavery".
- ¹³⁰ See Wright, "Ebed/Doulos".
- ¹³¹ See Martin, "Slavery and the Ancient Jewish Family".
- ¹³² Gibson, *The Jewish Manumission Inscriptions*.
- ¹³³ See for examples, P. Trible, *Texts of Terror: Literary-Feminist Readings of Biblical Narratives* (Philadelphia: Fortress Press, 1984); S. J. Teubal, *Ancient Sisterhood: The Lost Traditions of Hagar and Sarah* (Athens, Swallow Press: Ohio University Press, 1990); A. Brenner, "Female Social Behaviour: Two Descriptive Patterns within the "Birth of the Hero Paradigm"", *VT* 36 (1986), pp. 257-273.
- ¹³⁴ For Baily and Amaru, see note 123 above.
- ¹³⁵ Teubal, *Ancient Sisterhood*, pp. 44-48.
- ¹³⁶ Teubal, *Ancient Sisterhood*, pp. 115 f.
- ¹³⁷ Brenner, "Female Social Behaviour", pp. 257 ff.
- ¹³⁸ See Franxman, *Genesis and the Jewish Antiquities*.
- ¹³⁹ Baily, "Josephus' Portrayal of the Matriarchs", pp. 170 ff.
- ¹⁴⁰ Amaru, "Portraits of Biblical Women in Josephus' Antiquities", *JJS* 38-39 (1987-88), pp. 143-170.
- ¹⁴¹ Franxman, *Genesis and the Jewish Antiquities*.
- ¹⁴² Feldman, "Rearrangement of Pentateuchal Material".
- ¹⁴³ See for example Feldman, "Hellenizations in Josephus' Account of Man's Decline", in J. Neusner (ed.), *Religions in Antiquity: Essays in Memory of Erwin Ramsdell Goodenough* (Leiden: E. J. Brill, 1968), pp. 336-352; "Hellenizations in Josephus' Version of Esther", *TAPA* 101 (1970), pp. 143-170; "Josephus as an Apologist to the Graeco-Roman World: His Portrait of Solomon", in E. Shüssler Fiorenza, E. S (ed.), *Aspects of Religious Propaganda in Judaism and Early Christianity* (Notre Dame: University of Notre Dame, 1976), pp. 69-98. See also Amaru, 'Portraits of Biblical Women in Josephus' Antiquities', *JJS* 38-39 (1987-88), pp. 143-170; Bailey, "Josephus' Portrayal of the Matriarchs", in L. H. Feldman and G. Hata (eds.), *Josephus, Judaism, and Christianity* (Detroit: Wayne State University Press, 1987), pp. 154-179; Brown, *No Longer be Silent: First Century Jewish Portraits of Biblical Women, Studies in Pseudo-Philo's Biblical Antiquities and Josephus' Jewish Antiquities* (Louisville, Kentucky: John Knox Press, 1992).
- ¹⁴⁴ See T. Landau, review of L. H. Feldman, *Josephus' Interpretation of the Bible* (Berkeley: University of California Press, 1998), and, *Studies in Josephus' Rewritten Bible* (Leiden: E. J. Brill, 1998), *JJS* LI (2000), pp. 158-159.
- ¹⁴⁵ Much of this scholarship has concentrated on women and women's issues in the Dead Sea Scrolls. See, J. M. Baumgarten, "On the Testimony of Women in 1Qsa", *JBL* 76.4 (1957), pp. 266-269, "4Q502, Marriage or Golden Age Ritual?", *JJS* 34 (1983), pp. 125-135; P. R. Davies and J. E. Taylor, "On the Testimony of Women in 1Qsa", *Dead Sea Discoveries* 3, 3 (1996), pp. 223-235; L. B. Elder, "The Female Question and Female Ascetics among the Essenes", *BA* 57 (1994); Eileen Schuller, "Women in the Dead Sea Scrolls", in M. Wise (ed.), *Methods of Investigating the Dead Sea Scrolls and Khirbet Qumran Site: Present Realities and Future Prospects*, *Annals of the New York Academy of Sciences*, 722 (New York: New York Academy of Sciences, 1994). For the representation of women in a broader range of ancient Jewish literature see, Tal Ilan, *Jewish Women in Greco-Roman Palestine* (Tübingen: J. C. B. Mohr (Paul Siebeck, 1995); R. S. Kraemer, *Her Share of*

the Blessings: Women's Religions Among Pagans, Jews, and Christians in the Greco-Roman World (Oxford University Press, 1993).

¹⁴⁶ The late 1980's and early 1990's witnessed some activity in this area. See Louis Feldman, "Josephus' Portrait of Deborah", in A. Caquot, M. Hades-Lebel and J. Riaud, *Hellenistica et Judaica: Hommage à Valentin Nikiprowetzky* (Paris, Leuven: Éditions, Peeters, 1986), pp. 115-128; J. L. Baily, "Josephus' Portrayal of the Matriarchs", in L. Feldman and G. Hata (eds.), *Josephus, Judaism, and Christianity* (Detroit: Wayne State University Press, 1987), pp. 154-179; Amaru, "Portraits of Biblical Women", p. 38.

¹⁴⁷ See C. A. Brown, *No longer be Silent: First Century Jewish Portraits of Biblical Women* (Louisville, Kentucky: Westminster/John Knox press, 1992).

¹⁴⁸ Baily, "Josephus' Portrayal of the Matriarchs", pp. 156.

¹⁴⁹ The most important modern accounts of his life are found in Cohen, *Josephus in Galilee and Rome*, pp. 181-231; Feldman, "Josephus Revisited: The Man, his Writings, and his Significance", *ANRW* II, 21. 2 (1984), pp. 763-862, pp. 779-787; R. Laqueur, *Der jüdische Historiker Flavius Josephus. Ein biografischer Versuch auf neuer quellenkritischer Grundlage* (Roma: Bretschneider, 1920), 245-278; Rajak, *Josephus, the Historian and his Society*, pp. 11-45 and 144 ff.; Thackeray, *Josephus: The Man and the Historian*, pp. 1-22. See also Bilde, *Flavius Josephus between Jerusalem and Rome*, pp. 27-60, especially his bibliographical references to the life of Josephus on pp. 32, 36, 38, 43, 46, 52, 57, and 60.

¹⁵⁰ *Life* 2. See Attridge, 'Josephus and His Works', pp. 185-303.

¹⁵¹ *Vesp.* 5. 6.

¹⁵² See Spilsbury, *The Image of the Jew*, p. 9. In Josephus' own account of the war he appears to be at the same time unscrupulous and cowardly whilst heaping praise upon himself for his actions. For example, he contemplates fleeing from the Romans *B. J.* III. 193) but urges others to sacrifice their lives (*B. J.* III: 204). He openly discourages refugees not to commit the impiety of suicide (*B. J.* III: 361-382) whilst later praising the action by others (*B. J.* VII: 320-401). The difference being that in the former instance he too would have had to end his life – something he was obviously not prepared to do. His involvement in the war ended with his surrender to the Romans at Jotapata in north-western Galilee. His involvement with the imperial court began when he was brought before Vespasian whom he prophesied would soon be emperor. Within two years the prophecy was confirmed and Josephus was released from captivity. For the involvement of the aristocracy in the Jewish War see M. Goodman, *The Ruling Class of Judaea: the Origins of the Jewish Revolt against Rome A. D. 66-70* (Cambridge University Press, 1995), Part 1 and 2.

¹⁵³ Rajak, *Josephus, the Historian and his Society*, pp. 4, 14-15, 21. Josephus reiterates his noble descent in references in other works cf. *B.J.* I. 3; III: 352; V: 419; *A.J.* XV: 418; XVI: 387; *Con.Ap.* I: 54. Although these references in themselves cannot be perceived as proof-positive of his claims to elite status, they do at least demonstrate internal consistency within his own writings.

¹⁵⁴ See G. E. M. de Ste. Croix, 'Slavery and Other Forms of Unfree Labour', in Léonie Archer (ed.), *Slavery and Other Forms of Unfree Labour* (London and New York: Routledge, 1988), pp. 19-32 (20, 27).

¹⁵⁵ G. Chirichigno, *Debt-Slavery in Israel and the Ancient Near East*, p. 140.

¹⁵⁶ Schwartz, *Josephus and Judaeae Politics*, p. 95.

¹⁵⁷ Schwartz, *Josephus and Judaeae Politics*, p. 102. Although see also Rajak, *Josephus, the Historian and His Society*, pp. 24-25.

¹⁵⁸ Gibson, *The Jewish Manumission Inscriptions*, p. 62.

¹⁵⁹ Deut. 20: 10-15; 21: 10-14.

¹⁶⁰ A. Phillips, *Essays on Biblical Law*, JSOT 344 (Sheffield Academic Press, 2002), p. 99. See also I. Cardinelli, *Die Biblischen 'Sklaven'-Gesetze im Lichte des keilschriftlichen sklaven rechts: ein Beitrag zur Tradition, Überlieferung und Redaktion der alttestamentlichen Rechtstexte* (BBB, 55; Bonn: Verlag Peter Hanstein, 1981), pp. 265-268, 343-347.

¹⁶¹ Phillips, *Essays on Biblical Law*, p. 108-110.

¹⁶² Often referred to as the Covenant Code, Exodus was thought to have been compiled in the ninth century BCE. See D. Patrick, *Old testament Law* (London: SCM Press, 1985), p. 69 f. See also B. S. Childs, *Exodus: A Commentary* (London: SCM, 1974); B. Jackson, "Biblical Laws of Slavery: A Comparative Approach", In Léonie Archer (ed.), *Slavery and Other Forms of Unfree Labour* (London: Routledge, 1988), pp. 86-101 (91), and Gibson, *The Jewish Manumission Inscriptions*, p. 63. See also H. J. Boecker, *Law and the Administration of Justice in the Old Testament and Ancient East* (Minneapolis: Augsburg Press, 1980), pp. 135-144; S. M. Paul, *Studies in the Book of the Covenant in the Light of Cuneiform and Biblical Law*, VTSup 18 (Leiden, New York, Köln, 1970), pp. 43-45. For a summary of the cuneiform law codes thought to underlie the Pentateuchal laws see, L. Epsztein, *Social Justice in the Ancient Near East and the People of the Bible* (London: SCM Press, 1986), p. 7 f.

¹⁶³ That is, without payment of redemption money, see U. Cassuto, *A Commentary on Exodus* (Jerusalem: Magnes Press, The Hebrew University, 1967), p. 103. See also Barton and Muddiman, *The Oxford Bible*

- Commentary, "Exodus", p. 83. A good discussion of whether the slave laws of Exodus do indeed represent debt or permanent slavery is in Jackson's "Biblical Laws of Slavery", pp. 92-98.
- ¹⁶⁴ Cassuto, *Exodus*, p. 104. See also P. Garnsey, *Ideas of Slavery from Aristotle to Augustine* (Cambridge University Press, 1999), p. 27. See also Jackson's excellent summary in, "Biblical Laws of Slavery", pp. 98-99. All of the points made with regard to the acquisition of slaves are expanded in an old but useful work, Z. W. Falk, *Hebrew Law in Biblical Times: An Introduction* (Jerusalem: Wahrman Books, 1964), pp. 177-122
- ¹⁶⁵ This ritual almost certainly has its origins in the legal traditions of the ancient near east, Cassuto, *Exodus*, p. 104. For discussions of this ritual see Phillips, *Essays on Biblical Law*, p. 96. See also Mendelsohn, *Slavery in the Ancient Near East*, pp. 1-23; and Chirichigno's discussion of the OT laws that governed chattel and debt slaves in Chapter Five of *Debt Slavery in Israel and the Ancient Near East*, pp. 145-185.
- ¹⁶⁶ Exod. 21: 7. See Cassuto, *Exodus*, p. 105; Barton and Muddiman, *The Oxford Bible Commentary*, "Exodus", p. 83. These young women were apparently used for household duties but their bondage could be ended by their marriage to one of the master's sons (Exod. 21: 7-11). For an interpretation of this law and a discussion of the term "Hebrew slave", see, N. P. Lemche, "The 'Hebrew Slave': Comments on the Slave Law Ex. XXI 2-11", *VT* 25 (1975), pp. 129-144 (135. ff.).
- ¹⁶⁷ Cassuto, *Exodus*, p. 105.
- ¹⁶⁸ Gibson, *The Jewish Manumission Inscriptions*, p. 63. See also M. Greenburg, *The Hab/piru*, American Oriental Series Vol. 39 (New Haven: American Oriental Society, 1955), pp. 91-96; M. P. Gray, "The Habiru-Hebrew Problem in the Light of Source Material Available at Present", *HUCA* 29 (1958), pp. 135-202; N. P. Lemche, "The Manumission of Slaves – The Fallow Year – The Sabbatical Year – The Jubel Year", *VT* 26 (1976), pp. 38-59, and Lemche, "The 'Hebrew Slave'", pp. 129-144. See also the position of S. M. Paul, *Studies in The Book of the Covenant in the Light of Cuneiform and Biblical Law*, Supplements to Vetus Testamentum, vol. 18 (Leiden: E. J. Brill, 1970), p. 45. See also Jackson's interpretation, "Biblical Laws of Slavery", p. 92. A distinction was maintained between Jewish and non-Jewish slaves in Jewish ownership in the bible and Talmud. The former appears as *ebed* (slave), the latter as *ebed kanaani* (Canaanite slave), Westermann, *Genesis*, p. 125.
- ¹⁶⁹ Cassuto, *Exodus*, p. 104.
- ¹⁷⁰ Gibson, *The Jewish Manumission Inscriptions*, p. 63.
- ¹⁷¹ See P. J. Budd, *The New Century Bible Commentaries: Leviticus*, p. 1.
- ¹⁷² M. Noth, *Leviticus: A Commentary*, (London: SCM Press, 1977), p. 10.
- ¹⁷³ Lev. 25: 39-40. See Noth, *Leviticus*, p. 191; Budd, *Leviticus*, p. 356.
- ¹⁷⁴ Lev. 25: 44-45. See Noth, *Leviticus*, p. 192; Budd, *Leviticus*, p. 358.
- ¹⁷⁵ Lev. 25: 10, 13, 40. See Noth, *Leviticus*, p. 193; Budd, *Leviticus*, pp. 358-359. For a comprehensive modern account of debt slavery in near eastern antiquity see, Chirichigno's, *Debt Slavery in Israel and the Ancient Near East*.
- ¹⁷⁶ See Noth, *Leviticus*, p. 192; Budd, *Leviticus*, p. 357.
- ¹⁷⁷ S. R. Driver, *A Critical and Exegetical Commentary on Deuteronomy* (Edinburgh: T. & T. Clark, 1965), pp. iii ff.
- ¹⁷⁸ See, Driver, *Deuteronomy*, p. 181; G. von Rad, *Deuteronomy: A Commentary* (London: SCM Press, 1966), p. 107; A. D. H. Mayes, *Deuteronomy* (London: Oliphants, 1979), p. 249.
- ¹⁷⁹ Mayes, *Deuteronomy*, p. 250.
- ¹⁸⁰ Mayes, *Deuteronomy*, p. 250-251; Driver, *Deuteronomy*, p. 183.
- ¹⁸¹ Driver, *Deuteronomy*, p. 183; Mayes, *Deuteronomy*, 251.
- ¹⁸² *Spec. Leg.* 2: 80-84.
- ¹⁸³ See Gibson's summary of the tannaitic interpretation of the Mosaic slave laws literature, *The Jewish Manumission Inscriptions*, pp. 81-92.
- ¹⁸⁴ Gibson, *The Jewish Manumission Inscriptions*, p. 80.
- ¹⁸⁵ S. Pearce, "Josephus and the Witness Laws of Deuteronomy", in Jurgen V. Kalms (Hg.), *Internationales Josephus-Kolloquium, Aarhus 1999* (Münster, Hamburg, London: Lit Verlag, 2000), pp. 122-134.
- ¹⁸⁶ See Gibson, *The Jewish Manumission Inscriptions*, p. 61; Martin "Slavery and the Ancient Jewish Family", p. 113; Wright, "Ebed/Doulos", pp. 263.
- ¹⁸⁷ Boaz Cohen, *Jewish and Roman Law: A Comparative Study* (New York: The Jewish Theological Seminary of America, 1966), p. 163.
- ¹⁸⁸ Cohen, *Jewish and Roman Law*, pp. 166-167. Cohen provides many other examples of Josephus' harmonization of Jewish and Roman law at pp. 163-169.
- ¹⁸⁹ Exodus 21: 32.
- ¹⁹⁰ *Dig.* 47, 10. 15; Ulpian, *On the Edict*, book 57.
- ¹⁹¹ Wiedermann, *Greek and Roman Slavery*, p. 10.
- ¹⁹² Wiedermann, *Greek and Roman Slavery*, p. 10.
- ¹⁹³ Bradley, *Slaves and Masters*, p. 127.

- ¹⁹⁴ Bradley, *Slaves and Masters*, p. 127-128.
- ¹⁹⁵ See *Every Good Man is Free* 79 and *De Vita Contemplativa* 70.
- ¹⁹⁶ See F. M. Cross and E. Eshel, 'Ostraca from Khirbet Qumran', *IEJ* 47 (1997), pp. 17-28.
- ¹⁹⁷ Gibson, *The Jewish Manumission Inscriptions*, p. 79.
- ¹⁹⁸ This is discussed in full by Pearce, "Josephus and the Witness Laws of Deuteronomy", pp. 127-133.
- ¹⁹⁹ Wiedenmann, *Greek and Roman Slavery*, p. 5; Bradley, *Slavery and Society*, p. 65. Many sources have reservations about the trustworthiness of slaves, see for examples, Lysias 5: 3-5; Pliny, *Panegyric* 42: 1-4; Tacitus, *Annales* 14: 42-45.
- ²⁰⁰ Quintillian, *Inst. Or.*, 5: 4. 1.
- ²⁰¹ Normally, however, the testimony of slaves against their owners was considered inadmissible, see, Tacitus, *Annales* 2: 30, 3; Dio Cassius 41: 38, 3.
- ²⁰² Pearce, "Josephus and the Witness Laws of Deuteronomy", p. 130.
- ²⁰³ For comprehensive studies on slave supply, nationality, numbers of slave in the empire, and geographical distribution see, M. L. Gordon, 'The nationality of Slaves Under the Early Roman Empire', *JRS* 14 (1924), pp. 93-111. See also K. R. Bradley, 'On the Roman Slave Supply and Slave Breeding', *Slavery and Abolition* vol. 8, no. 1 (May 1987), pp. 42-64; also K. R. Bradley, *Slavery and Rebellion in the Roman World 140 B. C. – 70 B. C.* (Bloomington and Indianapolis: Indiana University Press, 1998), pp. 20-26; also K. R. Bradley, *Slaves and Masters in the Roman Empire: A Study in Social Control* (Oxford University Press, 1987), pp. 55-56, 62-63,, 63-70; K. R. Bradley, *Slavery and Society at Rome* (Cambridge University Press, 1999), pp. 31-56; W. V. Harris, 'Demography, Geography and the Sources of Roman Slaves', *JRS* 89 (1999), pp. 62-75; J. Madden 'Slavery in the Roman Empire: Numbers and Origins', *Classical Ireland* 3 (1996), pp. 1-8; P. A. Brunt, *Italian Manpower 225 B. C. – A. D. 14* (Oxford: Clarendon Press, 1971), pp. 121-130. For slavery in the later empire see, R. Mac Mullen, 'Late Roman Slavery', *Historia* 36 (1987), pp. 359-382; C. R. Whittaker, 'Circe's Pigs: From Slavery to Serfdom in the Later Roman World', *Slavery and Abolition* vol. 8, no. 1 (May 1987), pp. 88-122.
- ²⁰⁴ Mendelsohn, *Slavery in the Ancient Near East*, p. 4.
- ²⁰⁵ Garland, 'War, Piracy and Slavery in the Greek World', p. 10.
- ²⁰⁶ Garland, 'War, Piracy and Slavery in the Greek World', p. 18.
- ²⁰⁷ Gibson, *The Jewish Manumission Inscriptions*, p. 93; Wright, "'Ebed/Doulos'", p. 88-89; Martin, "Slavery and the Ancient Jewish Family", pp. 117-118.
- ²⁰⁸ *Life* 426, 429.
- ²⁰⁹ One of the most important works on Roman slave law remains that of W. W. Buckland, *The Roman Law of Slavery* (Cambridge University Press, 1908, reprint New York: AMS Press, 1968). There are many good reference books on Roman law in general. See, J. A. Crook, *Law and Life of Rome* (London: Ithaca, 1967), especially his introduction that sets out what constituted 'Roman law'; O. F. Robinson, *The Sources of Roman Law* (London: Routledge, 1997). For summaries of all of the sources for Roman law see, H. F. Jolwicz and B. Nicholas, *Historical Introduction to the Study of Roman Law* (Cambridge University Press, 1972); A. Borkowski, *Textbook on Roman Law* (London: Blackstone Press LTD, 1994), pp. 26-62; O. Tellegen-Couperus, *A Short History of Roman Law* (London and New York: Routledge, 1993), pp. 3, 17, 29, 65, 109; H. J. Wolff, *Roman Law: An Historical Introduction* (Norman and London: University of Oklahoma Press, 1951), pp. 49 f., 158 f.; D. Johnston, *Roman Law in Context* (Cambridge University Press, 1999), chapters 1 and 2.
- ²¹⁰ N. G. L. Hammond and H. H. Scullard, *The Oxford Classical Dictionary*, 2nd Edition (Oxford University Press, 1992), p. 584, p. 994.
- ²¹¹ Hammond and Scullard, *The Oxford Classical Dictionary*, p. 584.
- ²¹² Hammond and Scullard, *The Oxford Classical Dictionary*, p. 996.
- ²¹³ For owners' attitudes towards their slaves see Bradley, *Slaves and Masters*, pp. 26-29.
- ²¹⁴ Bradley, *Slaves and Masters*, pp. 125-126, 118-122; For references to sources that describe the abuse of slaves see Weidemann's index entry 'Punishment', p. 282, in his *Greek and Roman Slavery* (London: Croom Helm, 1981),
- ²¹⁵ Buckland, *The Roman Law of Slavery*, pp. 36-7. See *Codex Theodosianus* 4. 8. 6.
- ²¹⁶ *Pseudolus*, Act I, sc. 2; *Menaechmi*, Act V, Sc. 4.
- ²¹⁷ *Agriculture*, chs. 56-59.
- ²¹⁸ See Johnston, *Roman Law in Context*, p. 43.
- ²¹⁹ A. Watson, *Rome of the XII Tables: Persons and Property* (New Jersey: Princeton University Press, 1975), p. 86.
- ²²⁰ A. Watson, 'Roman Slave Law and Romanist Ideology', *Phoenix*, vol. 37 (1983) 1, pp. 53-64, p. 54.
- ²²¹ Watson, 'Roman Slave Law and Romanist Ideology', p. 55. See also Johnston, *Roman Law in Context*, p. 43.
- ²²² Finley, *Ancient Slavery*, p. 193; Bradley, *Slaves and Masters*, pp. 125-127.
- ²²³ Only individuals upon whom Roman citizenship was conferred was expected to comply with the Roman *ius civile*. See Hammond and Scullard, *The Oxford Classical Dictionary*, p. 584.

²²⁴ Johnston, *Roman Law in Context*, p. 9.

²²⁵ Johnston cites articles by M. Kaser, *Das römische Zivilprozessrecht* (Munich, 1996); H. J. Wolff, "Römisches Provinzialrecht in der Provinz Arabia", in H. Temporini (ed.), *Aufstieg und Niedergang der römischen Welt*, II 13, pp. 736-806.

²²⁶ See D. Nörr, "Römisches Zivilprozessrecht nach Max Kaser", *SZ* 115 (1998), pp. 80-98 (98); H. Cotton, "The Guardianship of Jesus son of Babatha: Roman and Local Law in the Province of Arabia", *JRS* 83 (1993), pp. 94-108 (101, 107); J. Modrzejewski "La règle de droit dans L'Egypte romaine", *Proceedings of the XIIth International Congress of Papyrology* (Toronto, 1979), pp. 317-377 (317-347); Kaser, *Das römische Zivilprozessrecht*, pp. 167-168.

Chapter Two: Josephus on Marriage & Sexual Relationships between Free Men & Slave Women

Introduction

At three places in his *Jewish Antiquities* Josephus comments on marriages between free men and slave women. In the first instance, at *Antiquities* III: 276, Josephus tells us that slaves and female prisoners of war, among other types of women, are prohibited in marriage to priests and high priests. These categories of prohibited women are additions to what we know of the marital and sexual practices forbidden in Second Temple sources of Jewish law to ordinary men. In the second instance, at *Antiquities* IV: 244-245, Josephus again includes female slaves among the categories of women forbidden in Jewish law to marry free men. On this occasion he is not specific as to whether this applies to lay men or the priestly class, or both. Because of this lack of specificity it may be legitimately presumed that Josephus' prohibition applies to all men. In the final example, at *Antiquities* IV: 257-259, Josephus describes the process to be followed by a free man when taking a female war-captive as a wife, thus indicating to his audience that free-slave marriage is permissible under Jewish law.

If we are to judge from the passages cited above, it would appear that Mosaic law, as retold by Josephus, is inconsistent in its view of the propriety and legality of marriage and sexual relationships between free Jewish men and female slaves. In the first passage it is marriages only between the priestly order and slave women that are strictly forbidden, whereas in the second passage the prohibition applies to all free men. In the third passage, however, marriages between female slaves acquired as war captives are permitted providing certain rituals have been observed. In each case Josephus promulgates these passages as law from Moses.

The Pentateuch, however, does not forbid such unions nor does it prohibit marriages between male Jews and many of the other categories of women that Josephus says were unfit for marriage that he includes in his statements. Josephus has added material to and subtracted material from the Pentateuchal marriage laws and, in some cases, as I will argue, he appears to have completely invented laws for which he claims have biblical origins.

The purpose of this chapter is to analyse these three Josephus texts in order to discover why Josephus has constructed his narratives in this manner and to suggest what he hoped to gain by doing so. This will be approached by addressing two important issues. Firstly, I will explore Josephus' method of retelling the biblical text, by providing a systematic analysis of his techniques and his agendas, by comparing his version of the biblical laws with their presentation, where possible, in the Masoretic Text, the Septuagint, the Temple Scroll and Philo. This enables us to ascertain whether Josephus followed an existing tradition of biblical interpretation, or whether his treatment of the texts was unique to him. The second issue follows directly from this. If Josephus' interpretation of the laws relating to free-slave marriages is inconsistent with any known source, is it possible to reconstruct his agenda for writing his passages in this manner from sources other than biblical interpretation? Isolating and identifying Josephus' agenda necessitates comparisons of his passages with non-Jewish, specifically Roman, laws and cultural traditions. The resulting analysis will show that, although all three passages from *Antiquities* contain similar subject matter, each must be read and understood independently of the others. The passages have been shaped for different purposes and were meant to convey different messages to their target audience, which accounts for the apparent inconsistency.

In conclusion, I will argue that Josephus' presentation of the laws demonstrates a profound understanding of his biblical material and that his alterations and inventions to the Pentateuch are carefully measured examples of his apologetic instincts as a writer of Jewish religion and history. Josephus appears to be unconcerned that his contradictions about free-slave relationships might attract criticism from his audience. Our first example is separated from the second by one whole book and, because of the distance between the statements, the inherent contradiction may have escaped the attention of his audience. The second contradiction, however, is separated from the third only by a few paragraphs and was likely to have been detected by his audience. I will argue that his overriding concern was not consistency. Rather Josephus' aim was to demonstrate, by using the example of free-slave marriages (and other forbidden sexual and marital unions) as metaphors for what was good about the Jewish elite, that the upper stratum of his society and that of Rome were compatible and non-threatening.

Section One: Josephus & Marriages between Free Men & Slave Women

Josephus' view on the propriety of marriage between free men and slave women is at its most plain at *Jewish Antiquities* IV: 244b. Although this is not his first reference to the subject, his prohibition of free-slave marriage is most clearly stated in this context and as such it is appropriate to begin with this particular passage. On marriages between free Jewish men and female slaves Josephus tells us:

Female slaves must not be taken in marriage to free men, however strongly some may be constrained thereto by love; such passion must be mastered by decorum and the properties of rank.

δούλας δὲ μὴ γαμῆσθαι τοῖς ἐλευθέροις, μηδ' ἂν ὑπὲρ ἔρωτος πρὸς τοῦτο
τινες ἐκβιάζωνται, κρατεῖν δὲ τῆς ἐπιθυμίας τὸ εὐπρεπὲς καὶ τοῖς ἀξιώμασι
πρόσφορον.

This statement forms part of the introduction to Josephus' discussion of biblical marriage laws which begins at this point and continues by detailing marriage to women who have lied about their virginity (IV: 246 f.), bigamous relationships (IV: 249 f.), divorce laws (IV: 253), and Levirate marriage (IV: 254). The discussion ends with the law regarding the 'beautiful captive' that is dealt with later in this chapter.

The marriage laws are located within Josephus' wider narrative on how the Jews received their laws and constitution from Moses in the form of a book (*A. J.* IV: 194 ff.). Josephus tells us that his purpose is to relate all of the laws handed down by Moses to his readers so that he can return to documenting his historical narrative (*A. J.* IV: 196). It is here that Josephus makes his famous claim that nothing has been "added for the sake of embellishment, nothing which has not been bequeathed by Moses", and that his only "innovation" has been to treat the subject systematically because Moses left the law in a "scattered condition" (*A. J.* IV: 196-8), which, as I have shown in my introduction, is not the case. Josephus here, as elsewhere in his retellings of the biblical laws, makes many modifications to them.¹ In *Antiquities* IV: 244 Josephus clearly states that no matter how emotionally attached a master was to his slave he, because of his social position and free status, is forbidden in law to marry her. This prohibition has, however, no basis in scripture and, as we shall see at other places in his discussions of biblical law in *Antiquities*, in his autobiography, as well as in his historical

narratives, such marriages are recorded without comment as to their supposed illegality and impropriety (*Life* 414).

So how can we account for this seemingly fictitious statement of Josephus? In order to answer this question we must examine Josephus' prohibition within the context of the passages in which it appears. At *Antiquities* IV: 244-245 Josephus cites Moses as follows:

244 Let your young men, on reaching the age of wedlock, marry virgins, freeborn and of honest parents. He that will not espouse a virgin must not unite himself to a woman living with another man, corrupting her or wronging her former husband. Female slaves must not be taken in marriage to free men, however strongly some may be constrained thereto by love; such passion must be mastered by decorum and the properties of rank.

245 Again, there must be no marriage with a prostitute, since by the reason of the abuse of her body God could not accept her nuptial sacrifices. For so only can your children have spirits that are liberal and uprightly set towards virtue, if they are not the issue of dishonourable marriages or of a union resulting from ignoble passion.

Γαμείψαν δὲ ἐν ὥρᾳ γάμου γενόμενοι παρθένους ἐλευθέρας γονέων ἀγαθῶν, ὁ δὲ μὴ μέλλων ἄγεσθαι παρθένον μὴ ζευγνύσθω συνοικοῦσαν ἄλλῳ νοθεύσας μὴδὲ λυπῶν τὸν πρότερον αὐτῆς ἄνδρα· δούλας δὲ μὴ γαμῆσθαι τοῖς ἐλευθέροις, μὴδ' ἂν ὑπὲρ ἔρωτος πρὸς τοῦτό τινες ἐκβιάζωνται, κρατεῖν δὲ τῆς ἐπιθυμίας τὸ εὐπρεπὲς καὶ τοῖς ἀξιώμασι πρόσφορον. ἔτι μὴδὲ ἡταιρημένης εἶναι γάμον, ἧς δι' ὕβριν τοῦ σώματος τὰς ἐπὶ τῷ γάμῳ θυσίας ὁ θεὸς οὐκ ἂν προσοῖτο· γένοιτο γὰρ ἂν οὕτω τῶν παιδῶν τὰ φρονήματα ἐλευθέρια καὶ πρὸς ἀρετὴν ὄρθια, εἰ μὴ τύχοιεν ἐκ γάμων φύντες αἰσχροῦν, μὴδ' ἐξ ἐπιθυμίας οὐκ ἐλευθερίας συνελθόντων.

If we look at these paragraphs in the context of the entire introduction to his discussion on marriage in general we can see that Josephus' prohibition of slave-free marriage is only one of a cluster of categories of women that Josephus claims are debarred from marriage to Jewish men. These categories are juxtaposed with references to the types of women and women's families that are desirable in wedlock to Jewish men. It is within this context that his statement regarding free-slave marriage must be judged. *Jewish Antiquities* IV: 244-245, broken down into its most basic components, presents three interrelated themes to its reader. Firstly, it sets out the qualities required from the ideal prospective bride for the Jewish man of marriageable age, and secondly, it lists the qualities in women that are to be avoided in marriage at all costs. Desirable brides should be free-born virgins of good parentage: the

undesirable ones are to be found among the ranks of divorcees, slaves and prostitutes. The final component is the justification given by Josephus for these prohibitions: that children resulting from these prohibited relationships would be shamed by being born to sexually violated and thus ritually impure women.² Our two passages are promulgated as Mosaic law, but do Josephus' comments follow biblical tradition or do they represent contemporaneous practice, or neither?

As we have seen, Josephus attributes his words as coming directly from the mouth of Moses, leading one to expect to find parallels for each of the statutes in the Books of Leviticus and Deuteronomy where Pentateuchal marriage laws are located. This, however, is not the case. Instead only a small fraction of the passage may be compared to what we know of biblical marriage laws. The majority of the text appears to be of Josephus' invention into which portions of recognisably scriptural material (Lev. 21: 7; Deut. 22: 22) have been inserted. Following his largely non-biblical introduction the remainder of Josephus' discussion on marriage and divorce continues following the laws of Deuteronomy, although not in the same chronological sequence as the canonical versions of the book. This, however, is not the concern of the present study and will be pursued no further here.

Why, we must ask, has Josephus created a non-biblical introduction to important Jewish laws and presented it as the words of Moses? This, I believe, has much to do with his aims as a Jewish apologist. There can be no doubt that by Josephus' time there was little to differentiate between Jewish marriage practices and those of other Graeco-Roman cultures, indeed, around 300 BCE Hecataeus of Abdera noted this phenomenon shortly after the conquest of Alexander: his comments, preserved in Diodorus Siculus' *Biblical History*, wrote of the Jews under Persian rule and of the conquering Macedonians who followed them that:

He [Moses] also made their customs with regard to marriage and the burial of the dead, which differ considerably from those of the rest of mankind. But when later they fell under foreign domination as a result of mixing with outsiders, under the rule of the Persians and Macedonians who overthrew them, many of the ancestral customs of the Jews were disturbed.³

καὶ τὰ περὶ τοὺς γάμους δὲ καὶ τὰς τῶν τελευτῶντων ταφὰς πολὺ τὸ
παρηλλαγμένον ἔχειν ἐποίησε νόμιμα πρὸς τὰ τῶν ἄλλων ἀνθρώπων.
κατὰ δὲ τὰς ὕστερον γενομένας ἐπικρατείας ἐκ τῆς τῶν ἀλλοφύλων ἐπιμιξίας ἐπὶ
τε τῆς τῶν Περσῶν ἡγεμονίας καὶ τῶν ταύτην καταλυσάντων Μακεδόνων πολλὰ

τῶν πατρίων τοῖς Ἰουδαίοις νομίμων ἐκινήθη. ... περὶ μὲν τῶν Ἰουδαίων
Ἑκαταῖος ὁ Ἀβδηρίτης ταῦτα ἱστόρηκεν.

Generally speaking, Hecataeus' writings on the Jews stress the differences between the laws of Moses, whom he considered to be outstanding in 'wisdom' and 'bravery', and the practices of other peoples. However, the confluence of traditional values, as stated by Hecataeus, with regard to marriage customs, particularly free-slave marriages, must have been a great bonus to Josephus as he set out to show that there were few differences between Jewish and Roman practice and tradition. This may also have presented Josephus with an opportunity, in advance of writing his *Contra Apionem*, to subvert the somewhat more scurrilous allegations made against the Jews by Graeco-Roman writers such as Manetho,⁴ Lysimachus,⁵ and Apollonius Molon⁶ among others. These authors attacked Jewish monotheism and accused Jews of social isolationism, hatred of religion, iconoclasm, and portrayed them as lepers and polluted persons. In some cases the works of these authors pre-date Josephus by several centuries and related to the cultural hostilities of their native lands, but, crucially, their writings had the potential to be transmitted in Greek to a much wider audience.⁷ Nevertheless it is evident by Josephus' rebuttal of their negative views in all of his works, especially in the *Contra Apionem*, that their antipathy towards Jews and Judaism resonated in the non-Jewish literary circles of the first century CE. But how did he achieve his goal of demonstrating cultural unity in the face of such criticism at *Antiquities* IV: 244-245?

In order to answer this we need to unpack his comments further and identify where Josephus' so-called Mosaic laws might compare favourably to Roman law and tradition. To this end I will take each of the statutes Josephus attributes to Moses and compare Jewish and Roman attitudes and traditions on the subject. Analysis of this evidence will show that Josephus has created a highly condensed version of Hellenised marriage regulations that would be recognisable to both Jews and non-Jews as their marriage traditions shared many features in common. In addition I will show that Josephus has compounded his efforts to show conformity between the two traditions by representing Moses' objections to free-slave marriages, within the context of his introduction to the marriage laws, by adopting a Greek philosophical, namely Stoic, style. Josephus is certainly not unique in this kind of representation. The familiarity of first century Jewish writers with this particular strand of

philosophy is evident in the works of Philo⁸ and Paul whose discussions of slavery are imbued Stoic doctrine.⁹

Part One: The Suitable Bride.

a) Marriageable Age:

Antiquities IV: 244-245 opens by describing the categories of women suitable in marriage to Jewish men. In the first of Josephus' non-biblical innovations he speaks of a 'marriageable age' for Jewish men (*ἐν ᾧρα γάμου*). Scripture, however, recommends no minimum or maximum age for individuals, whether male or female, at which to contract a marriage.¹⁰ Furthermore, the available evidence for the ages at which figures in ancient Jewish tradition married differs in the sources.¹¹ For example, in some cases the Bible mentions characters who married very young such as Joiakin at age sixteen and Amon and Josias even younger at the ages of fourteen.¹² In other sources biblical characters get married for the first time rather late in life. According to Jubilees, Abram married Sara at the age of forty-nine¹³ whilst it has Jacob marrying at seventy-six years of age.¹⁴ Somewhere in the middle of these age ranges the Testaments tell us that Levi was twenty-eight at the time of his marriage, whilst Issachar was thirty.¹⁵ By the first century CE we find that Philo recommends that the proper age for marriage should fall between the ages of twenty-eight and thirty-five:¹⁶ coincidentally Josephus' first marriage was contracted within this time-frame at around the age of thirty.¹⁷ We can take it, therefore, that Josephus' recommended age for marriage falls somewhere between the ages of late twenties and mid-thirties.

If we look at the evidence of age for Roman men at the time of marriage we find a great deal of similarity with Jewish traditions. Officially the legal minimum age at which Roman boys and girls could contract a marriage was fourteen and twelve respectively.¹⁸ Literary and epigraphical evidence, however, does not support this as the norm. It is generally thought that most Roman men in the imperial period were married for the first time in their late twenties to early thirties¹⁹ to girls in their late teens.²⁰ Senatorial and other aristocratic men may have married slightly earlier than their less well-off contemporaries because they needed the support of two families to assist them in gaining influence and political office,²¹ although Marcus Aurelius was at the later age of twenty-four when he married Faustina.²² Late marriage was common enough to cause imperial concern. Thus, Augustus implemented legislation that penalised men and women if they had not married by the ages of twenty-five

and twenty respectively, although how much of a concern this was in Josephus' time is difficult to gauge.

So, although Jewish tradition of the Second Temple Period, unlike Roman tradition, is not specific about the proper age for Jews to marry, it is clear that Josephus intended to equate Jewish practice with Roman tradition. Although Josephus was almost certainly aware that on average high-status Jewish and Roman men in the first century CE tended to marry for the first time somewhere between their mid to late twenties, it is likely that his 'marriageable age' for Jews is meant to imply a correlation with Augustus' legislation.

b) Virginit

Josephus' second innovation, in comparison with the Pentateuch, is to tell his readers that the bride of all Jewish men must also be a virgin (*παρθένος*). Although this is not mentioned specifically as a legal prerequisite in Scripture, it is a preference that is frequently stated in the Bible, in other non-biblical sources and by Josephus himself.²³ These sources are primarily concerned with female virginity, rather than male (there is no word in either Greek or Hebrew for a man who has not had sexual intercourse).²⁴

The sources, however, do not agree on the reasons why female virginity was so highly prized or what virtues were associated with it. *Ben Sira*, for instance, closely allied virginity with beauty.²⁵ On the other hand Jewish groups such as the Therapeutae, the authors of the Dead Sea Scrolls and the early Christians placed high value on the virginal status of both men and women, associating it with ritual purity and purity of the soul.²⁶ The story of *Joseph and Aseneth* makes as much of Joseph's chastity and his beauty (8: 1) as it does that of Aseneth's (1: 4-6), as opposed to Egyptian licentiousness. Philo tells us that Moses required the taking of a virgin bride,²⁷ and he, like Josephus, followed Leviticus in stating that the priesthood must marry virgins.²⁸ For these authors, female virginity and abstinence from sexual activity was equated with the possession of ritual purity and high moral values.

The traditions of other Graeco-Roman cultures were no different in this respect to those of the Jews: female virginity throughout the Mediterranean and the near east was highly prized for several reasons. Firstly, the paternity of any children from the sexual relationship between a man and his virgin bride was assured. Secondly, female virginity had a significant symbolic

value,²⁹ and thirdly, the notion of virginity was connected to the notion of good moral character.³⁰

It is clear, therefore, that the preference for female virginity was not unique to the Jews in the Second Temple Period; indeed, in the Hellenistic Period there was not much to distinguish between the traditional expectations of Jewish and Graeco-Roman culture in this respect. As there is no specific legal requirement for male Jews to marry virgins in the Pentateuch, the later developments whereby virgin brides were considered to be desirable probably indicates that the Jews accommodated Hellenistic values in this respect. The Roman social and legal view of virginity in women followed this pattern. Pre-marital sex for women was considered to be a sexual offence and the loss of virginity made it very difficult for a girl's parents to find her a suitable partner: she was in effect devalued. This was less of a problem for the upper classes whose closely watched daughters had little chance of engaging in premarital sexual intercourse.³¹ Unsurprisingly, perhaps, the sources show that the reverse was expected of Roman boys.³² Indeed it was common practice that they would take a slave as a concubine until such times as they married.³³

In sum, in the Graeco-Roman Period virginity was universally expected from women who were to be married for the first time. Josephus' inclusion of this extra-biblical statement in his introduction to the Jewish marriage laws is wholly in keeping with this tradition, and it seems likely that he was recording contemporary Jewish practice as a requirement of Mosaic law.

c) Legal & Social Status:

Josephus' third and fourth innovations are the extra-biblical recommendations that the brides of Jewish men should be 'freeborn and of honest parents' (*ἐλευθέρων γενέων ἀγαθῶν*), but what does he mean by this? Let us treat these Greek terms individually.

Firstly, his anticipation that the bride must be 'freeborn' in order to marry, we have already seen, has no basis in scripture: there is no biblical law that forbids marriage between free men and slave women or the daughters of slaves. In fact, Mosaic law refers to an institution whereby free-slave relationships could properly exist. At Exodus 21: 7-11, for example, a slave woman can be 'designated' as the wife of her master or his son. Marriage through 'designation', according to Satlow, is essentially the same as freeing the female and then

marrying her; thus, the designated marriage “counted as any other”.³⁴ Women too were theoretically legally entitled to free their male slaves and marry them, although it is likely that in practice society may have disapproved of women acting in this way.³⁵ Leviticus 19: 20-22 speaks of punishment for a man who has sexual relations with a slave woman who is betrothed to another man. This betrothal presupposes that marriage is imminent.

This, as Josephus must have been aware, was not the case in a Roman context: slaves were incapable of contracting legal marriages.³⁶ So, in the context of Josephus’ statement, and bearing in mind the Roman legal requirements at the time of writing, the adjective, *ἐλευθέρος*, applied to the prospective bride may imply that the woman was eligible to contract a legal marriage to a fellow free citizen so long as she fulfilled the following criteria:

- she must be at least twelve years of age;
- she was not to be involved in occupations such as prostitution, acting, tavern keeping or to have been convicted of adultery;
- she must not be a blood relative of the man;
- she must not be the ward of a guardian;
- she must be of free or freed status. If she was of the senatorial class she could not legally marry a freedman.³⁷

This brings us to the fourth of Josephus’ innovations, his concern with the social status of the bride’s parents. The freeborn bride in question is clearly high-ranking because of the qualities expected to be present in her family. The status marker that Josephus applies to the girl’s family is *ἀγαθός*, a very commonly used adjective in Josephus’ writings but with varied connotations. In general *ἀγαθός* as an adjective or substantive expresses the significance or excellence of a person or thing,³⁸ and in this specific example I suggest that the translations by Thackeray and Feldman have somewhat underplayed its significance by translating *ἀγαθός* as respectively ‘honest’ or ‘good’. This can be demonstrated by looking at other places in *Antiquities* I-IV where Josephus applies the adjective to describe the attributes of many individuals of exemplary character; their generosity and graciousness; their sagacity, justness and skill³⁹ and especially to exemplify their virtue, particularly in connection with biblical characters or their offspring.⁴⁰ It is also used by Josephus to indicate an abundance of wealth and possessions and personal good fortune.⁴¹ Unsurprisingly, therefore, it appears that what

Josephus is telling us about the parents of the ideal freeborn bride of the Jewish man is that they should be wealthy, of good breeding and of high social status.

The desirability of high-status wives and in-laws for Jewish men and their importance to Josephus is evident elsewhere in his works. For example, at *Contra Apionem* I: 31 he tells us that a priest must maintain the purity of the ancestral line by marrying "...a woman of his own race, without regard to her wealth or other distinctions; but he [the priest] must investigate her pedigree, obtaining the genealogy from the archives and producing a number of witnesses". Josephus, speaking of his own domestic situation in his autobiographical work (*Life* 427), is at pains to point out that one of his own wives, a Cretan Jew, was born to "distinguished parents, indeed the most notable in that country". The marriages to which Josephus alludes in *Contra Apionem* I: 31, *Life* 427 and *Antiquities* IV: 244-245, most likely refer only to high status individuals and represent the extent of his frame of reference on the subject. There can be little doubt that the rules Josephus is applying in these statements, whether they originate in biblical law or as a socially accepted tradition, were those followed by his elite Jewish and non-Jewish contemporaries. Lower class families, about whom we know very little, were unlikely to have had the opportunity to be so particular about the quality and status of a girl and her parents when contemplating marrying off their sons.

A Roman reader of *Antiquities* IV: 244-245 is likely to have understood what Josephus intended to convey by his juxtaposition of the status markers of *ἐλευθέρος* and *ἀγαθός*. The notion that the girl and the parents of the girl should be of the highest standing, or possess the qualities encapsulated by the notion of *ἀγαθός* as Josephus put it, would very likely have resonated strongly with Josephus' readers. Aristocratic Roman males and females were not expected to marry for love but to gain the highest financial and political advantages for their parents and for the brides' potential husband.⁴² The primary purpose of Roman marriage was to forge familial alliances and it was also the legal institution within which a large amount of property transfer was conducted in the form of dowries and inheritances.⁴³ In accordance with Josephus' use of *ἀγαθός*, what mattered in Roman marriages was the character of the bride and her husband, their status in society, their family background and their respective families' wealth and political affiliations.⁴⁴

Part Two: The Unsuitable Bride.

a) The Divorced Woman:

Following his statements regarding the status of the prospective bride and her parents, Josephus begins to outline the categories of women who are unfit to marry Jewish men. Here, at his fifth apparent innovation, his statements begin to resemble biblical laws on marriage (Lev. 21: 7; Deut. 22: 22) but even this connection, in my view, is doubtful. Josephus tells us that “He that will not espouse a virgin must not unite himself to a woman living with another man, corrupting her or wronging her former husband”. The content of this sentence is somewhat confusing. In the first half of it Josephus tells us that a man must not have sexual relations with a woman who *still lives with her husband*: although not explicit in the text this implies that the woman is committing an adulterous act. In the second half of the sentence Josephus qualifies this by telling his audience that this is because this action would “wrong” her *former* husband. This surely means that the woman is divorced. So what are we to make of this somewhat confused part of *Antiquities* IV: 244 - is the woman in question an adulteress or a divorcee?

Thackeray attributes the biblical origins of this statement to two sources. 1) Leviticus 21: 7 which states “They shall not take as a wife a woman who is a harlot and profaned, nor a woman who repudiated by her husband; he is holy for the Lord his God”⁴⁵ (GK and HB), 2) Deuteronomy 22: 22: “And if a man be found lying with a woman married to a man, ye shall kill them both, the man that lay with the woman, and the woman” (GK and HB). But is this correct? Leviticus, referring only to the marriage requirements of priests and not lay men, forbids them to marry a prostitute who, by virtue of her mode of employment, is a sexually impure non-virgin. As such she is rendered unsuitable as a prospective bride for a member of the priestly class. Furthermore, Leviticus forbids priests to marry a woman who is “put away” or divorced from her husband as this would imply that she too is no longer a virgin and is thus rendered unsuitable to make a priestly marriage. The Deuteronomic regulation, on the other hand, pertains to lay men and not solely the priestly class. It tells us that the husband of an adulterous wife has the legal right to kill his wife and her lover in recompense for their transgression against him.

Not only are these regulations mutually incompatible but neither appears wholly compatible with Josephus’ passage either. Louis Feldman’s commentary on this passage, however, may

resolve the confusion. According to Feldman, quoting Gallant,⁴⁶ Ms. O² reads *λιποῦσαν*, thus rendering the statement, “Nor let him marry one who has left her former husband”. If this reflects the correct reading then the relationship under discussion in Josephus’ passage is between a man and a divorced woman and not a couple committing an adulterous act. Nowhere does the Pentateuch forbid a man’s marriage to a divorced woman, indeed, Deuteronomy 24: 2 states “And when she is departed [divorced], she may go and be another man’s wife”.⁴⁷ It could be that Josephus is applying the Levitical⁴⁸ prohibition on priestly marriage to divorcees to the general populace in his passage.⁴⁹ Contrary to Thackeray’s assertion it is unlikely that Josephus used Deuteronomy 22: 22 as a source here because even if Josephus is indeed referring to adulterers in *Antiquities* IV: 244, he was unlikely to have omitted to state that the Jews’ punishment for the perpetrators of adultery is death. Although such a punishment may have seemed harsh to a Roman reader it would have been recognisable with parallels in Roman tradition. Adultery in later Roman law attracted severe penalties such as banishment and the retention of a portion of the dowry.⁵⁰ During the Republic, however, a man discovering his wife’s adulterous act was entitled to kill her without fear of legal retribution.⁵¹ Physical violence was curtailed by Augustus’ *Lex Julia de adulteris coercendis* which promulgated recourse to law, but there is evidence of private violence after this. If a daughter committed adultery on her father’s property and was caught in the act, the father was obliged to kill both parties or neither.⁵² Hence, I would speculate that if Josephus had meant this part of his passage to refer to adultery, the punishment for it would have been retained in his passage rather than left out.

So, Josephus is referring to divorced women and it is on this point, as Josephus must have been aware, that the similarities between *Antiquities* IV: 244-245 and Roman tradition and law diverge. Jews and Romans differed greatly in their attitude to divorce and the ability of women to obtain a termination of their marriage. Generally speaking in Jewish law the right to instigate divorce was in the domain of men. It is they who have the right to issue a bill of divorce, or *get*.⁵³ Josephus confirms this at *Antiquities* 5: 259 when he interrupts his account of the divorce bill sent between Salome⁵⁴ and Costabarus to tell us “It is only the man who is permitted by us to [instigate a divorce], and even a divorced woman may not marry unless her former husband consents”.⁵⁵ Despite this evidence, Jewish divorces appear to be relatively rare in the surviving sources because, perhaps, of the high cost to the husband of repaying the dowry. Divorce was a wealthy man’s privilege.⁵⁶

Compare this to the Roman parallel. By the first century CE divorce between Romans was quite straightforward and could be instigated by either party. Men and woman were equally entitled in law to end their marriage.⁵⁷ Divorce could be implemented simply by the wishes of the individual partner or by mutual consent and necessitated the return of the dowry.⁵⁸ One restriction that affected women and not men was that a divorced woman had to wait twelve months before remarriage was allowed in case she was pregnant by her former husband. This, however, was about ensuring paternity rather than punishing the woman.⁵⁹

Precisely why Josephus chose to allow such a glaring example of incompatibility between Jewish and non-Jewish tradition, in a context where emphasising compatibility seems to be a key factor in his writing, is puzzling. It is not hard to imagine, however, that there were many unhappy Roman men who had been relieved of substantial dowries because their wives decided to terminate their marriage by invoking a law that, unusually for the period, favoured the sexes equally. Josephus' comments here may well have provoked the admiration of his non-Jewish readers.

b) The Slave Women:

Our next example of Josephus' forbidden women in *Antiquities* IV: 244-245 is his extra-biblical prohibition against free-slave marriage. This statement is presented in two parts. The first part is the prohibition itself, and the second is the reason for the prohibition. Neither part of the statement can be attributed, as Josephus attempts to do, to the laws of Moses as represented in the Pentateuch.⁶⁰ If we examine the first part of the statement we see that contrary to Josephus' bold assertion, as I have already discussed in my previous section on 'Status', scripture contains no such prohibition. In fact, there are examples in Exodus and Leviticus that clearly assume that free-slave marriages may occur and that it was lawful to contract such unions.⁶¹ The absence of an explicit ban on free-slave marriages in Scripture implies, theoretically, that there was no restriction on free-slave couples forming legal marriages. Whether such unions ever occurred in reality is open to conjecture.

In the Pentateuch, 'marriage' was also anticipated and legislated for between slaves. Exodus 21: 4-5 allows a master to give his slave a 'wife' with whom the slave is permitted to have children and presumably live as a traditional family group. That a loving relationship is expected to grow out of this situation is made clear at Exodus 21: 5 when the male slave is given a stark choice. Either he can leave his master's home when his period of slavery has

expired, leaving his 'wife' and children as the property of his master; or, because of "love for my master and wife and children", he can opt to stay in servitude and keep his family together. So Jewish law, as represented by the Pentateuch, allows marriage between free men and slaves, implied by the fact that there is no explicit prohibition, and between committed slave couples. But what of Roman law? Simply put, Roman citizens could not contract a legal marriage with a slave.⁶² Moreover, Roman law had never formally recognised sexual or familial relationships between slaves, or between slaves and free persons.⁶³ The law was emphatic; a legal marriage could only take place between free citizens with the consent of their respective *paterfamilias*.⁶⁴

Although marriage between slaves was impossible in a legal sense, the adoption of a 'normal' family life by slave couples was encouraged by a legally recognised form of quasi-marriage (*contubernium*).⁶⁵ It was hoped that this relationship would produce stability in the household and produce children who would become the property of their parents' owner. In fact, imperial legislation positively encouraged slave 'families' to produce offspring. By the middle of the first century CE slave women, like free women, could be rewarded for bearing children presumably to boost the number of home-born rather than purchased slaves.⁶⁶ So here we can observe that Josephus was faced with diametrically opposed legal and cultural traditions. The difficulties he faced in demonstrating cultural similarities between Jews and Romans on this point were overcome simply by ignoring biblical tradition. Moreover, Moses' supposed explanation for this non-biblical prohibition accords completely with elite Roman social expectation. In the second part of Josephus' statement, he tells us that despite the fact that there might be strong emotional ties between a free man and his female slave "...such passion *must be mastered by regard for decorum and the properties of rank*" (*κρατεῖν δὲ τῆς επιθυμίας τὸ εὐπρεπὲς καὶ τοῖς ἀξιώμασι πρόσφορον*). In other words an elite free man's regard for his breeding and high social standing should be reason enough for him to abandon any thoughts of attempting to marry his slave woman.

That is not to say that such a marriage was legally impossible. In the event that a male citizen of Rome insisted on marrying a slave he could do so provided he freed her first. This provision, however, was not available to a man of the senatorial class⁶⁷ and the available evidence shows that it was mostly freedmen and former soldiers who freed and married slaves and not members of the upper classes.⁶⁸ Free-slave marriages may have been legally possible but, for the elite in society, contracting one would have amounted to social suicide. Even if

upper-class men were desperate to marry their slaves, social mores would have prevented the wives' acceptance into society and would have precipitated his social downfall and that of his family. It was better that he took his slave as a concubine until such times as he married the girl of his parents choosing.⁶⁹

In my section on the status of the desirable Roman and Jewish bride and her family I showed that high status individuals were expected to marry other high status individuals in order to maintain or promote the social standing of the husband and of both families. Again, Josephus, in prohibiting free men's marriage to slave women because of "decorum and the properties of rank", is demonstrating this expectation.⁷⁰ By smoothing out the biblical irregularities that contradicted Roman law and tradition, such as the scriptural permissibility of free-slave marriages, Josephus is demonstrating to his readers that, according to Moses, biblical law like Roman law, promoted the idea that legitimate marriages created a "union between social equals, an alliance not only of two people but of their families, intended to produce children whose legitimacy and status were not in question and who could fittingly succeed to their parents' property and role in the social order".⁷¹

c) The Prostitute:

Immediately after his rejection of free-slave marriages Josephus presents us with his final prohibition against marriage to prostitutes. In this statement at *Antiquities* IV: 245 Josephus resumes his loose re-working of Leviticus 21: 7 writing:

Again, there must be no marriage with a prostitute, since by reason of the abuse of her body God could not accept her nuptial sacrifices.

This statement, like the previous two examples, has two parts: the prohibition and its explanation. Despite Josephus' universal ban on marriage to this category of woman, this prohibition, according to Leviticus, applies only to priests and not explicitly to non-priests.⁷² Thus, we can infer from this that there is no scriptural recommendation against lay Jewish men's marriage to prostitute women. Moreover, at *Antiquities* V: 259 Josephus shows that he is well aware that in other places in the Bible Jewish men legitimately married harlots. In his retelling of Judges 11: 1, he also appears happy to relate to his audience that harlotry was the occupation of Jephthah's mother. Later in Book V, however, his opinion changes as he is damning of the judge Samson for violating the 'law of his forefathers' by having sexual relations with a prostitute (*Antiquities* V: 306).

Jewish literature of the Second Temple Period identifies three kinds of prostitute. These were: 1) the gentile with whom Jewish men could come into contact, 2) the Jewish prostitute servicing Jewish clients, and 3) the Jewish captive woman made to prostitute herself against her will. Contact with prostitutes was never viewed as a good thing in the sources as the following references demonstrate. Thus, *Ben Sira* recommends to his fellow male “Never surrender yourself to prostitutes for fear of losing all you possess” (25: 16-17). The *Testaments of the Twelve Patriarchs* see the avoidance of prostitutes as the mark of virtue in men. Levi, for example, admonishes his descendents, accusing them of adultery (*Test. Levi* 14: 6). Benjamin tells us that a good man looks at no woman other than his wife (*Test. Ben.* 8:2) and Issachar, it is said, led a pure and innocent life because he had no relations with women other than his wife (*Test. Issach* 7: 1-2). The Qumran fragments include a poetic text entitled by its translator, John Allegro, as “The Wiles of the Wicked Woman”.⁷³ Although the proper context and purpose of the poem is unknown, the text describes a symbolic but evil woman using her wiles to seduce an innocent man. It is clear from these sources that the prostitute is viewed with fear and suspicion. She is to be avoided at all costs as she could bring about a man’s downfall.⁷⁴

Of course, the expression of disdain for prostitutes in literary sources is not a specifically Jewish phenomenon; the wider cultural world would have sympathised with such sentiments. Josephus’ non-Jewish readers would have identified with the sentiments he expresses in barring Jewish men in marriage to prostitutes. Roman sources are, however, less damning of ‘working women’ than Jewish sources. In Rome prostitution was common and the existence of large numbers of brothels in the city passes largely without comment in any other extant ancient Roman source.⁷⁵ Most prostitutes who worked the streets and brothels were foreign women, mostly acquired through slavery or the poverty of the woman who catered for the sexual needs of the lower classes and other slaves.⁷⁶ Rich men had free sexual access to their own slaves and concubines and did not have to resort to visiting squalid whore-houses. Yet despite the sexual privileges of class it was considered quite natural for upper-class unmarried youths to acquire their sexual education in brothels, although social mores dictated that too frequent visits were frowned upon.⁷⁷

In the context of Josephus’ statement it must naturally be said that visits to prostitutes by elite youths are very different from the notion of them contemplating marrying one. Attempting to

do so would precipitate the same social disgrace that would have followed any attempt to marry beyond class and, although Jewish law does not expressly forbid marriage to prostitutes, Augustus' laws, enforced in the first century CE, certainly placed this prohibition on the statute books.⁷⁸

Part Three: The Justification.

a) Children Born in Shame:

Josephus concludes *Antiquities* IV: 244-245 by commenting on the negative effects on the children born from the shameful unions that he has set out here. Such concern is without parallel in the Bible.⁷⁹ He tells us "For so only can your children have spirits that are liberal and uprightly set towards virtue, if they are not the issue of dishonourable marriages or of a union resulting from ignoble passion". In the first half of this sentence Josephus concludes that children born of marriages contracted between free men and the suitable women discussed in Part One of this section will be free in mind and body and, as such, will follow the path of virtue. Josephus, in the second half of the sentence, infers that the opposite conclusion is reached. By definition the children born of unions with the women discussed in Part Two are destined to follow slavish, non-virtuous lives.

Part Four: A Stoic Influence?

Throughout these two passages a member of Josephus' elite audience in possession of even an elementary knowledge of Greek philosophy would be likely to recognise that the comparisons and juxtapositions that Josephus has set in place have a distinct Stoic philosophical complexion. Stoic thought developed the notion of moral slavery in contrast to the Aristotelian notion of natural slavery. The theory of natural slavery promotes the idea that the mass of humanity is by birth physically, intellectually and morally subservient to a comparatively few virtuous and morally superior individuals.⁸⁰ Moral slavery, on the other hand, divides humans into two categories; the wise and the good; and the inferior or bad. Thus, it is the mind and the temperament, rather than the body, which is enslaved.⁸¹

The only major difficulty in equating Josephus' comments with these ideas is that for the Stoics external forces such as wealth, poverty, high and low status, are beyond the control of the individual and of no significance; these were termed as 'indifferents' as they made no impact on the happiness or unhappiness of an individual or their capacity for good or evil.

Slavery and freedom, on the other hand, are conditions of the soul and not the body and are thus within the individual's control and are all important.⁸² 'Indifferents', however, although unnecessary could be useful. If a wise and virtuous individual was wealthy and of high status these attributes could be considered as 'preferred indifferents'. Attributes in the bad, evil, poor and low status categories were considered 'non-preferred indifferents'. Thus, 'preferred indifferents' such as wealth and status were favoured over their opposites because they facilitated the attainment and proper use of virtue and wisdom.⁸³ But how does this fit with Josephus' agenda in *Antiquities* IV: 244-245?

Superficially, Josephus' description of desirable and undesirable brides appears to be based on external forces such as wealth and status, or lack of them, and as such it rests somewhat imperfectly within the framework of Stoic slave theory. However I acknowledge, as has been noted elsewhere, that it is unwise to overemphasise Josephus' understanding of Graeco-Roman philosophy or how far such philosophical constructs have been incorporated into his writings.⁸⁴ In all probability Josephus had no more than a passing acquaintance with Stoic discourse but what little he did know would have been enough for him to express ideas that would have resonated with his educated Greek-speaking readers.⁸⁵ If, therefore, we look at the evidence in Josephus' passage with this in mind, I suggest that the classic Stoic free-slave paradox⁸⁶ is recognisable in the context of his own paradox. The freeborn, morally virtuous bride is 'good' especially if she possesses 'preferred indifferents'; the enslaved, morally non-virtuous bride is 'bad', particularly as she possesses 'non-preferred indifferents'.

The sexual purity through abstinence and free status of the women in Josephus' first category are accommodated comfortably within the first part of the Stoic paradox. The soul of the wise and the good person is free regardless of wealth, health and status. The woman's 'preferred indifferents' are supplied in the virtues inherent in the *ἀγαθός* of both her own parents and of the family of her prospective husband. Likewise, the divorcee, the slave and the prostitute of Josephus' second category fulfil the criteria of the second part of the Stoic paradox. The soul of the inferior and bad person is enslaved. Josephus' explanations for each prohibition in marriage to elite young men attribute 'non-preferred indifferents' to each woman; the divorcee's actions corrupt both herself and her former husband; the free man must resist the temptation of his base and degenerate, morally and socially inferior female slave; the prostitute, so morally and spiritually corrupt that God must refuse her sacrifice.

Part Five: Summary

At first reading, Josephus' prohibition of free-slave marriages in *Jewish Antiquities* IV: 244-245 appears to be part of an attempt to précis Mosaic marriage laws in the form of an introduction to his main statements on the subject. A close analysis of these passages, however, reveals that Josephus' agenda at the time of writing was somewhat more complicated. This introduction is a carefully constructed apologetic that contrives to impress upon its reader that Mosaic and Roman laws on marriage between free men and female slaves and other categories of undesirable women are virtually identical. As such, *Antiquities* IV: 244-245 outlines the qualities that are required from the ideal bride for the young Jewish man and provides details of the type of women who are unfit for the purpose.

We have seen that Josephus, in comparison with the canonical Pentateuch, falsely attributes the laws of his passage to Moses. Comparisons between these passages and scripture show that little, if any, of what Josephus has written here is based on any known biblical law. As I have suggested, it is more likely that some time prior to the advent of the Hellenistic period the cultural diversity of marriage laws in Graeco-Roman world had developed more or less the same characteristics. This cultural standardisation, as shown by Hecataeus' observations, resulted from both internal cultural changes and through the influence of the dominant Graeco-Roman culture. So, Josephus drew upon contemporaneous Jewish, but distinctively Hellenistic, practice and presented it in his *Jewish Antiquities* as the ancient laws of his Hebrew ancestors. These laws of course would have been instantly recognisable as current tradition to non-Jewish readers.

I have also suggested that Josephus went further than to simply outline the Jewish customary practice with regard to free-slave and other marriages in a manner that he already knew was compatible with Roman traditional values. Structurally, *Antiquities* IV: 244-245 mirrors the Stoic paradox of the qualities that constitute free and slave personalities. Although free-slave marriages are not the sole focus of *Antiquities* IV: 244-245 the Stoic influence suggests that Josephus regards the forbidden categories of woman, other than the explicitly mentioned female slave, as 'slavish' in character as opposed to being chattel slaves in the legal sense. This too would have resonated strongly with educated readers of Josephus' work.

Section Two: Josephus & Marriage between Priests & Slave Women

At *Antiquities* III: 276 Josephus informs his audience of the types of women that made suitable and unsuitable brides for members of the Jewish priesthood and high priesthood. Among the undesirable categories of women Josephus has included female slaves and slave women acquired as prisoners of war. The passage is as follows:

From the priests he exacted a double degree of purity. For not only did he debar them in common, with all the others, from the aforesaid practices but he further forbade them to wed a harlot, he forbids them to wed a slave or a prisoner of war, aye or such women as gain their livelihood by hawking or inn-keeping or who have for whatever reasons been separated from their former husbands. As for the High Priest, he would not suffer him to take even a woman whose husband was dead, though he concedes this to the other priests: none but a virgin may he wed and withal one of his own tribe. (*A. J. III. 276*)

Τῶν δ' ἱερέων καὶ διπλασίονα τὴν ἀγνείαν ἐποίησε· τούτων τε γὰρ αὐτοὺς ὁμοίως τοῖς ἄλλοις εἶργει καὶ προσέτι γαμεῖν τὰς ἡταιρηκυίας ἐκώλυσε, μήτε δούλην μήτ' αἰχμάλωτον γαμεῖν αὐτοὺς κεκώλυκε καὶ τὰς ἐκ καπηλείας καὶ τοῦ πανδοκεύειν πεπορισμένας τὸν βίον μηδὲ τὰς τῶν προτέρων ἀνδρῶν ἐφ' αἰσθητοτοῦν αἰτίαις ἀπηλλαγμένας. τὸν ἀρχιερέα μέντοι οὐδὲ τεθνηκότος ἀνδρὸς ἤξιωσε γυναῖκα τοῦτο τοῖς ἄλλοις ἱερεῦσι συγχωρῶν, μόνην δ' αὐτῷ [δέδωκε] γαμεῖν παρθένον καὶ ταύτην φυλάττειν·

This passage forms part of Josephus' excursus on Jewish purity laws at *Antiquities* III: 258 ff., beginning with the consecration of the Levites and running through the purity laws relating to food, lepers, menstruants, childbirth and the ordeal of suspected adulteresses. At *Antiquities* III: 274 Josephus begins his discussion of marriages and sexual practices forbidden to men in Jewish law. These include adultery, sexual relations with mothers, stepmothers, aunts, sisters, and daughters-in-law, sex with menstruants, sodomy and bestiality.⁸⁷ Josephus then proceeds to the passage in question. Here he tells his readers that under biblical purity laws priests and high priests are forbidden to involve themselves in certain marital and sexual practices in addition to those that we have seen above that apply solely to non-priests. Specifically he tells us that ordinary priests were forbidden to marry harlots, slaves or war captives, hawkers and inn-keepers and divorced women. The high priests, according to Josephus, are subject to even greater restrictions than the ordinary priests. These men were, in addition to the above restrictions, prohibited from marriage to widows. The passage concludes that the only suitable bride for the high priest was a virgin of his own tribe.

Josephus presents his words as Mosaic law and as such it would be reasonable to expect *Antiquities* III: 276 to closely resemble a Pentateuchal primary version that also debarred priests and high priests in marriage to prostitutes, slaves, female war captives, hawkers, innkeepers, divorcees and widows.⁸⁸ This, however, is not the case. If we compare Josephus' passage with his most likely source we can see that our author has amalgamated two passages from Leviticus.⁸⁹

In Leviticus 21: 7 of the MT and LXX it is clearly stated that members of the priesthood may not marry certain categories of women. Later, at Leviticus 21: 13-14 the Pentateuch addresses the additional marriage regulations that relate to members of the high priesthood. It states:

13 [the high priests]... shall take a wife in her virginity.
 14 He shall not take a widow, or one put away, or a polluted one, a harlot, but he shall take a virgin of his own people for a wife

13 οὗτος γυναῖκα παρθένον ἐκ τοῦ γένους αὐτοῦ λήμψεται·
 14 χήραν δὲ καὶ ἐκβεβλημένην καὶ βεβηλωμένην καὶ πόρνην, ταύτας οὐ λήμψεται, ἀλλ' ἢ παρθένον ἐκ τοῦ γένους αὐτοῦ λήμψεται γυναῖκα·

13 וְהָיָה אִשָּׁה בְּתוּלָיָהּ יִקַּח:
 14 אֲלִמְנָה וְגֵרוּשָׁה וְחַלְלָה זִנָּה אֶת־אִלְמָה לֹא יִקַּח כִּי אִם־בְּתוּלָה מִעַמּוֹ יִקַּח אִשָּׁה:

Leviticus 21: 7 tells us that ordinary priests are forbidden to marry harlots, polluted women or women who are 'put away' from their husbands (γυναῖκα πόρνην καὶ βεβηλωμένην οὐ λήμψονται καὶ γυναῖκα ἐκβεβλημένην ἀπὸ ἀνδρὸς αὐτῆς· ἅγιός ἐστιν τῷ κυ-ρίῳ θεῷ αὐτοῦ /

(אִשָּׁה זִנָּה וְחַלְלָה לֹא יִקַּחוּ וְאִשָּׁה גֵרוּשָׁה מֵאִשָּׁה לֹא יִקַּחוּ כִּי־קָדָשׁ הוּא לַאֱלֹהִיוּ).

Leviticus 21: 13-14 adds widows to this list specifically in relation to the categories of women that the high priest is barred from marrying. The only suitable bride for a high priest is a female Israelite virgin. A ban on marriage between ordinary priests and widows is not explicit in Leviticus 21: 7, allowing the interpretation that these unions are permissible.

The Pentateuch, therefore, clearly provides four categories of women disallowed in marriage to priests. The precise definition of two of these categories, however, is not immediately clear. The first and fourth categories, widows and harlots, need no explanation. However, the

women who are classed as "... put away, or profaned" are less easy to define. It is likely that what is meant here are women who have been previously married and who have had sexual relationships,⁹⁰ which would make them ritually polluted in the eyes of the priestly class: Leviticus 21: 13-14 re-emphasises that the virgin status of the bride of the high priest is of paramount importance. If we make a comparison between the Pentateuch and Josephus' version we find that to a significant degree Josephus' text closely resembles elements from both of the biblical texts. Both Josephus and Leviticus prohibit priestly marriage with harlots, divorced women (women who have been 'put away') and both sources contain the additional prohibition forbidding marriage between the high priests and widows.

There are, however, significant differences between the texts. Leviticus contains the category of "polluted" women that is absent from Josephus' passage. Josephus, on the other hand, speaks of a Mosaic requirement that the priestly class observe a "double degree of purity" (*διπλασσίνα τὴν ἀγνείαν ἐποίησε*) in matters of marriage. Josephus has also added slaves, female prisoners of war, women employed in hawking and inn-keeping to the biblical list of women forbidden in marriage to priests.

So, what can we make of the anomalies that this comparison between Josephus' passage and the biblical text brings to light about the nature and purpose of *Antiquities* III: 276 and Josephus' attitude to priestly marriages? I have argued in the previous section that there were many similarities between Jewish and non-Jewish marriage practices by the time Josephus was writing and that Josephus was primarily concerned with writing about the social elite, for the social elite. It is the marriage practices of this group that are represented in his works. I have also shown previously that elite social groups, both Roman and Jewish, rejected the idea of legitimate marriage or acceptable sexual relationships with slaves, prostitutes and other social inferiors. It is these categories of women that Josephus appears to be referring to at *Antiquities* III: 276 in relation to the marital traditions of the priestly classes whether or not they are prohibited in biblical law. Josephus, therefore, appears to be consistent in his opinion as to the types of women who were acceptable in marriage to elite Jews, whether they are priestly (*A. J.* III: 276) or non-priestly (*A. J.* IV: 244-245).

The above summary of Josephus' treatment of the laws of the Pentateuch, however, is inadequate to explain his method and intent. Whereas Josephus' entirely non-biblical formulation of his introduction to the marriage laws of lay men at *Antiquities* IV: 244-245

was intended to show that elite Jewish and non-Jewish customs and laws in that respect were compatible, the present context has an altogether different style and purpose. Josephus composed *Antiquities* III: 276 with two aims in mind. Firstly, he interprets his primary version with additional material that was intended to amplify and explain Leviticus to a non-Jewish audience. Secondly, the passage was intended by Josephus to authenticate, glorify and legitimise the Jewish priestly class. As such it is formulated as a piece of educational propaganda directed at an audience that would have been largely ignorant of the subject matter. Josephus has achieved this by subtly shaping the biblical material in such a way as to make it conform to both Pentateuchal laws as well as to contemporaneous elite Jewish and Roman practice.

In order to illuminate Josephus' agenda and methodological process, the remainder of this section will demonstrate two things. Firstly, I will show how the addition of slaves, female prisoners of war, hawkers and inn-keepers to his interpretation of Leviticus aided his apologetic motivation to demonstrate conformity between Jewish and Roman traditions. I will also assert that these additions were carefully selected by Josephus because the negative implications of elite marriage to these categories of women would have been very familiar to his Roman audience. Secondly, I will endeavour to recover, as far as is possible, Josephus' perception of the status of the priesthood in the Jewish social order and how he wished this group to be perceived by the non-Jewish world. The net result of these analyses will show that the intention of Josephus' re-working of Leviticus 21: 7 and 13-14 at *Antiquities* III: 276 was to impress upon his Roman readers that the morality and integrity of the Jewish priesthood in matters of marital and sexual relationships with a variety of categories of women, including slaves, could be measured alongside or even beyond that of their parallel Roman social and cultural counterparts.

Part One: An Analysis of Josephus' Interpretation of Leviticus 21: 7

The following analysis will look at where Josephus corresponds with his primary version and will examine in detail each of his additions to his text of Leviticus.

a) "double degree of purity"

The regulations regarding priestly marriages and sexual relations in Leviticus 21: 7 and 13-14 place a greater emphasis on the need for a higher degree of sexual purity from the prospective

wives of the priestly and high priestly class than was required in non-priestly marriages. Josephus' first addition to the biblical text in his interpretation reflects this notion but in an exaggerated form. The assertion that priests were compelled to conform to "a double degree of purity" is an innovation of Josephus.

The precise meaning of this statement is unclear; however, as it is made after Josephus has written on the regulations for marriage between non-priestly couples, we can assume that he is implying that the brides of the priesthood must possess greater ritual purity than those engaging in non-priestly marriages. Leviticus, however, makes no mention of the need for a higher degree of purity in marriage from ordinary priest as opposed to lay men, it simply states that priests are to be holy to God.⁹¹ This insertion is clear hyperbole but, as a literary device, it serves two distinct and important purposes. Firstly, it immediately sets the Jewish priesthood apart from ordinary male Jews at the same time as reinforcing the social superiority of the priestly group. Secondly, as an introductory statement it requires an explanation of how and why this group is superior. This is supplied by Josephus by the addition of the subsequent categories of prohibited women.

b) "a harlot" & women "separated from their former husband"

At *Antiquities* III: 276 Josephus has retained Leviticus' first category, that of the harlot and its third category, the woman who has been "separated from her former husband". Let us look at these categories individually. Josephus' retention of the category of 'harlots' (τὰς ἡταιρηκίας) is self explanatory if we view it in the context of the notion of sexual purity expressed in both sources. The term ἡταιρηκίας is Josephus' normal euphemism for πόρνη (prostitute)⁹² and Josephus, like his Levitical source, juxtaposes this category with the statement that high priests must marry a virgin (παρθένος).⁹³ Evidently, virginity is not a status applicable to women engaged in prostitution; hence, such women are barred in marriage to members of the priestly order. This term advocates that priests were forbidden to marry divorced women and is similar to the rule expressed in Leviticus 21: 14 that prohibits marriage to a woman who "is put away".

c) "a slave or a prisoner of war"

The issue of the prohibition against priestly marriages to a δούλη (female slave) and αἰχμάλωτος (female war captive)⁹⁴ also overlaps neatly with Josephus' emphasis on sexual

purity as well as the cultural rejection of elite free-slave marriages in the traditions of both the Jewish and wider Graeco-Roman worlds. It is well documented that one of the principal sources of male and female slaves in antiquity was that of prisoners taken during wars, who, as such, were liable to become victims of the sexual advances of their captors.⁹⁵ Moreover, we know from Josephus himself that he expects women taken captive during wars to have been sexually molested by their captors (*Con. Ap.* I: 35), an event that would, in the words of Leviticus, render the woman ritually impure or “profaned”. She would, therefore, be totally unsuitable in marriage to a priest according to biblical law as well as social custom. Josephus’ consistency of thought on this subject is clear by criticism of John Hyrcanus in his account of Eleazar questioning Hyrcanus’ legitimate right to hold the title of High Priest. He writes:

And when Hyrcanus asked him (Eleazar) for what reason he should give up the high-priesthood, he replied, “Because we have heard from our elders that your mother was a captive in the reign of Antiochus Epiphanes”. (*A. J.* XIII: 292)

τὴν δ' αἰτίαν αὐτοῦ πυθομένου, δι' ἣν ἀποθοῖτο τὴν ἀρχιερωσύνην “ὅτι, φησὶν, ἀκούομεν παρὰ τῶν πρεσβυτέρων αἰχμάλωτόν σου γεγονέναι τὴν μητέρα βασιλεύοντος Ἀντιόχου τοῦ Ἐπιφανοῦς.”

There is another event recorded in Josephus’ autobiographical work, not mentioned in *Antiquities*, that illustrates his objection to marriages between priests and captive women well. Here Josephus admits that Vespasian, by way of an honour bestowed on him, compelled him to marry a woman taken captive at Caesarea. This behaviour is decidedly un-priestly and constitutes a clear infringement of his statements regarding such unions. Josephus, however, is at pains to distance himself from the obvious contradiction between his words and his actions. He immediately states that the woman in question was a virgin thus assuring the reader of her purity and appropriateness as a wife for a member of the priesthood and adds that she left him as soon as he became free and moved with Vespasian to Alexandria (*Vita*: 414-415). Armed with the knowledge gathered thus far about Josephus’ attitude towards priestly marriage to captive women, we can read into this passage from *Vita* that, although forced into a marriage that had the potential to compromise his priestly ritual purity, Josephus, according to his self-representation, actually emerged from the experience unpolluted.

d) “hawking & inn-keeping”

There is no specific statement anywhere in the Bible that says a priest, or any other Jewish man for that matter, is forbidden to marry a woman engaged in either of these occupations.⁹⁶ Josephus’ additions, however, replace Leviticus’ phrase that states that a woman who is ‘profaned’ or ‘polluted’, (and we can assume this to refer to sexual pollution or the loss of virginity), is prohibited in marriage to a priest or high priest⁹⁷ In this context Josephus’ choice of vocabulary can be seen as a deliberate attempt to define for his audience precisely who was barred from marriage to priests and, by inference from their occupation, why they were barred.

Let us first look at the category of hawker. The word *καπηλεία* is associated with retail traders often in connection with taverns.⁹⁸ In lower class Roman society, according to Pomeroy, it was not uncommon for many women who worked as waitresses in inns or at counters selling food and drink to find additional employment and income from offering sexual services to male clients in the rooms used for prostitution in some taverns.⁹⁹ If we now look at Josephus’ category of innkeeper connoted by his use of *πανδοκεύειν*, meaning ‘to entertain’,¹⁰⁰ we find elsewhere in his writings that harlotry and inn-keeping are synonymous. At *Antiquities* V: 8 Josephus speaks of Rahab as an inn-keeper, whereas biblical sources refer to her as a harlot (זונה (MT) and πόρνη (LXX)).¹⁰¹ The association of women engaged in these occupations and prostitution is not unique to Josephus. We may compare his statements with evidence from the author Horace’s *Epigrams* which shows that innkeepers and owners of bakeries and cook-shops often kept slave women for the enjoyment of their customers.¹⁰² In Horace, like Josephus, women in the retail and tavern trades are synonymous with prostitution.

Horace’s observations suggest that Josephus’ elite Roman audience would also have equated the categories of female hawkers and women involved with inn-keeping with immorality and sexual licentiousness. The Roman elite may have availed themselves of the services of prostitutes, but marriage to one would have been unthinkable. In showing that Jewish law forbids its priests from marriage to women engaged in, as Feldman puts it, “an unbecoming occupation”,¹⁰³ Josephus is demonstrating to his audience that the priesthood maintains its ritual purity in the same manner as the Roman aristocracy regulated its marital and sexual behaviour.

Part Two: The Apologetic Motive of *Antiquities* III: 276

The priesthood and its concomitant status in Jewish society may have been displaced after the destruction of the Jerusalem Temple in 70 CE but, if we are to judge from Josephus' description of Judaism at around 93 CE, it appears that he anticipated its rebuilding and the restoration of its cult (*Con. Ap.* 2: 193-6).¹⁰⁴ If this is the case, then it was within Josephus' apologetic aims in writing the *Jewish Antiquities* to promote the interests of the social and cultural class into which he was born.

I have stated earlier in this section that Josephus was eager to promote the interests of the Jewish priesthood in his writings and that he took the opportunity to do so in his interpretation of Leviticus 21: 7 and 13-14. But how has he achieved this in the context of a comment at *Antiquities* III: 276? If we compare the categories of women forbidden in marriage to priests and high priests in *Antiquities* III: 276 and in our previous passage, *Antiquities* IV: 344-245, we see that Josephus' additions to the former passage match almost identically the prohibited categories of women in the latter. The passage from *Antiquities* IV, as I have demonstrated, shows Roman readers that elite Jews and non-Jews shared the same legal and social values with regard to their choices of brides.

But why should this have preoccupied Josephus? Let us ask two questions of Josephus. Firstly, how are his perceptions of the priesthood and high priesthood represented in his writings, and secondly, how, according to Josephus, do its members compare with the social hierarchy of the dominant Roman cultures? It is clear that for Josephus the priesthood represents the peak of Jewish society past and present. The priestly class was set apart from other classes by the need for a greater degree of ritual purity in all aspects of their lives particularly in relation to the purity and integrity of the priests' familial lineage. We have seen already two examples of Josephus' emphasis of the purity required of priests and priestly families - one at *Antiquities* III: 276, where the sexual purity of prospective brides is at issue and another in his description of the dispute between Hyrcanus and Eleazar in *Contra Apionem* I: 35. In that instance it is also the purity/virginity of Hyrcanus' mother that is in question due to her being a former war captive, thus compromising the purity of Hyrcanus himself and his eligibility for the high priesthood.¹⁰⁵

The evidence of the following passage from Josephus demonstrates that both purity and social status are key features in contracting a priestly marriage. At *Contra Apionem* I: 30-31, Josephus tells us that the priestly ancestors of the Jews:

Not only did our ancestors in the first instance set over this business men of the highest character, devoted to the service of God, but they took precautions to ensure that the priests' lineage should be kept unadulterated and pure. A member of the priestly order must, to beget a family, marry a woman of his own race, without regard to her wealth or other distinctions; but he must investigate her pedigree, obtaining the genealogy from the archives and producing a number of witnesses (*Con. Ap.* I: 30-31).

Οὐ γὰρ μόνον ἐξ ἀρχῆς ἐπὶ τούτων τοὺς ἀρίστους καὶ τῇ θεραπείᾳ τοῦ θεοῦ προσεδρεύοντες κατέστησαν, ἀλλ' ὅπως τὸ γένος τῶν ἱερέων ἄμικτον καὶ καθαρὸν διαμενεῖ προυνόησαν. δεῖ γὰρ τὸν μετέχοντα τῆς ἱερωσύνης ἐξ ὁμοεθνῶν γυναικὸς παιδοποιεῖσθαι καὶ μὴ πρὸς χρήματα μηδὲ τὰς ἄλλας ἀπροβλέπειν τιμὰς, ἀλλὰ τὸ γένος ἐξετάζειν ἐκ τῶν ἀρχαίων λαμβάνοντα τὴν διαδοχὴν καὶ πολλοὺς παρεχόμενον μάρτυρας.

So, collectively, these statements tell us that, according to Josephus, it is the virginity (*A.J.* III: 276; *Con. Ap.* I: 35), ethnic and genealogical purity and social position even above the girl's wealth, that determines the appropriateness of the priests' bride. These sentiments compare favourably with the Roman elite's preference for contracting marriages between their sons and young women with well-connected families with pure senatorial bloodlines.¹⁰⁶ Just like the Roman system, slaves, captives, prostitutes and women engaged in 'unbecoming occupations' such as hawking or inn-keeping were hardly likely to advance the career of an elite Jewish priest or bring political influence and prestige to his family.

Is it possible to detect in Josephus' writings whether he perceives the social position of the Jewish priesthood to be equivalent to the higher stratum of the Roman social hierarchy? One passage from Josephus provides a neat and concise answer to this question. In the opening lines of his autobiographical work, *Vita*, Josephus states:

Different races base their claim to nobility on various grounds; with us [the Jews] a connection with the priesthood is the hallmark of an illustrious line. Not only, however, were my ancestors priests, but they belonged to the first twenty-four courses – a peculiar distinction – and to the most eminent of its constituent clans. Moreover, on my mother's side I am of royal blood; for the posterity of Asamonaeus, from whom she sprang, for a very considerable period were kings, as well as high priests, of our nation. *Vita*: 1-2

Ἐμοὶ δὲ γένος ἐστὶν οὐκ ἄσημον, ἀλλ' ἐξ ἱερέων ἄνωθεν καταβεβηκός.
ὥσπερ δ' ἢ παρ' ἐκάστοις ἄλλη τις ἐστὶν εὐγενείας ὑπόθεσις, οὕτως
παρ' ἡμῖν ἢ τῆς ἱερωσύνης μετουσία τεκμήριόν ἐστιν γένους
λαμπρότητος. ἐμοὶ δ' οὐ μόνον ἐξ ἱερέων ἐστὶν τὸ γένος, ἀλλὰ καὶ ἐκ
τῆς πρώτης ἐφημερίδος τῶν εἰκοσιπεντάρων, πολλή δὲ κὰν τοῦτω
διαφορά, καὶ τῶν ἐν ταύτῃ δὲ φυλῶν ἐκ τῆς ἀρίστης. ὑπάρχω δὲ καὶ
τοῦ βασιλικοῦ γένους ἀπὸ τῆς μητρὸς· οἱ γὰρ Ἀσαμωναίου παῖδες, ὧν
ἔγγονος ἐκείνη, τοῦ ἔθνους ἡμῶν ἐπὶ μήκιστον χρόνον ἡρχιεράτευσαν
καὶ ἐβασίλευσαν.

It is clear from this passage and elsewhere in his writings that Josephus considered the Judaeen priesthood, of which he claims to be a leading member,¹⁰⁷ to be at the top level of Jewish society and thus equal in status to the highest aristocratic class of other Graeco-Roman societies. Parallels between the Jewish and Roman systems demonstrate that in this connection Josephus' assumption was wholly justified. The following should suffice to show that the priesthood in the Jewish context mirrored the Roman experience.

In antiquity, readers of the above passage would have observed that Josephus greatly enhances the status of the priesthood and his own status for that matter, by stating connections between the royal house and the priesthood. It is clear that Josephus places too much emphasis on the role of priests in ruling the Jewish people.¹⁰⁸ Nevertheless, there is little doubt that priestly families did indeed make up a high proportion, perhaps the majority, of the Jewish ruling class.¹⁰⁹ According to Josephus (*Con. Ap.* I: 30-31), entry into this elite group was possible only by an individual's birth into a family with priestly descent; its purity was maintained by intermarriage with other priestly families.¹¹⁰

The priestly title brought with it a social status far beyond that attached to their functions at the Temple.¹¹¹ It is significant that in most of Josephus' references to the priesthood his emphasis is placed on the *status* conferred by that association rather than the *functions* of the group.¹¹² By Josephus' time, the title of high priest retained a status unique to the office but the name also applied to an entire social class made up of the families of its title holders.¹¹³ It is unlikely, however, that his family was one from which the office of high priest was traditionally appointed.¹¹⁴ That the Jewish priesthood prior to, as well as during, the Roman occupation of Judaea held high political and military office is beyond doubt.¹¹⁵ Josephus tells us that he himself and other young men of the priestly class were military commanders during

the war against Rome; one of the two supreme commanders was of high priestly descent (*B. J.* II: 568; 569-76; 577-584).¹¹⁶

It is on the basis of this evidence that Josephus could make the direct connection between the Jewish priesthood and Rome's ruling senatorial class. If we compare the Jewish experience set out above with the following, we notice that in Roman religious institutions there was no such homogenous body as a 'priesthood', nor a single definition of the 'Roman priest'.¹¹⁷ The priests who officiated in the numerous colleges of the various cults were principally drawn from the senatorial class. As I demonstrated in my previous section in this chapter, this class, like the Jewish priestly elite were concerned to maintain the purity and integrity of their bloodlines. An imperial attempt was made to ensure this in 18 BCE when Augustus' *Lex Julia de maritandis ordinibus* was placed on the statute books designed to strictly regulate against marriages across the social classes.¹¹⁸

It is clear from Roman sources that membership of priestly colleges facilitated an individual's rise through the political ranks. The evidence for this can be found in the surviving lists of college members. These lists show that the offices of the cult priests were monopolised by male members of the best established elite families who are known in literary and epigraphical evidence to have gone on to become Rome's most powerful generals and politicians.¹¹⁹ Priestly status among Rome's aristocracy was a career stepping-stone. Young Roman men who aspired to political offices such as consulships used the priest's colleges as a form of patronage to achieve political success and power.¹²⁰ In short, Roman priests, like the Jewish priestly class, formed the bulk of the ruling elite in the Roman social system.

Part Three: Summary

In the preceding analysis I have shown that Josephus' account at *Antiquities* III: 276 can be viewed primarily as an interpretation of Leviticus 21: 7 and 13-14 to which he has added a selection of categories of women prohibited in marriage to priests and high priests. These are in addition to those already plainly stated in the biblical text. It is clear from this analysis, and from that of my previous section on marriage between free lay men and slaves, that his prohibition of female slaves, war captives and other undesirable women in marriage to priests is wholly consistent with the contemporaneous social conventions that governed these relationships, irrespective of whether or not they are specifically prohibited in biblical law.

Josephus' agenda in interpreting Leviticus in this manner is also consistent with his aims as a Jewish apologist. *Antiquities* III: 276, I have argued, has two functions both of which are implied in the text rather than explicitly stated. Firstly, by his modifications of the Pentateuch, Josephus aimed to show that the conduct of the male members of the uppermost social strata of the Jewish aristocracy in matters of marriage and sexual morality was the same as that of the comparable Roman counterpart. To this effect Josephus presents Jewish customs to his audience in the knowledge that an elite Roman audience could equate the regulations, that Josephus has informed them were reserved especially for the Jewish upper classes, with their own practices and laws. Moreover, Josephus has deliberately overemphasised the high degree of purity expected from the brides of priests in *Antiquities* III: 276 compared to his source, Leviticus 21: 13-14, in order to impress upon his readers the special nature of the priesthood and the status conferred upon it within the context of Jewish society.

It is certain that Josephus regarded the Jewish priesthood as comparable in stature to the Roman senatorial class. It makes sense, therefore, that he would have felt it necessary to look to Roman legislative principles on marriage within that class when formulating the laws that represented, what was in his view, a socially comparable group of people. During his time in Rome Josephus must have been aware that slaves in the empire could not be parties to a lawful marriage.¹²¹ Roman marriage (*iustae nuptiae*) could only legally exist if both parties were citizens or, at the very least, peregrines with *conubium*.¹²² Even Augustus' (63 BCE-14 CE) relaxation of this law still prohibited the senatorial class from marrying slaves or freedpersons. Moreover, Augustus, on moral grounds, also prohibited the senatorial order from marrying women whose occupations and activities could be considered dubious that is prostitutes, their procurers, actors and actresses.¹²³

This brings us to the second function of Josephus' treatment of *Antiquities* III: 276, the implied propaganda that the priestly class, his class, were, even after the destruction of the Jerusalem Temple, the aristocratic elite who were most naturally qualified to rule the Jews. I have suggested that Josephus' method of interpreting Leviticus 21: 7 and 13-14 at *Antiquities* III: 276 is yet another example of his aims to promote both his own specific interests and those of the priestly class in general through the medium of implied and explicit propaganda. Although I accept that compared to some of his more obvious statements on the priesthood,

the message in this context is unclear. The fact that he has included all of the categories of women that were forbidden martially and sexually to the Roman elite indicates subtly to his readers that the traditions of the two cultures are mutually compatible with the power they were entitled to hold as a class.

Section Three: Josephus & Marriage between Free Men & the 'Beautiful Captive'

Josephus writes for a third time on the subject of marriages and sexual relations between free Jewish men and slave women at *Antiquities* IV: 257 as follows:

Should a man have taken prisoner whether a virgin or a woman who already has been married and wish to live with her, let him not be permitted to approach her couch and consort with her until such time as, with shorn hair and in mourning apparel, she shall have made lamentation for the kinsmen and friends whom she may have lost in the battle, in order that she may satisfy her grief for them before turning to the festivities and ceremonies of marriage. For it is honourable and just that, in taking her to bear him children, he should respect her wishes, and that he should not, intent solely on his own pleasure, neglect what may be agreeable to her. But when thirty days for the mourning are passed – for that period should suffice sensible women for tears for their dearest ones then let him proceed to the nuptials. Should he, however, sated with his passions, disdain to keep her as his spouse, he shall have no right thenceforth to make her his slave; let her go whither she will and have that liberty granted to her. (*A. J.* IV: 257-9)

ἀν δ' αἰχμάλωτόν τις λάβη παρθένον ἢ τε καὶ γεγαμημένην, βουλομένῳ συνοικεῖν μὴ πρότερον ἐξέστω εὐνήσ ἄψασθαι καὶ κοινωνίας, πρὶν ἢ ξυραμένην αὐτήν καὶ πένθιμον σχῆμα ἀναλαβοῦσαν ἀποθρηνηῖσαι συγγενεῖς καὶ φίλους τοὺς ἀπολωλότας ἐν τῇ μάχῃ, ὅπως τὸ ἐπ' αὐτοῖς κορέσασα λυπηρὸν ἐπειθ' οὕτως ἐπ' εὐωχίας τράπηται καὶ γάμου· καλὸν γὰρ εἶναι καὶ δίκαιον παιδοποιῶν παραλαμβάνοντα θεραπεύειν αὐτῆς τὸ βουλευτόν, ἀλλὰ μὴ τὴν ἰδίαν ἡδονὴν διώκοντα μόνον τοῦ κατ' αὐτὴν ἀμελεῖν κεχαρισμένου. τριάκοντα δ' ἡμερῶν τῷ πένθει διελευσῶν, αὐτάρκεις γὰρ ἐπὶ τοῖς δακρύοις αὐταὶ τῶν φιλάτων ταῖς φρονίμοις, τότε χωρεῖν ἐπὶ τὸν γάμον. εἰ δ' ἐμπλησθεὶς τῆς ἐπιθυμίας ὑπερηφανεύσειεν αὐτὴν γαμετὴν ἔχειν, μηκέτ' ἐξουσίαν ἐχέτω καταδουλοῦν αὐτήν, ἀλλ' ὅπη βούλεται χωρεῖν ἀπίτω τοῦτο ἐλεύθερον ἔχουσα.

These statements form the conclusion to Josephus' treatise on the biblical marriage laws that were introduced in *Antiquities* IV: 144-245, the first passage to be discussed in this chapter. Here Josephus tells us that Hebrew men who have taken women as an *αἰχμάλωτός* (war captive), whether virgins or previously married, can make them their wives. The man may

not, however, attempt to have sexual relations with the woman before the marriage takes place. Indeed the man must allow thirty days within which the woman must shave her head, wear mourners' clothes and grieve for her husband and family from her former free life. Josephus explains that because the woman has been taken to bear children for her captor he must show kindness to the woman and contain his sexual desire for her. Once the thirty days has passed, enough time, according to Josephus, for 'sensible' women to have recovered from their losses, the wedding and sexual relations may take place. Should, however, the Hebrew captor tire of the captive women, she is to be given her freedom and must not be retained as a slave.

So, in contrast to his comments at *Antiquities* III: 276 and *Antiquities* IV: 244, where Josephus tells us that free-slave marriages are disallowed in Jewish law, it would seem that here he is informing his readers that, under a specific circumstance, biblical law permits free Hebrew men to marry female slaves. This law even protects the woman from neglect by guaranteeing her freedom should her usefulness to the man wane. The most likely source for Josephus' statement is Deuteronomy 21: 10-14. The law set out in this passage¹²⁴ forms part of a sequence of four laws from Deuteronomy 20:1-21:14 concerning the laws on warfare.¹²⁵ Although now separated from the sequence by Deuteronomy 21: 1-9, our passage was once probably preceded by chapter 20 as the first lines are exactly the same.¹²⁶

A comparison of the Hebrew and Greek versions of this passage, both of which are set out in my Source Appendix, reveals that, although the texts are very similar, there are slight variations between them. Both state that when God delivers enemies into their hands as captives and one of the victors is smitten by a particularly attractive captive woman he is permitted to take her as a wife (vs. 10-11). There is, however, a ritual process that must first be followed, described in verses 12-13. Here the Hebrew and Greek texts differ. In the Hebrew version it is the beautiful captive herself who must shave her head cut her nails and remove her clothes, while in the Greek Deuteronomy this ritual is the responsibility of the captors.

Deuteronomy also recommends that the woman mourns her mother and father for a period of one month. Once this has been completed, her captor may formally treat her as his wife.¹²⁷ Verse 14 tells us that if the captive woman should displease her husband in any way she is to

be released¹²⁸ but not sold for money: it would seem that her slave status is nullified because she has been mistreated by her captor.¹²⁹

Before presenting a detailed comparison and analysis of Josephus' statements, it is necessary to comment on the status of the female war captive mentioned by Josephus in *Antiquities* III: 276 and IV: 257-9, particularly as the passage from *Antiquities* III: 276 presents the slave and the prisoner of war as separate categories. In antiquity Jews, like most others in the Graeco-Roman world, considered war captives to be slaves, indeed, most scholars of slavery in the ancient Near East conclude that one of the principal sources of slaves was war captives. These slaves were treated as chattel slaves and were used in domestic settings as well as in state building projects.¹³⁰ Ancient Jewish tradition abounds with stories of the acquisition of slaves through war, in the context that ancient Israelites became, and also acquired, slaves as a portion of the spoils of war.¹³¹

Moreover, both Josephus and the parallel scriptural passages use language that confirms the status of the women as slaves. At *Antiquities* III: 276 Josephus designates the categories of forbidden women as a slave (*δούλη*) or a prisoner of war (*ἀιχμάλωτός*), the same word used to describe the 'prisoner' in our other passage, *A. J.* IV: 257-9. Both of these terms, as I have discussed in my introductory chapter, refer to chattel slaves - *δούλη* referring to a house-born slave whilst *ἀιχμάλωτός* specifically relates to a female reduced to slave status through her capture during war. In the context of Graeco-Roman usage an individual's status characterised by these two words would be unmistakable. They were slaves in the sense that they were the property of their owner.

Deuteronomy 21: 10 refers to a woman taken as part of the spoils of war and, although not explicit in either the Masoretic text or the Septuagint, the context tells us that the woman referred to in the text is a prisoner of war. Moreover, once married to her captor the woman cannot be sold but must be freed (v. 14). This implies that if he had not married her she could be sold off in the manner of any other slave. However, the existence of a prohibition against selling the woman strongly suggests that even during her marriage to her captor this victim of war retained her slave status.

Finally, the phrase, "send her out free" (*ἐξαποστειλεις αὐτήν ἐλευθέραν*) at Greek Deuteronomy 14 is resonant with similar phrases in biblical contexts where an individual's

slave status is not in question.¹³² So, for example, identical cases appear in Exodus 21: 2, 5 and 11, and also Exodus 21: 8, where a Hebrew slave woman who fails to keep the attention of her husband/master is to be freed and not sold on to another as a slave. If we apply the above evidence to the contexts of the female war captive in the parallel passages in Josephus and Deuteronomy under discussion here, I believe that we can justifiably assume that the women represented in both passages are chattel slaves in the proper sense.

We may now compare and contrast the biblical texts with Josephus' rendering. The results of this comparison show that Josephus has made several alterations, in the form of additions and omissions, to his Deuteronomic source. These are as follows:

- a) Josephus omits Deuteronomy 21: 10 which acknowledges God's role in helping to deliver the Hebrew's enemies into their hands from amongst whom the female captives can be selected.
- b) Josephus tells us that a man may marry a captive woman whether she is a virgin or has been previously married. Deuteronomy 21: 11 makes no such distinction mentioning only that the woman is "beautiful": Josephus omits this term.¹³³
- c) Josephus omits Deuteronomy's reference to the paring of the captive woman's nails and the removal of her captive's clothes (vs. 12-13). In common with Deuteronomy, Josephus' captive must shave her head but instead of removing her captive's clothes, he has the woman wear the clothes of mourning. The latter alteration to the text, however, assumes that the clothes the captive wore have been removed.
- d) Josephus' reason for conducting the ritual "...that she may satisfy her grief..." is Josephus' innovation.
- e) At *A.J.* IV: 258 Josephus omits the Deuteronomic requirement that the woman grieves specifically for her mother and father (v. 13). Josephus broadens this to include her "kinsmen and friends" lost in the battle. Josephus adds an extra-biblical comment that once the mourning period is completed the woman can concentrate on the preparations for her marriage. The remainder of this sentence is Josephus' addition.
- f) At *A.J.* IV: 259 Josephus specifies the timeframe of the grieving period as 'thirty days'. Deuteronomy is less precise stating that this period should last for "the days of a month" (v.13). In contrast to Deuteronomy which is silent about the reasons for limiting the grieving period, Josephus states that this is sufficient for "sensible women [to shed tears] for their dearest ones".

- g) Josephus agrees with Deuteronomy that the captive woman is to be freed if she falls out of favour with her husband/master. He omits, however, that she is not to be sold for money or treated 'contemptuously' because her condition was caused by her captor.
- h) Both Josephus and Deuteronomy agree that the captor may not satisfy his sexual lust in the immediate aftermath of the battle. Rather both suggest that the mourning process must be completed as a prerequisite for the marriage. Sexual relations must wait until after the event. Josephus, however, suggests that captive women are taken for the express purpose of providing children for the captor. The man must marry the woman before she produces offspring. The legitimacy of the children from this kind of relationship appears to be of concern to our author (*A.J.* IV: 258). Deuteronomy on the other hand makes no mention of children. It is the issue of sexual relations before marriage that is of importance.¹³⁴

None of Josephus' embellishments or omissions differs significantly from the details of Deuteronomy. The chronology and conclusions of the biblical text in Josephus' version of it remains largely intact. In fact, Josephus' modifications all serve to clarify what the Deuteronomist has written: a) specifying virgin and married captives instead of just 'beautiful' women; b) his widening of the categories of people she is to mourn instead of just her mother and father; c) his specific thirty day mourning period and; d) his invention of the notion that the woman must be well treated as she will bear the captors children. His omissions, on the other hand, have no real bearing on the readers' ability to understand the biblical narrative, such as: a) Deuteronomy's reference to God in the opening line; b) Deuteronomy's reference to paring the woman's nails and; c) the reference to not selling the captive woman.

As we can see, the core of Josephus' paraphrase of Deuteronomy 21: 10-14 has its roots firmly in the biblical tradition, but are his omissions and additions unique to the historian? If these are not Josephus' innovations is it possible to detect influences from other, non-biblical, sources in his paraphrase of this law? In order to discover whether this is the case we must look at other extant sources that deal with this portion of Deuteronomy that Josephus may have known, or that may reflect similar methods of biblical interpretation. Outside rabbinic tradition which deals extensively with this subject, and is excluded from this discussion for

reasons outlined in my introduction, there are only two possible extant sources: the Temple Scroll (11QT), and Philo of Alexandria's *De Virtutibus*.

Part One: The Temple Scroll¹³⁵ as Josephus' Source?

The Temple Scroll, discovered in 1956, is the longest surviving manuscript to be found in the Qumran caves measuring twenty eight feet in length. Smaller fragments are also believed to have been among the finds in Cave 11 (11Q20).¹³⁶ Most scholars date the composition of the scroll from some time during the late second century BCE to early first century BCE placing it firmly before Josephus' writings.¹³⁷ Most of the legislation in the Temple Scroll is derived from an Exodus and Leviticus source, with the majority from a source of Deuteronomy, much like that in the Hebrew Pentateuch from MT, though variations are also shared with LXX or SP. The Temple Scroll deals with a range of topics: the Temple building and furniture; festivals and sacrifices after the conquest of the Land of Israel; the Temple courts and installations; sanctity of the Temple and the Temple cult; uncleanness from the dead and the commands of Deuteronomy 12:2 - 23:1. The scroll's authors have arranged the main subjects in the document largely in the same order as they appear in the legislative material in Exodus, Leviticus, Numbers and Deuteronomy.¹³⁸

The Temple Scroll is a product composed from a variety of sources that were originally independent. Its dominant literary features, particularly when comparing its methodology with that of Josephus, are its textual emendations and the insertion of words or phrases into the biblical text. The authors of the various parts of the Temple Scroll have modified, expanded and abbreviated biblical quotations, and material of a similar nature has often been merged together in both form and content to make a single coherent text from subjects that are often dispersed between verses and even chapters throughout the Pentateuch.¹³⁹ The authors have generally followed the sequence of the subjects as they appear in scripture but they have made a concerted effort to systematise, harmonise and reinterpret the Pentateuchal laws.¹⁴⁰ This process of interpolation can be found in almost every column of the scroll that contains Pentateuchal material, although the source for this material is debated by some scholars. M. Wise, for example believes that the redactor may not have used a biblical source for the Deuteronomic portions of the Temple Scroll, but may have relied on an unknown source based on the Book of Deuteronomy.¹⁴¹ Generally speaking, however, the majority of scholars assume a Deuteronomic source.¹⁴²

The Temple Scroll discusses the beautiful female captive in column LXIII: 10 f. when it reaches the subject according to the thematic arrangement in Deuteronomy, directly after Deuteronomy 21: 9.¹⁴³ the biblical text can be easily isolated from the previously unknown textual additions to it.¹⁴⁴ Column LXIII, verses 10-15 of 11QT are as follows:

10 When you go out to war against your enemies and I place them in your hands and you make prisoners, 11 if among the prisoners you see a woman of beautiful appearance, you desire her and you wish to take her as a wife for yourself, 12 you shall bring her into your house, shave her head and cut her nails; you shall remove 13 the prisoner's clothes from her and she will live in your house. A full month shall she weep for her father and mother. 14 Then you shall enter her, marry her, and she shall be your wife. She is not to touch pure foodstuffs, for 15 seven years, or eat the peace offering until seven years pass; afterwards she may eat.

כי תצא למלחמה על אויביכה ונתתי אותמה בידכה ושביטה את שביו
וראיתיה בשבייה אשה יפת תואר וחשקתה בה ולקחתה לכה לאשה
והביאותה אל תוך ביתכה וגלחתה את ראשה ועשיתיה את צפור'נה והסירותה
את שלמות שבייה מפליה וישבה בביתכה ובכתה את אביה ואת אמה חודש
ימים אחר תבוא אליה 'בעלתה והיתה לכה 'אשה ולוא תגע לכה בטהרה עד
שבע שנים והבה שלמים לוא תואכל עד יעבורו שבע שנים אחר תואכל

As we can see, the authors of 11QT LXIII: 10-15 closely followed the text of Deuteronomy 21: 10-14 as, for the most part, the two texts are identical. There are however, three differences worth noting. Firstly, this passage from 11QT is written in the first person singular, God is speaking directly to the reader. The biblical text is formulated in the third person plural.¹⁴⁵ Secondly, in 11QT LXIII: 12-13a, like the corresponding verses in Greek Deuteronomy, the man is the subject.¹⁴⁶ MT Deuteronomy 21:12-13a, however, has the woman as the subject.¹⁴⁷

If we compare this with Josephus, we see that he is not clear as to whether the captive must perform the ritual upon herself, as in The Masoretic text, or whether the man must perform it upon her, as in Greek Deuteronomy: The Temple Scroll agrees with the latter. Thirdly, the Temple scroll prohibits the captive woman from partaking in certain ritually pure foods until she was married to her captor for seven years (11QT LXIII: 14-15).¹⁴⁸ This has been inserted before verse 14 of the biblical text. It is Yigael Yadin's belief that verse 14 was once located at the top of column LXIV which is now lost due to decay.¹⁴⁹ Josephus does not include this

prohibition. Thirdly, the MT, LXX and Temple Scroll set the period for the captive woman's mourning at 'a month', Josephus, on the other hand, specifies this period as 'thirty days'.

So, apart from sectarian interpolation and other minor differences, 11QT LXIII: 10-15 quotes Deuteronomy 21:10-14 with little change.¹⁵⁰ Therefore, a comparison of the Temple scroll with Josephus' passage yields the same discrepancies as the previous comparison between Deuteronomy and Josephus.

Is the Temple Scroll a likely source for Josephus? In general terms Josephus and the Deuteronomic source of the Temple Scroll apply the same methodology to their compositions. Both merge similar subject matter that is dispersed throughout their source material, they omit and add material and they amplify difficult passages. However, any direct connection between the authors, where their treatment of Deuteronomy 21: 10-14 is concerned, is dubious.¹⁵¹ Although we can safely assume that Josephus' methodology was influenced by other sources there is little evidence to link Josephus' passage with the Temple scroll if we are to judge them solely by their very different styles, purposes and content. Added to this we must bear in mind the apparently sectarian nature of 11QT. It was not intended for consumption by outsiders. Josephus, on the other hand, wrote his works for a very different audience and we cannot assume that he had knowledge of the group and its literature. Thus, 11QT was almost certainly not a source for Josephus' interpretation of Deuteronomy 21: 10-14 in his *Antiquities*.

Part Three: Philo as Josephus' Source?

Let us now turn to Josephus' second possible source, Philo's *De Virtutibus*, which also mentions the relationship between the beautiful war captive and the free Hebrew man. *De Virtutibus* is presented in four component parts, on courage, on humanity, on repentance and on the nobility of birth. Philo's comments on the beautiful war captive are found in the section *De Humanitate*.¹⁵² Here, his opening comments describe the last actions of Moses, acting as a kind of addenda to Philo's major treatise on the patriarch, *De Vita Mosis*, the purpose of which was to exemplify Moses' humanity (*φιλανθρωπία*).¹⁵³ The chapter subsequently proceeds through the main classes of human society, to include plants and animals.¹⁵⁴ Philo's primary concern in the *De Humanitate* section of *De Virtutibus* is to demonstrate to the reader the humane nature of the Mosaic law (*De Virt.* 80-81). Thus,

according to Philo the purpose of the Mosaic law is to increase peace and a sense of community. In this context, he asserts that the humanity of the code is to be rendered to both free persons and slaves equally (*De Virt.* 124).¹⁵⁵

The intention, therefore, of Philo's paraphrase of Deuteronomy 21: 10-14 is to show the compassion of Jewish law towards the beautiful captive women. He expresses this as follows:¹⁵⁶

*Further, he says, if you find among the booty a comely woman for whom you feel a desire, do not treat her as a captive, and vent your passion on her, but in a gentler spirit pity her for her change of lot and alleviate her misfortunes by changing her condition for the better in every way. And you will give this alleviation if you shave the hair of her head and pare her nails and take off the garment which she wore when captured, leave her alone for thirty days, and allow her without fear of disturbance to mourn and weep for her father and mother and the rest of her family, from whom she had been parted either through their death or because they are suffering the pains of slavery, which are worse than death. After this, live with her as your lawful wife, because holiness requires that she who is to enter a husband's bed, not as a hired harlot, trafficking her youthful bloom, but either for love of her mate or for the birth of children, should be admitted to the rights of full wedlock as her due. Each of these regulations is quite admirable. First he did not allow rebellious desire to go unbridled, but curbed its violence by the **thirty days** grant of liberty. Secondly he tests the man's love is wild and giddy and wholly inspired by passion, or contains an element of reason and so has something of the purer kind. For reason will fetter desire and, instead of allowing it to commit an outrage, compel it to wait for the appointed period of a month. Thirdly, he shows pity for the captive, **if she is a maiden**, because there are no parents to plight her and make fast the union which they have longed to see, **if she is a widow**, because bereft of her wedded mate, she is about to make trial of another, menaced too be the dread of a master, even if he deals with her as an equal; for the subject condition always fears the might of the superior even though it be tempered with gentleness.*

*And if anyone, having satisfied his desire to the full and surfeited therewith, is no longer minded to continue his association with the captive, the law imposes what is not so much a loss of property as an admonition and correction leading him to improve his ways. For it bids him not to sell her, nor yet keep her as his slave, but grant her freedom, and grant her, too, the right to depart in security from the house, lest if another wife comes in to supersede her, and quarrels ensue as they often do, this jealousy, with the master too under the sway of a new love and neglectful of the old, may bring her some fatal disaster. *De Virtutibus* 110-115.*

Stylistically and methodologically, Philo's representation differs greatly from that of both Josephus and the Temple Scroll's representations of Deuteronomy 21:10-14. Philo presents a paraphrase of a short section of the biblical text and then proceeds to demonstrate how admirable the regulation is with an amplification and explanation of it. In order to effectively and graphically demonstrate Philo's method in the passage above I have presented his paraphrase of the biblical material in italics whilst his expansions have been underlined. Despite their stylistic and methodological differences, a comparison of Philo's treatment of the biblical material, 11QT and with Josephus' reveals some striking features. If we look at the italicised portions of his passage it is clear that Philo, like the author of the Temple Scroll, has followed the biblical text (in Philo's case Greek Deuteronomy) very closely. Philo's dependence on a Greek text is demonstrated most clearly in that he, like Greek Deuteronomy, places the man as the subject of the ritual described in Deuteronomy 21: 12-13.

If we compare Philo with Josephus' paraphrase we see that the Alexandrian has included all of the elements that Josephus omitted. Firstly, unlike Josephus, Philo refers to the captive's looks (110). Here he uses the adjective *εὐμόρφος*, meaning fair of form or comely (Greek Deuteronomy has *καλὴν τῶ εἶδει* (beautiful in form)).¹⁵⁷ Secondly, in Philo the captive is required to pare her nails (111); whereas Josephus omitted the regulation. Thirdly, Philo includes the biblical requirement that she grieve for her father and mother (111) while Josephus does not specify. Finally, Philo tells us that the woman must not be sold for money (115), but Josephus omits this regulation.

It is noteworthy, however, that Philo, in his amplification of the biblical text also includes all of Josephus' additions to Deuteronomy 21: 10-14. For ease of identification these are set out in Philo's passage above in bold type. Firstly, at *De. Virt.* 111 Philo, like Josephus, specifies that the captive must grieve for thirty days. This is in contrast to the traditions of Masoretic text, Greek Deuteronomy, and the Temple Scroll that provide the looser timeframe of 'one month'. Secondly, in the same paragraph Philo adds, as does Josephus, the extra biblical comment that the beautiful captive must mourn her extended family in *addition* to her parents. Thirdly, at *De Virt.* 112 Philo, in common with Josephus, states that if the union between captive and her captor is to produce children, a marriage must precede sexual relations. For Josephus, doing so is an honourable act by the captor, in Philo it is a pre-requisite for the captor to attain 'holiness'. Finally, at *De Virtutibus* 114 Philo also makes the distinction between a beautiful virgin (*παρθένος*), the same noun used by Josephus) captive, translated

by Colson as ‘maiden’, and a captive woman who had previously been married or was widowed.

Does the existence of any of these similarities mean that Philo’s *De Virtutibus* can be considered as a source for Josephus’ adaptation of Deuteronomy 21: 10-14 in his *Antiquities*? Feldman attempts to argue that the degree of Josephus’ indebtedness to the works of Philo is “substantial” and “striking”,¹⁵⁸ providing numerous examples of where the two authors’ interpretations of scripture are parallel in form and structure in a manner found in no other extant literature.¹⁵⁹ It is possible, therefore, that the marked similarities between Josephus’ retelling of the story of the ‘beautiful captive’ and Philo’s rendering suggest Josephus’ dependence on Philo in this instance.

However compelling this variety of evidence is, this connection remains doubtful. Feldman is clear that Josephus’ debt to Philo is unacknowledged by Josephus, who in other instances gives credit to many of his sources. All that we can be certain of is that Josephus knew of the existence of Philo, not that he knew his writings.¹⁶⁰ And in any case, even if Josephus had known Philo’s *De Virtutibus* this would only account for his *additions* to the biblical text and not his *omissions*. These omissions are not attested in any other known source of the period such as the Temple Scroll or in later sources that include versions of our passage such as the later Aramaic translation of our text in Targum Onkelos¹⁶¹ or the much later Midrash Rabbah on Deuteronomy.¹⁶² Thus it is unlikely that Josephus and Philo possessed an interpretation of Deuteronomy that differed significantly from any other that we can consult today from which Josephus decided to make deletions when constructing his passage on the captive women.

Part Three: Summary.

Philo’s treatment of Deuteronomy 21: 10-14 is wholly consistent with his intention to show the humane and philanthropic nature of the laws of Moses. Josephus’ interpretation too appears concerned to show the patriarch and his laws in a positive light. But this still leaves us with the question of why our author made his alterations to the biblical text as listed above. Let us return to this list to discover possible motives.

- a) Josephus’ omission of God’s role in delivering the enemy of the Jews into their hands (v. 10). This comment was likely to have brought a wry smile to the face of a non-

Jewish reader, particularly a Roman, considering the Jews had been soundly defeated by Rome in 70CE. This is a prudent and understandable omission

- b) In the light of Josephus' wish to emphasise, as demonstrated elsewhere in this chapter, that the ideal bride for a Jewish man was a virgin, his addition that captives could be "a virgin or a woman who has already been married shows inconsistency of thought. However, we may assume that the type of soldier likely to take a captive as a wife would have been of low status and as such the rules that applied to high status marriages in both the Jewish and Roman context would not have applied to this class of man.
- c) Taken together these omissions and adaptations demonstrate Josephus' technique in dealing with difficult parts of his source. Unnecessary descriptive detail such as the paring of the captives nails has been removed. The biblical text at verses 11-13 is constructed in short, almost staccato phrases. Josephus has smoothed the narrative to provide the reader with a flowing description of the mourning process – nothing important of the biblical passage has been lost in the process. In specifying "thirty days" Josephus is probably clarifying the rather woolly biblical timeframe of "the days of a month".
- d) It could be that Josephus omitted the biblical comment that a woman was not to be sold "for money" (v. 14) simply because most readers would have equated the word 'sold' with 'money'. Josephus' form is stylistically more appealing..
- e) The idea that the purpose of marriage is to produce legitimate offspring appears frequently in Josephus' works and is reiterated by other Graeco-Roman writers. Josephus' depiction of the kind treatment of women captives over and above that of the biblical text may be his attempt to show his readers that Jews, through Moses' laws, were civilised in their treatment of prisoners of war. This was also the technique of interpretation employed by Philo in his treatment of our passage in *De Virtutibus*. The addition of this material compromises the integrity of the biblical text, rather it reinforces to the reader the high moral values of the society that produced the text in the first place in matters of marital and sexual purity.

Conclusion:

Let us return to my initial issues: a) what was Josephus' methodology and agenda? b) How representative of the biblical texts or biblical interpretation are Josephus' passages? c) If not representative of scripture, were the views in his passages influenced by outside traditions?

Let us begin with *Antiquities* IV: 244-245. Here Josephus provides his audience with a detailed, but straightforward account of the types of women that were to be avoided in marriage to young Jewish men - divorcees; female slaves; and prostitutes. These women were to be eschewed in favour of high born virgins. Josephus was, as I have shown, referring only to the expectation of the Jewish upper class in this respect knowing little and probably caring even less about the marital arrangements of the lower classes. Methodologically speaking *Antiquities* IV: 244-245 is very different from the other passages under consideration. It is not a retelling of an identifiable passage of scripture despite being promulgated as such in Josephus' presentation i.e. the dialogue is written erroneously as the words of the lawgiver, Moses. Thus no comparisons with any other known sources can be made. As I have shown, however, there can be little doubt that the traditions described by Josephus in this passage were those in current practice by upper class Jews in the first century CE regardless of biblical traditions.

Josephus' agenda can also be simply stated. The passage is pure rhetoric aimed at convincing Josephus' audience that in matters of marriage and sexual relationships, Roman and Jewish law and practice were highly compatible. I have demonstrated that the qualities required from the ideal Jewish bride and the characteristics of Jewish women to be rejected in marriage exactly match the Roman parallel.

I have also suggested the possibility that the good equals free and bad equals slave formulation of his passages was meant to mirror the basic elements of the Stoic free-slave paradox. If this is the case then an educated non-Jewish audience for *Antiquities* IV: 244-245 would have experienced little difficulty in understanding and identifying with Josephus' passage.

Next, Josephus' treatment of *Antiquities* III: 276 is altogether different from our first example. I have shown that Josephus' technique here is to use the statutes from two passages from

Leviticus 21 and interpret them in a manner that would conform to the expectations and understanding of his reader. He achieves this by adding material that he considers to be relevant and that would clarify the vagaries of the scriptural laws. It is highly probable that his rewriting of Leviticus 21: 10 and 13-14 also conforms to the practices of the elite priesthood of his day.

His agenda in *Antiquities* III: 276 is also apologetic. Josephus' over-emphasis on priestly, thus aristocratic Jewish, sexual purity in the avoidance of certain women in marriage, including slaves and captives, is aligned with the marital expectation of the Roman ruling class and would have been recognised by his audience. In drawing implicit parallels between the Jewish and Roman ruling elite it could be that Josephus is anticipating the restoration of the Temple cult and suggesting that, like the senatorial class, the Jewish priestly class are the natural rulers of Judaea.

In our final passage, *Antiquities* IV: 257-259, Josephus turns his attention to the female prisoner of war in Deuteronomy 21: 10-14. Here, as with our second passage, Josephus has provided his readers with an interpretation of the Pentateuchal text but he has added and omitted material. I have shown that omissions from the biblical text, such as God's deliverance of the enemies of the Jews and others, were made either to avoid offending his audience or simply to remove details that were difficult to explain or unnecessary for conveying the meaning of the passage. His additions served to shape the passage into a form that would have been familiar to his readers. I have shown that *Antiquities* IV: 257-259 is not a reiteration of the biblical text as in the case of the Temple Scroll's version but that it is similar to Philo's treatment of the text that amplifies the text and smoothes out and clarifies irregularities.

The purpose of Josephus' reinterpretation of the Deuteronomist also has parallels with Philo's treatment of the text, although in Josephus we can again detect an apologetic motive. Both authors sought to demonstrate to their audience that the laws of Moses were humane, compassionate and concerned with male and female morality and the legitimacy of children. Josephus' narrative is clearly not a straightforward retelling of Deuteronomy 21: 10-14, and, bearing in mind his elite readers would have balked at the prospect of marriage to female war captives it could have been omitted altogether. Josephus has, however, provided a carefully considered interpretation of the passage.

The preceding investigation shows an inconsistency in Josephus' thought on marriage and sexual relationships between free men and female slaves in the context of his discussions on prohibited marriages generally. It is my view that this inconsistency arose from Josephus' desire to represent the basic values of biblical marriage law alongside contemporaneous Jewish practice in a form that would have been inoffensive to his non-Jewish audience and at the same time satisfy his apologetic motivation for writing the history of the Jews.

The narrow focus of Josephus' representation of slavery in the Pentateuch is not the sole concern of his passages or of the two biblical texts from which in two cases he drew his material. The representation of free-slave marriages is the thread that links the diverse passages in this investigation. By considering Josephus' representation of marriages and sexual relationships with this category of woman in the context of the other prohibitions in the passages, his interpretative technique and agenda has been disentangled from the wider narrative.

¹ See my discussion of Josephus' treatment of Pentateuchal law, pp. 17 ff.

² This comment by Josephus has no parallel in the bible. For a discussion of this anomaly see Feldman, *Flavius Josephus: Translation and Commentary*, p. 423.

³ Diodorus, *Bib. Hist.* XL. 3. See also M. Stern, *Greek and Latin Authors on Jews and Judaism I* (Jerusalem, 1974), pp. 20-35, and A. Momigliano, *Alien Wisdom: The Limits of Hellenization* (Cambridge University Press, 1975), pp. 74-96, especially 83f.

⁴ According to Josephus, Manetho (282-246 BCE) associated the Hyksos dynasty, who devastated Egypt, with the Judaeans people (*Con. Ap.* I: 73-91). Manetho also appropriated a popular legend to tell the story of a priest, Osarseph (identified with Moses), who led a community of Lepers and polluted people. This Osarseph, in alliance with the 'Shepherds' of Jerusalem rejected the worship of the gods, sacrificed and ate the sacred animals and desired to live in isolation from their host community (*Con. Ap.* I: 228-252). See Barclay, *Jews in the Mediterranean Diaspora*, pp. 33-34.

⁵ Lysimachus accuses the Jews of having no interest in non-Jews and of the hatred of foreign religions and wanton destruction of pagan temples and alters.

⁶ Apollonius, writing in the first century BCE, is apparently well acquainted with Jewish traditions and biblical history. His comments, preserved in Eusebius, *Praep. Evang.* 9. 19. 1-3 and countered at *Con. Ap.* 2: 79; 288, tell us that the Jews refused to worship the gods of other cultures and refused to socialise with persons whose customs differed from their own.

⁷ Barclay, *Jews in the Mediterranean Diaspora*, p. 34.

⁸ For an excellent overview of Philo's Stoic views see, Garnsey, *Ideas of Slavery*, pp. 157-172.

⁹ Garnsey, *Ideas of Slavery*, pp. 173-188.

¹⁰ R. De Vaux, *Ancient Israel: Its Life and Institutions*, (London: Darton, Longman & Todd, fourth edition, 1978), p. 29.

¹¹ M. L. Satlow, *Jewish Marriage in Antiquity*, (Princeton and Oxford: Princeton University Press, 2001), p. 104.

¹² De Vaux, *Ancient Israel*, p. 29.

¹³ Jubilees 11: 15.

¹⁴ Jubilees 19: 13; 28: 1.

¹⁵ *Test. Levi* 11:1; *Test. Issach.* 3: 5.

¹⁶ *Op. Mund.* 103.

¹⁷ According to Satlow, some of the later rabbis set the marriageable age for boys at late teens and girls at early teens: others, however, raised the age for boys to around twenty, whilst girls remained at early teens, *Jewish*

Marriage in Antiquity p. 104. Satlow, however, cannot find epigraphical evidence to support young marriages between Jewish boys, and girls. In fact his findings suggest that in the Second Temple Period men were married for the first time at around the age of thirty to women who were in their late teens. This, he suggests, parallels most Graeco-Roman traditions around the Mediterranean basin. See Satlow, *Jewish Marriage in Antiquity*, pp. 104-109.

¹⁸ J. P. V. D. Balsdon, *Roman Women: Their History and Habits* (London, Sydney and Toronto: The Bodley Head, 1977), p. 173.

¹⁹ A. Arjava, *Women and Law in Late Antiquity* (Oxford at the Clarendon Press, 1996), p. 31.

²⁰ Arjavi, *Women and Law in Late Antiquity*, p. 32. According to Arjavi there is some variation in the evidence on this point but on average girls Roman were ten years younger than their husbands: aristocratic girls probably married at puberty or soon after whereas the lower classes married their girls later. This relatively young age compared to men could have resulted from the girls' father wishing to organise his daughters marriage during his lifetime, p. 33. See also figures by Suzanne Dixon, *The Roman Family*, (Baltimore and London: The John Hopkins University Press, 1992), p. 63; and Balsdon, *Roman Women*, p. 173. K. R. Bradley, *Discovering the Roman Family: Studies in Roman Social History* (Oxford University Press, 1991), p. 57.

²¹ Dixon, *The Roman Family*, p. 62.

²² Balsdon, *Roman Women*, p. 173.

²³ Feldman, *Flavius Josephus: Translation and Commentary*, p. 422.

²⁴ Satlow, *Jewish Marriage in Antiquity*, p. 120.

²⁵ Satlow, *Jewish Marriage in Antiquity*, p. 118.

²⁶ For examples, the Therapeutae, mentioned only in Philo's *De Vita Contemplativa* 68; the authors of 4Q 271 col. 3: 10-15; and Paul, 1 Corinthians 7: 1, 8-9, recommended that both males and females were virgins on their wedding day.

²⁷ *Spec. Leg.* 3: 51; 65-71.

²⁸ *Spec. Leg.* 1: 105-9; *A.J.* III: 276, following Leviticus 21: 13-14.

²⁹ The symbolic importance of the virgin in Roman society is characterised best in the state cult of Vesta that flourished from the era of the early kings of Rome until the dissolution of the order in 394 CE. The cult of Vesta was presided over by virgin priestesses known as the Vestals: Vesta was the goddess of the hearth, both in the public and domestic spheres of life. The undying flame of the hearth, tended by the Vestals, symbolised the continuity of the family and the wider community. The extinction of the fire was considered to be a grave matter. In addition the Vestals were associated with agricultural and fertility rites. In the Roman psyche virginity was not synonymous with sterility and was viewed as wholly compatible with fertility. See S. B. Pomeroy, *Goddesses, Whores, Wives and Slaves: Women in Classical Antiquity* (London: Pimlico, 1975), pp. 210-214.

³⁰ Satlow, *Jewish Marriage in Antiquity*, pp. 118-119.

³¹ Arjava, *Women and Law in Late Antiquity*, p. 220.

³² Balsdon, *Roman Women*, p. 225 cites Cicero (*Pro Caelio*, 48-50), and Porphyrio and Ps. Acro on Hor., *Sat.* 1, 2, 31 f.

³³ Arjava, *Women and Law in Late Antiquity*, p. 208.

³⁴ Satlow, *Jewish Marriage in Antiquity*, p. 195.

³⁵ Satlow, *Jewish Marriage in Antiquity*, p. 195.

³⁶ Although a form of quasi-marital relationship (*contubernium*) was possible. See Johnston, *Roman Law in Context*, p. 43.

³⁷ B. Rawson, 'Roman Concubinage and Other *De Facto* Marriages', *TAPA* 104 (1974), pp. 279-305, p. 282.

³⁸ See ἀγαθός in K. A. Rengsdorf's, *A Complete Concordance to Flavius Josephus*, 4 vols., and Supplement (Leiden: E. J. Brill, 1973), vol. 1, p. 1-4, and ἀγαθός in G. Kittel, *The Theological Dictionary of the New Testament* (Grand Rapids, Michigan: William Eerdmans Publishing Company, 1964). See also LSJ s.v. ἀγαθός: well-born.

³⁹ For examples see, *A. J.* I: 111, 272; *A. J.* III: 17, 27, 165, 167, 174, 240; *A. J.* III: 55, 304, 308, 314; *A. J.* IV: 11, 85, 144, 164, 182, 199, 237.

⁴⁰ See the virtue of Moses *A. J.* I: 20, *A. J.* II: 267; of the children of Adam after Cain and Abel *A. J.* I: 69; of Abraham's son Isaac *A. J.* I: 234; of Jacob *A. J.* I: 280, *A. J.* II: 196; of Joseph *A. J.* II: 23.

⁴¹ See *A. J.* I: 170, 273; *A. J.* II: 17, 27, 165, 167, 174, 240; *A. J.* III: 55, 394, 308, 314; *A. J.* IV: 11, 85, 144, 164, 199, 237.

⁴² Arjava, *Women and Law in Late Antiquity*, p. 29.

⁴³ Dixon, *The Roman Family*, p. 62.

⁴⁴ Bradley, *Discovering the Roman Family*, p. 126.

⁴⁵ Greek Leviticus distinguishes πόρνη (prostitute) and βεβηλωμένη (profaned), cf. Philo *Spec. Leg.* 1. 101.

πόρνη is a women who in their own person is impure, while βεβηλωμένη is one whose ancestry is impure. In

Antiquities III: 276 Josephus seems to combine the two definitions in one, *ἡταιρηκίας*, one who works as a courtesan. See P. Harlé and D. Pralon, *La Bible d'Alexandrie. Le Lévitique* (Paris: Cerf, 1988), p. 178.

⁴⁶ R. P. Gallant, *Josephus' Expositions on Jewish Law: An Internal Analysis*, PhD Diss., (Yale University, Newhaven, 1988), p. 223.

⁴⁷ It cannot be said that there existed a typical view of divorce among Jewish groups in Josephus' time. For example, the Damascus Document (CD) tells us that Jews must not be caught "...in fornication twice by taking a second wife while the first is alive..." (IV: 20). This passage has been interpreted by some to imply that divorce was discouraged by the group for whom the document had significance, see P. R. Davies, *The Damascus Covenant: an Interpretation of the 'Damascus Document'*, JSOT 25 (Sheffield Academic Press, 1982), p. 116. Another document belonging to the Dead Sea Scrolls, CD 4: 20-5: 2, echoes this view:

They are caught... in fornication, by taking two wives in their lifetime. But the foundation of creation is "male and female He created them" (Gen. 1: 27) and those who entered the ark "two of each, [male and female,] came [to Noah] into the ark" (Gen. 7: 9). And regarding the king it is written, "He shall not have many wives" (Deut. 17: 17).

The ideas expressed in the fragment are similar to the statement in CD but it expands the prohibition to include. According to Lawrence H. Schiffman the author of the CD defines marriage as a lifelong commitment and interprets the biblical right of divorce to permit separation but not remarriage. In contrast, however, CD 13: 17-19 appears to permit the 'examiner' to sanction divorce for the members of the sect. See L. Schiffman, *Reclaiming the Dead Sea Scrolls: Their True Meaning for Judaism and Christianity* (New York, London, Toronto, Sydney, Auckland: Doubleday, 1994), pp. 130 and 122 respectively. The New Testament writers, especially in Matthew and Mark, were far more consistent in their disapproval of divorce and remarriage. Jesus, they said, taught that marriage and monogamy was a central feature of the relationship between the sexes; divorce was only sanctioned in cases of adultery. The Gospel accounts of Jesus' views on divorce are portrayed as a debate between Jesus and the Pharisees in Matthew 19: 3 and Mark 10: 2; the concluding statement on this matter is found in Matthew 5: 32 and Luke 16: 18. For a recent study on divorce in the NT, see D. Instone-Brewer, *Divorce and Remarriage in the Bible: the Social and Literary Context* (Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2002), pp. 133-188.

⁴⁸ Leviticus 21: 7.

⁴⁹ Feldman, *Flavius Josephus: Translation and Commentary*, p. 422.

⁵⁰ See Balsdon, *Roman Women*, p. 77 and Dixon, *The Roman Family*, p. 120.

⁵¹ Although it is unclear how far this punishment was sanctioned in law. Arjava, p. 193.

⁵² Arjava, *Woman and Law in Late Antiquity*, p. 194.

⁵³ See, Deut. 24: 1 and Mat. 5: 31 although there was some evidence that this changed slightly during the Hellenistic period. See Instone-Brewer, *Divorce and Remarriage*, especially pp. 59 ff. See also T. Ilan, *Jewish Women in Greco-Roman Palestine: An Enquiry Into Image and Status*, (Peabody, Massachusetts: Hendrickson Publishers, Inc., 1996), pp. 141-146.

⁵⁴ Salome, as a Roman citizen, may have based her action on Roman law. See Ilan, *Jewish Woman in Greco-Roman Palestine*, p. 146, fn. 29.

⁵⁵ Josephus is, however, aware that Jewish women have abandoned their husbands to go and live with other men. See, Berenice, *A. J. XX*: 146; Drucilla, *A. J. XX*: 143; Mariamme, *A. J. XX*: 147.

⁵⁶ Ilan, *Jewish Women in Greco-Roman Palestine*, p. 147. Ilan in her book, *Integrating Women into Second Temple History*, Texts and Studies in Ancient Judaism 76, (Tubingen: Mohr Siebeck, 1999), argues convincingly for the existence of literary and papyrological examples of Jewish women issuing divorce proceedings against their husbands, evidenced particularly in Papyrus XHev/SE 13, pp. 253-262.

⁵⁷ Arjava, *Women and Law in Late Antiquity*, p. 177.

⁵⁸ The process by which the dowry is returned is described in Arjava, *Women and Law in Late Antiquity*, p. 176.

⁵⁹ Balsdon, *Roman Women*, p. 221.

⁶⁰ Feldman, *Flavius Josephus: Translation and Commentary*, p. 423.

⁶¹ Exodus 21: 7-11; Leviticus 19: 20-22.

⁶² Not least because marriages between Roman citizens and foreigners was not recognised in law and most slaves were foreign or the descendants of foreigners. Balsdon, *Roman Women*, p. 175.

⁶³ J. Evans-Grubb, "'Marriage More Shameful than Adultery': Slave Mistress Relationships, 'Mixed Marriages' and Late Roman Law", *Phoenix XLVII* no. 2 (1993), pp. 125-154, p. 126. According to Evans-Grubb unions such as this were termed *contubernia* and had none of the legal consequences of legitimate marriage (*iustum matrimonium*).

⁶⁴ Dixon, *The Roman Family*, p. 29.

⁶⁵ D. Johnston, *Roman Law in Context* (Cambridge University Press, 1999), p. 43.

⁶⁶ Balsdon, *Roman Women*, p. 236.

- ⁶⁷ Augustus' *Lex Julia de maritandis ordinibus* prohibited senators and their descendants to the third generation from contracting *iustum matrimonium* with freed persons, Gaius I, 19; *Dig.* 40, 2, 19. For the lower classes these unions still had no validity but were not penalised: a man could free his slave and marry her becoming both her husband and her patron. See Evans-Grubb, "Marriage More Shameful than Adultery", p. 127.
- ⁶⁸ Balsdon, *Roman Women*, p. 231. After the *lex Julia* of 18 BCE, however, it was forbidden for a Roman to marry a freedwoman, see Balsdon, *Roman Women*, p. 175. According to Evans-Grubb, "Marriage More Shameful than Adultery", p. 126, despite the fact that there is evidence to show the existence of monogamous relationships between women and slave men (pp. 130 ff.), especially their own slaves or freed slaves, Roman social mores never accepted the idea. These relationships were often used as "a slur of Roman satirists against supposedly respectable women".
- ⁶⁹ See S. Treggiari, 'Concubinae', *Papers of the British School at Rome* XLIX (1981), pp. 59-78.
- ⁷⁰ Josephus, at *A. J.* XVIII: 143, exhibits discomfort at the marriage between Felix, brother of Pallas, a freedman of Antonia and favourite of Claudius, and the Jewish aristocrat Drucilla (*Acts* 24: 24). He tells us that she transgressed ancestral laws in order to do so. We can surmise that Josephus' disapproval stems from Drucilla's actions and from Felix's ex-slave status.
- ⁷¹ Evans-Grubb, "Marriage More Shameful than Adultery", p. 126.
- ⁷² See *Antiquities* III: 276.
- ⁷³ See J. Allegro, "The Wiles of the Wicked Woman: A Sapiential Work from Qumran's Fourth Cave", *PEQ* 96 (1964), pp. 53-55.
- ⁷⁴ See Ilan's section on prostitutes in a wide variety of Jewish literary sources, see Ilan, *Jewish Woman in Greco-Roman Palestine*, pp. 214 – 221.
- ⁷⁵ Balsdon, *Roman Women*, p. 226. According to R. MacMullen Pompeii hosted at least twenty-eight brothels and many other private rooms from which prostitutes plied their trade before the destruction of the city. MacMullen, *Roman Social Relations 50 B. C. to A. D. 284*, (New Haven and London: Yale University Press, 1974), p. 1974, f. The existence of brothels themselves was attacked in strong terms by Dio Chrysostom but not, in any surviving literature, by any other writer in Roman antiquity (*Or.* 7, 133 ff.).
- ⁷⁶ Balsdon, *Roman Women*, p. 224.
- ⁷⁷ Balsdon, quoting Cicero *Pro Caelio*, 48-50 and Cato Porphyrio and Ps-Acro on Hor., *Sat.* 1, 2, 31 f., *Roman Women*, p. 225.
- ⁷⁸ See Arjava, *Women and Law in Late Antiquity*, pp. 77f, and Rawson, "Roman Concubinage", p. 282.
- ⁷⁹ Feldman, *Flavius Josephus: Translation and Commentary*, p. 423.
- ⁸⁰ For a summary of the theory of natural slavery in antiquity see, Peter Garnsey, *Ideas of Slavery from Aristotle to Augustine* (Cambridge University Press, 1999), pp. 131-138.
- ⁸¹ Garnsey, *Ideas of Slavery*, p. 138.
- ⁸² Garnsey, *Ideas of Slavery*, p. 133.
- ⁸³ T. Irwin, *Classical Thought* (Oxford University Press, 1989), pp. 174-5.
- ⁸⁴ T. Rajak, *Josephus, the Historian and his Society*, (London: Duckworth, 1983), p. 100.
- ⁸⁵ Rajak, *Josephus, the Historian and his Society*, p. 100.
- ⁸⁶ Garnsey, *Ideas of Slavery*, p. 132.
- ⁸⁷ All of these prohibitions have their basis in scriptural law. See Numbers 3: 5; Leviticus 17: 10 f., 11: 39, 7: 23, 13-15: 19; Numbers 19: 11; 31: 19; Leviticus 15: 16; 12: 2; Numbers 5: 12. Josephus has re-ordered the chronology as set out in the bible in his paraphrase and has applied the blanket punishment of death for all of the transgressions, whereas scripture varies the punishments according to the particular crime. Despite this Josephus is fairly close to scripture on this point.
- ⁸⁸ See my Introductory Chapter for a discussion about the status of war captives. I have shown that in both Jewish and Graeco-Roman law and tradition these unfortunate people were regarded as chattel slaves in the sense that they could be bought and sold as property.
- ⁸⁹ Ezekiel 44: 22 adds that ordinary priests may marry a widow provided her former husband was of the priestly class. Josephus was either unaware of this tradition or chose not to include it here.
- ⁹⁰ M. Noth, *Leviticus: a Commentary* (London: SCM Press LTD, 1962), p. 139.
- ⁹¹ Leviticus 21: 6.
- ⁹² LSJ s.v. πόρνη: harlot, prostitute, probably from *πέρνημι* because Greek prostitutes were commonly bought slaves. See Josephus' use of *ἐταιρέω*, meaning to prostitute oneself, in *A. J.* III: 276; IV: 206; 245; and the middle form, *ἐταιρίζω*, to live as a harlot, in *A. J.* V: 306; *A. J.* VIII: 417.
- ⁹³ LSJ s.v. *παρθένος* as an adjective is maiden, chaste.
- ⁹⁴ LSJ s.v. *αἰχμάλωτος*: taken by the spear, captive, prisoner, frequently of women.
- ⁹⁵ See P. A. Brunt, *Italian Manpower 225 B. C. – A. D. 14* (Oxford: Clarendon Press, 1971).
- ⁹⁶ B. Revel, "Some Anti-Traditional Laws of Josephus", *JQR* 14 (1923-4), pp. 293-301 (298-299). See also Oltzki, *Flavius Josephus und die Halacha*, pp. n. 4 and 24 ff. Revel claims that Josephus derived the law

prohibiting priests from marrying a 'profaned' (חללה) woman in Lev. 21: 7 according to its literal meaning (see Mishnah *Quiddushin* 4: 6, 77a and parallels, i.e. one who is engaged in any occupation unbecoming to women including inn-keepers and shop-keepers. The general untrustworthiness of persons engaged in these occupations is also referred to in the Mishnah (*Yebamot* 16:7 and *Abodah Zarah* 2: 1). These similarities, however, do not imply that Josephus was sourcing rabbinic tradition for his statement. It could be that both interpretations are derived from a common source.

⁹⁷ In MT the adjective חללה in this context refers to a woman who is sexually dishonoured. In LXX βεβηλόω refers to sexual depravity.

⁹⁸ LSJ s.v. *καπηλεία*: retail trade; provision-dealing; tavern-keeping.

⁹⁹ Pomeroy, *Goddesses, Whores, Wives, and Slaves*, p. 192.

¹⁰⁰ LSJ s.v. *πανδοκεύω*: entertain as a host or inn-keeper.

¹⁰¹ See for example *Josiah* 2: 1.

¹⁰² Hor. *Ep.*, I, 14, 21. See also, O. Kiefer, *Sexual Life in Ancient Rome*, (London: Constable, 1994), pp. 61-62.

¹⁰³ Feldman, quoting Revel and Olitzki, see his *Flavius Josephus: Translation and Commentary*, p. 314.

¹⁰⁴ M. Goodman, *The Roman World 44 BC-AD 180* (London, New York: Routledge, 1997), p. 312.

¹⁰⁵ For Josephus' attitude towards the Jerusalem priesthood see, Schwartz, *Josephus and Judaeon Politics*, pp. 58-96, 107-109

¹⁰⁶ Dixon, *The Roman Family*, p. 62.

¹⁰⁷ See *B. J. V.*: 419; *Vita* 198; *Con. Ap.* I: 54.

¹⁰⁸ See *Antiquities* XIV: 41, and also Rajak, *Josephus: the Historian and his Society*, p. 18; Attridge, *The Interpretation of Biblical History*, pp. 176-167; M. Goodman, *The Ruling Class of Judaea: The Origins of the Jewish Revolt Against Rome A. D. 66-70* (Cambridge University Press, 1995), p. 118

¹⁰⁹ Goodman, *Ruling Class of Judaea*, p. 119.

¹¹⁰ Goodman, *Ruling Class of Judaea*, p. 119.

¹¹¹ Goodman, *Ruling Class of Judaea*, p. 119.

¹¹² Rajak, *Josephus, the Historian and his Society*, p. 18.

¹¹³ Rajak, *Josephus, the Historian and his Society*, p. 20; Goodman, *Ruling Class of Judaea*, p. 119. Goodman argues that the evidence in Josephus' writings shows that by the first century CE the prestige of the high priestly class was in fact diminished by the growing numbers of families laying claim to the title; 5 by 15 CE (*War* IV: 148). This status was further devalued by the growing number of these family's extended members (*War* VI: 114).

¹¹⁴ Rajak, *Josephus, the Historian and his Society*, p. 21.

¹¹⁵ See Goodman, *The Ruling Class of Judaea*, pp. 109-133.

¹¹⁶ Rajak, *Josephus, the Historian and his Society*, p. 21.

¹¹⁷ M. Beard, J. North and S. Price (eds.), *Religions of Rome Volume. 2: A Sourcebook* (Cambridge University Press, 1998), p. 194.

¹¹⁸ Balsdon, *Roman Women*, p. 231.

¹¹⁹ J. A. North, *Roman Religion: New Surveys in the Classics* 30 (Oxford: The Classical Association, 2000), p. 29.

¹²⁰ D. E Hahn, 'Roman Nobility and the Three Major Priesthoods, 218-167 B. C.' *TAPA* 96 (XCIV), pp. 73-85, p. 85.

¹²¹ A. Borkowski, *Textbook on Roman Law*, second edition (London: Blackstone Press Limited, 1997), p. 96.

¹²² B. Nicholas, *An Introduction to Roman Law* (Oxford at the Clarendon Press, 1990), p. 83.

¹²³ Borkowski, *Textbook on Roman Law*, p. 122-123.

¹²⁴ See further, G. Von Rad, *Studies in Deuteronomy* (trans. David Stalker), *Studies in Biblical Theology* no. 9 (London: SCM Press LTD, 1953), on the origins of the legal material.

¹²⁵ S. R. Driver, *A Critical and Exegetical Commentary on Deuteronomy* (Edinburgh: T. & T. Clark, 1985), p. 20.

¹²⁶ Driver, *A Critical and Exegetical Commentary on Deuteronomy*, p. 21.

¹²⁷ Driver, *A Critical and Exegetical Commentary on Deuteronomy*, p. 244.

¹²⁸ According to the Masoretic text the captive woman has the right to request her freedom. This in turn implies that her captor must comply with her wishes.

¹²⁹ The notion that the beautiful captive is to be released without payment is in virtual agreement with Exodus 21: 8 in that a man who has taken a slave to wife and who wishes to rid himself of her has no right then to sell her. See Driver, *A Critical and Exegetical Commentary on Deuteronomy*, p. 244. According to A. D. H. Mayes, *Deuteronomy* (London: Oliphants, 1979) Deuteronomy 15: 12 and 2: 14 use the verb ... to denote the freeing of a female slave. This verb is also used to connote divorce in Deuteronomy 22: 19, 29. Mayes concluded that the beautiful captive must be treated as a wife until such times as she is freed, p. 232.

¹³⁰ See the conclusions to this effect of Mendelsohn, *Slavery in the Ancient Near East*, pp. 1-3; Chirichigno, *Debt Slavery in Israel and the Ancient Near East*, pp. 36-54; and de Vaux, *Ancient Israel*, p. 80.

¹³¹ For examples of ancient Hebrews being taken as war captives see Judges 5: 30; I Samuel 30:2-3. For examples from the Hellenistic period see 1 Maccabees 3: 41 and 2 Maccabees 8: 10-11. The best biblical example of ancient Hebrews taking slaves from a population defeated in war can be seen in 2 Chronicles 28: 8-15. Here we are told that Peqah, the king of Israel, took 200,000 women and children as prisoners during his conflict against Judah. These unfortunates were freed only after the protestations of the prophet. See de Vaux, *Ancient Israel*, p. 81.

¹³² Note that this applies to the temporary Hebrew male debt slave as well as the young Hebrew female who has been sold as a slave.

¹³³ In common with Deuteronomy Josephus neglects to tell us whether the man is already married or not. As we will see later in this section Philo, at *De Virtutibus* 115, assumes that he is. See Feldman, *Flavius Josephus: Translation and Commentary*, p. 430, who also assumes that Josephus had knowledge of the rabbinic tradition that the captor may take a previously married captive woman as a wife (*Sifre Deut.* 211; *Quidd.* 21b), p. 430.

¹³⁴ Feldman, *Flavius Josephus: Translation and Commentary*, sees the issue of childbearing as connected to Josephus preceding discussion on Levirate marriage (*Antiquities* IV: 255) where the object is to bear children to perpetuate the memory of a dead brother, p. 430. This link strikes me as tenuous.

¹³⁵ Y. Yadin, *The Temple Scroll*, 3 vols. (Jerusalem: The Israel Exploration Society and the Shrine of the Book, 1983).

¹³⁶ Although B. A. Levine, 'The Temple Scroll: Aspects of its Historical Provenance and Literary Character', *BASOR* 232 (1978), pp. 5-27 (6); and H. Stegemann, 'The Literary Composition of the Temple Scroll and its Status at Qumran', in G. J. Brooke (ed.), *Temple Scroll Studies*, JSOT Supplementary Series 7 (Sheffield Academic Press, 1989), pp. 123-148 (126), have both expressed reservations about the provenance of *Rockefeller* 43. 366 and have doubted its relationship to the Temple Scroll.

¹³⁷ Stegemann, however, arrives at a much earlier date for much of the content of the scroll. He insists on a date between the end of the fifth century BCE and the end of the third century BCE: preferring the earlier option, p. 127 ff.

¹³⁸ Yadin, *The Temple Scroll*, p. 74.

¹³⁹ J. Maier, *The Temple Scroll: An Introduction, Translation and Commentary*, JSOT Supplementary Series 34 (Sheffield Academic Press, 1985), p. 3.

¹⁴⁰ Vermes, *The Dead Sea Scrolls in English*, p. 152.

¹⁴¹ M. Wise, *A Critical Study of the Temple Scroll from Cave 11*, p. 195.

¹⁴² Yadin, *The Temple Scroll* vol. I, p. 77.

¹⁴³ Yadin, *The Temple Scroll* vol. I, p. 364.

¹⁴⁴ Martinez, *The Dead Sea Scrolls Translated*, p. 218.

¹⁴⁵ The majority of the Temple Scroll is formulated in the first person, in other places the formulation is in the third person: occasionally both forms appear in one passage (cols. XLVIII-LI), Yadin, *The Temple Scroll*, p. 71-73. Also see A. M. Wilson and L. Wills, 'Literary Sources of the Temple Scroll', *HTR* 75:3 (1982), pp. 275-88, who have compiled a chart of the pseudepigraphic composition of the Temple Scroll.

¹⁴⁶ Although this is surprising as one would expect to find a correlation with the Masoretic text in this case.

¹⁴⁷ Maier, *The Temple Scroll*, p. 132.

¹⁴⁸ The reason for the addition of this clause to what is essentially a copy of Deuteronomy 21: 10-14 without significant change, although interesting, will not be included here. Discussions on this subject can be found in Yadin, *The Temple Scroll*, p. 364 ff.; Maier, *The Temple Scroll*, p. 132 ff.; and M. R. Lehmann, 'The Beautiful War Bride and Other *Halakhoth* in the Temple Scroll', in George J. Brooke (ed.), *The Temple Scroll*, JSOT Supplementary Series 7 (Sheffield Academic Press, 1989), pp. 265-272, p. 267 ff.

¹⁴⁹ Yadin, *The Temple Scroll*, p. 364.

¹⁵⁰ For a discussion of the prohibition of the woman from touching the "pure foodstuff" of her captor, see Yadin, *The Temple Scroll* vol. I, pp. 365-366.

¹⁵¹ Josephus plainly admits adhering to this logical methodology in his preface to his exposition of the Mosaic laws at *Antiquities* IV: 197.

¹⁵² See F. H. Colson, *Philo: with an English Translation*, 10 vols., (London: William Heinemann LTD, Cambridge Massachusetts: Harvard University Press, 1939).

¹⁵³ Colson, *Philo: with an English Translation*, p. xvi.

¹⁵⁴ Colson, *Philo: with an English Translation*, p. xvii.

¹⁵⁵ Colson, *Philo: with an English Translation*, p. 160.

* In the above text Philo's paraphrase of the biblical text is italicised, his expansions underlined, and his similarities to Josephus' version appear in bold type.

¹⁵⁶ For the Greek text see Source Appendix.

¹⁵⁷ LSJ s.v. εὐμορφία: beauty of form.

¹⁵⁸ Louis H. Feldman, *Studies in Hellenistic Judaism* (Leiden, New York, Köln: E. J. Brill: 1996), p. 12.

¹⁵⁹ For example, *A. J. I.*: 1-21 and *De Opificio Mundi* 1: 1-2.12; *De Vita Mosis* 2: 18. 88, *Quaestiones in Exodum* 2. 85 and *A. J. III.*: 181; *De Specialibus Legibus* 1. 35. 172 and *A. J. III.*: 182; *Quis Rerum Divinarum Heres* 45. 221-46. 226, *Quaestiones in Exodum* 2. 73, 75 and *A. J. III.*: 182; *De Vita Mosis* 2. 18. 88, *Quaestiones in Exodum* 2. 85 and *A. J. III.*: 183; *Quaestiones in Exodum* 2. 112-114, 117-120 and *A. J. III.*: 184-187.

¹⁶⁰ *Antiquities XVIII.*: 259

¹⁶¹ J. W. Etheridge, *The Targums of Onkelos and Jonathan Ben Uzziel on the Pentateuch with Fragments of the Jerusalem Targum from the Chaldee, 2 Volumes in 1* (New York: The Ktav Publishing House, INC, 1968).

¹⁶² *The Midrash Rabbah: New Compact Edition in Five Volumes, Volume Three, Numbers and Deuteronomy*, Translated into English with notes, glossary and indices under the editorship of Rabbi Dr H. Freedman and M. Simon (London, Jerusalem, New York: The Soncino Press, 1977).

Chapter Three: Josephus & the Hagar Narratives

Introduction

Of the female slave characters represented in the Pentateuch, Hagar's is the most comprehensively narrated. In the first episode, Genesis 16: 1-16, the narrative speaks of her ethnicity; it tells us that she becomes Abraham's secondary wife alongside her mistress, Sarah, that she bears Abraham's first son, that she flees from Sarah and that she is visited by two angels, and that she communicates with God. In the second episode, Genesis 21: 1-21, the narrator tells us that she is expelled by her master and mistress, that she and her son almost perish in the desert and that Hagar, through her son Ishmael, becomes the progenitrix of the great Arab nations. The story of Hagar and Ishmael also tells us much about how Genesis portrays the personalities of Abraham and Sarah, their faults and failings. Both episodes speak of a matriarch who is jealous of her slave's fecundity. Sarah is portrayed as a barren, scheming, uncaring and domineering woman who manipulates her husband and their relationship to achieve her own ends. Abraham, the patriarch, on the other hand, is the passive observer of the actions of his wife and her interactions with her slave. Abraham rarely participates in any significant way in either of the Hagar episodes

The questions addressed in this chapter are these. Firstly, how has Josephus modified the way in which Genesis 16 represents the sexual relationship between Abraham and Hagar? Secondly, how has Josephus altered the slave-mistress relationship between Sarah and Hagar? How has Josephus recast the characters and events in this portion of the Genesis narrative in which two women, one of whom was a slave, occupy the centre of the action and not the male patriarch? The Hagar episodes must have been problematic for Josephus as an elite Roman audience was unlikely to be impressed by a Jewish hero who appears in parts of the biblical narrative to be of secondary importance to his wife and, worse still, her slave.

The following analysis will ask three fundamental questions of Josephus' retelling of the Hagar narratives. Firstly, what methodology and rationale does Josephus employ in his representation of the narratives? This question will be addressed by comparing and contrasting his passages relating to Hagar with the presentations of the slave woman in the Genesis of MT and LXX. Any differences between Josephus' retelling and the Hebrew and Greek texts that

arise will be checked against any likely secondary sources that also engage with the Hagar narratives. This will provide a detailed summary of where Josephus has deviated from the Hebrew and Greek Pentateuch and where he has followed the text. It will also show whether Josephus was dependent on non-biblical texts for all or part of his retellings of the Hagar episodes. This leads directly to my second question. Does Josephus' retelling of the narratives offer the reader a careful and consistent interpretation of a known MT or LXX source or has he haphazardly and carelessly manipulated the material to suit the requirements of his audience? This is connected to my third issue. Is it possible to reconstruct Josephus' agenda from the manner in which he has treated his source material?

The results of these analyses suggest that Josephus' treatment of the Hagar material was inspired by Graeco-Roman cultural ideals rather than reflecting the concerns of the biblical authors or those of other Second Temple Period writers. Although the social and legal issues surrounding the relationships between the characters in the Genesis narratives were acceptable from a Jewish perspective, from an elite Roman viewpoint these foreign traditions would have been deemed illegal, immoral and degenerate. I will show that in order to avoid an assault on the sensibilities of his elite Roman audience, Josephus has recast the characters, language and events in the biblical text in his retelling to conform to Graeco-Roman social and cultural stereotypes. The following sections compare and contrast Josephus' retelling of the first Hagar episode, *Antiquities* I: 186-191, with Genesis 16: 1-16 of the Masoretic Text and the Septuagint.

Section One: The First Hagar Episode: *Antiquities* I. 186-191

Josephus:

Josephus first mentions Hagar at *Jewish Antiquities* I. 186-190:

Abraham was living near the oak called Ogyges, a place in Canaan not far from the city of the Hebronites, when distressed at his wife's sterility, he besought God to grant him the birth of a male child. Thereon God bade him be assured that, as in all else he had been led out of Mesopotamia for his welfare, so children would come to him; and by God's command Sarra brought to his bed one of her handmaidens, an Egyptian named Agar, that he might have children by her. Becoming pregnant, this servant had the insolence to abuse Sarra, assuming queenly airs as though the dominion were to pass to her unborn son. Abraham having thereupon consigned her to Sarra for chastisement, she, unable to endure her humiliations, resolved to fly and entreated God to take pity on her. But as she went on her way through the wilderness and angel of God met her and bade her return to her master and mistress,

assuring her that she would attain a happier lot through self-control, for her present plight was due to her arrogance and presumption towards her mistress; and that if she disobeyed God and pursued her way she would perish, but if she returned home she would become the mother of a son hereafter to reign over that country. Obedient to this behest she returned to her master and mistress, was forgiven, and not long after gave birth to Ishmael, a name which may be rendered "Heard of God," because God had hearkened to her petition.

Ἄβραμος δὲ κατῴκει μὲν περὶ τὴν Ὠγύγην καλουμένην δρῦν, ἔστι δὲ τῆς Χαναναίας τὸ χωρίον οὐ πόρρω τῆς Ἑβρωνίων πόλεως, δυσφορῶν δὲ ἐπὶ γυναικὶ μὴ κυοῦσῃ ἰκετεύει τὸν θεὸν γονὴν αὐτῷ παιδὸς ἄρσενος παρασχεῖν. τοῦ δὲ θεοῦ θαρσεῖν αὐτὸν παρακελευομένου τοῖς τε ἄλλοις ἅπασιν ὡς ἐπ' ἀγαθοῖς αὐτὸν ἀπὸ τῆς Μεσσοποταμίας ἠγμένον καὶ παίδων ἐσομένων, Σάρρα τοῦ θεοῦ κελεύσαντος ἐπικλίνει μίαν τῶν θεραπεινίδων Ἀγάρην ὄνομα γένος οὔσαν Αἰγυπτίαν ὡς ἐξ αὐτῆς παιδοποιησομένη. καὶ γενομένη ἐγκύμων ἢ θεραπαινίς ἐξυβρίζειν εἰς τὴν Σάρραν ἐτόλμησε βασιλίζουσα, ὡς τῆς ἡγεμονίας περιστησομένης εἰς τὸν ὑπ' αὐτῆς τεχθησόμενον. Ἀβράμου δὲ αὐτὴν πρὸς αἰκίαν παραδιδόντος τῇ Σάρρᾳ δρασμὸν ἐπεβούλευσεν οὐχ ὑπομένουσα τὰς ταλαιπωρίας καὶ τὸν θεὸν ἰκέτευεν οἶκτον αὐτῆς λαβεῖν. ὑπαντιάζει δὲ διὰ τῆς ἐρήμου προϊοῦσαν αὐτὴν ἄγγελος θεῖος κελεύων πρὸς τοὺς δεσπότας ἐπανιέναι· βίου γὰρ μείζονος τεύξεσθαι σωφρονούσαν· καὶ γὰρ νῦν εἰς τὴν δέσποιναν ἀγνώμονα καὶ αὐθάδη γενομένην ἐν τούτοις εἶναι τοῖς κακοῖς· παρακούουσαν μὲν τοῦ θεοῦ καὶ προσωτέρω χωροῦσαν ἔλεγεν ἀπολεῖσθαι, νοσήσασαν δὲ αὐτὴν ὀπίσω γενήσεσθαι μητέρα παιδὸς τῆς γῆς ἐκείνης βασιλεύσοντος. τούτοις πείθεται καὶ ἐπανελθοῦσα πρὸς τοὺς δεσπότας συγγνώμης ἔτυχε· τίκτει δὲ μετ' οὐ πολὺ Ἰσμαῆλον, θεόκλυτον ἂν τις εἴποι, διὰ τὸ εἰσακοῦσαι τὸν θεὸν τῆς ἰκεσίας.

Josephus locates the action at a place he calls Ogyges³ in Canaan. We are told that Sarah is sterile and that on God's orders she gave her slave, Hagar, to Abraham so that they might have a child between them.⁴ In due course Hagar becomes pregnant and begins to assume "queenly airs" because of her belief that Abraham's dominion would pass to her unborn son. Abraham is clearly unhappy with Hagar's attitude and wishing to right the situation consigns Hagar to his wife for punishment. The slave woman is badly treated by Sarah and she flees into the desert and asks God's help.⁵

Whilst in the desert an angel of God intercepts Hagar and tells her to return to Abraham and Sarah. The angel assures her that she would be happier in their household if she exercised some self-control and that her present condition was of her own making brought on by her own arrogance and presumption towards Sarah. Josephus tells us that the angel issues a

warning to Hagar that if she refuses to return to her master and mistress she will die in the wilderness. The angel then tells Hagar that in compensation for returning to Sarah she will become the mother of a great people.⁶ Hagar complies with the angel's commands and returns to Abraham and Sarah who forgive her. Hagar gives birth to a son named Ishmael, so called because God helped in the desert. Abraham, we are told, was eighty-six years old when Ishmael, his first son, was born.⁷

Genesis of MT and LXX:

Now let us look at how Josephus' most likely sources for the first Hagar cycle in Genesis 16: 1-14 represent this episode. The MT and LXX texts for this episode, as for all the other main biblical texts which underlie Josephus' presentations on female slavery can be found in the Source Appendix. In the Pentateuchal narrative Abraham and his wife had settled in the land of Canaan (v. 3). Sarah has been prevented by God's will from bearing children (v. 1). In order for Sarah to obtain a son she gives her Egyptian slave, Hagar,⁸ to Abraham as a wife so that they might provide the heir (v.2).⁹ After conceiving, Hagar adopted a superior attitude to her mistress for which Sarah punished her with Abraham's consent (vs. 4-6). Hagar then flees whilst pregnant from her mistreatment (v. 7).

A messenger of God finds Hagar by a well and enquires where has she come from and where was she going. Hagar tells him of her plight and he replies that she must return to Sarah and accept her punishment. In return the angel promises that she will be the mother of a people through her son Ishmael: he then describes Ishmael's personal and physical characteristics. Hagar calls the name of God, "God of Vision" (MT) or, "Thou art God who seest me" (LXX). Because of this the place acquires its name "The Well of the Living One Seeing Me" (MT) or, "The well of him who I have openly seen" (LXX). Abraham gives his son the name Ishmael, who was born when Abraham was eighty-six years of age (vs. 8-16).

It is useful at this point to engage with a discussion about the vocabulary used in MT, LXX and Josephus which denotes Hagar's slave status in the texts, especially since in the MT the terms change between chapters 16 and 21. This discussion also has significance for the slave vocabulary of the various texts compared to Josephus in the following Zelpha and Balla chapter because Josephus alters the designation that MT (אמה and שפחה) and LXX (παιδίσκη) apply to the women and tells us that, instead of being slaves, they are instead the "subordinates" of Rachel and Leah. Let us begin with the Hebrew slave vocabulary. The

Hebrew language has three words for slave: עבד, which applies to males only;¹⁰ and שפחה and אמה, referring only to females.¹¹ Despite this limited vocabulary, application of these terms is flexible in terms of the contexts in which the individual words can be found in the bible and other Hebrew texts. Thus, עבד, אמה and שפחה can mean slave in the sense of the ownership of one individual by another, but can also denote an individual's subservient status in relation to another such as to a king, or to God.¹² The words for female slave, אמה and שפחה, are synonymous substantives but can be distinguished in the following ways: שפחה denotes a girl who is not free but who is still a virgin, whose duty it was primarily to serve the woman of the house (Gen. 16 and 29).¹³ אמה is a woman who is not free, and who could be a man's secondary wife, as well as the wife of a fellow slave (Gen. 16: 2, 5; 25: 12; 35: 26, 26; 30: 4). Less often it refers to the master of a concubine (Gen. 29: 24, 29), and is generally used to denote menial service.¹⁴ According to Jepsen, these words designate two classes of people which can be clearly differentiated from one another, but they would both be used together when women were spoken of as slaves. Accordingly this led to the words no longer being used with their original distinctive meanings.¹⁵

However, some interpreters conclude that אמה and שפחה show no discernable differences in social status¹⁶ and are used interchangeably in the MT passages that are examined in this thesis. Robert Alter, for example, suggests that the only evident difference is that אמה is the more international of the terms as it is often found in administrative lists, whereas שפחה occurs more frequently in contexts that are more narrative and popular in character.¹⁷ However, it could also be that the differences in Hebrew terminology for female slave arise from the regional linguistic preferences of the J and E authors that make up the component parts of the biblical texts.¹⁸ Modern commentators generally translate these terms to mean 'maid' or 'handmaiden' in an attempt to impart "a misleading sense of European gentility on the sociology of the story" in which the term appears when in fact one should read "slave" in most instances.¹⁹

In the Greek Genesis אמה and שפחה are consistently rendered as παιδίσκη in almost all cases and it is this word that is used to denote the slave status of Hagar, Zelpha and Balla. The frequency with which παιδίσκη occurs is perhaps a reflection of the fact the two Hebrew terms appear, as stated above, to be synonymous in the Pentateuch of MT.²⁰ The meaning of παιδίσκη is derived as a diminutive of παῖς, a young girl or maiden (Xenophon). In Herodotus and Hellenistic Greek, which belong to the context in which the Greek Pentateuch

developed, *παιδίσκη* is a young slave or sometimes courtesan.²¹ In Greek literature *παιδίσκη* is always of the servant class (as also Herodotus, papyri and Philo) so reflects Hellenistic usage.²² According Wright the translation of slave terms from the Hebrew to the Greek Pentateuch present scholars with “something of an enigma”:²³ *δοῦλος*, the most common Greek word for slave and most obvious choice for the translation of *עַבְד*, does not appear at all in Genesis, Exodus and Numbers, whilst in Leviticus it appears only twice,²⁴ and Deuteronomy only once.²⁵ Instead the translators preferred a number of alternatives: *παῖς*,²⁶ *οἰκετής* and perhaps *θέραπων* as rough synonyms for the Hebrew term. Similarly, the Septuagint translators consistently used the term *παιδίσκη*²⁷ to denote the slave status of Hagar, Zelpha and Balla and the females included in the slave legislation as synonyms of *אִמָּה* and *אִשָּׁה*.²⁸

Josephus, in common with other Hellenistic Jewish authors such as Philo,²⁹ employs a broader range of Greek slave vocabulary than the Septuagint, the most common words *δοῦλος*, *παῖς*, *οἰκετής* and *θέραπων* represent the majority of his uses.³⁰ Josephus makes no attempt to differentiate between Jewish and non-Jewish slaves in his choice of slave terms, they are used universally.³¹ However, in the case of his vocabulary used to denote the status of Hagar, Zelpha and Balla his vocabulary is restricted to *θεραπαινίς* (*A. J. I: 188*) and *δούλης* (*A. J. I: 215*) for Hagar, and *θεραπαινίδες* for Zelpha and Balla. Josephus uses this term in contradistinction to *δοῦλοι* (slave), which he states that they are not. In his comments on slave law Josephus uses *δούλην* (*A. J. III: 276*), *δούλας* (*A. J. IV: 244*), *ἀιχμάλωτον* (*A. J. III: 276* and *IV: 257*). These terms are substituted in all cases for *παιδίσκη* in LXX, which Josephus uses only in *Antiquities IV: 248* and *XVIII: 40*.

Generally speaking the two main studies of Josephus’ use of slave vocabulary have concluded that the author did not distinguish very carefully among his words for slaves, rather he used them interchangeably as rough synonyms.³² This can be most clearly demonstrated by comparing the vocabulary he employs in parallel passages from different works. For example, at *Jewish War I: 233*, Herod sends his *οἰκλετής* ahead of him on the pretext of preparing a meal: when he reiterates this event at *Antiquities XIV: 291* the slave is denoted as *θέραπων*. Likewise at *Jewish War I: 620* some informers come from the *οἰκεται* of Antipater’s mother. In the same event in *Antiquities* these individuals are termed as *δοῦλοί* (*A. J. XVII: 93*). Furthermore, in the story of Joseph, Josephus consistently substitutes the

Hebrew עֶבֶר and the Septuagint's *παις* with *δοῦλος* and its variants. There are, however, occasions where, contrary to the conclusions of Gibbs and Feldman, and Wright, Josephus does make a hard distinction between his uses of slave terms. In his portrayal of the characters of Hagar, Zelpha and Balla vocabulary he uses the term *θεραπαινις* (personal servant) to indicate that there is a relationship between their mistress and subordinate other than that of ownership in the sense of chattel slavery. As I pointed out above, Josephus reinforces this distinction when he tells us that the *θεραπαινις* of Rachel and Leah are not *δοῦλοι*. However, when Josephus wishes to harden the opinion of his audience against Hagar during her exile from Abraham's household,³³ her status changes from *θεραπαινις* (personal servant), to *δούλη*, the chattel slave in Greek slave terminology. As we have seen, Josephus reserves the *δοῦλος* word group to denote the chattel status of slaves in his summary of the Pentateuchal slave laws.

Josephus and Genesis: A Comparison:

A comparison between Josephus' retelling of the first Hagar episode and the Pentateuch shows that Josephus has condensed much of the biblical story and has made many significant alterations to the Pentateuch's representation of the characters in the ways in which they interact with one another. The following sections summarise Josephus' alterations.

- Setting:

Josephus begins his retelling of the first Hagar episode with an earlier reference, Genesis 14: 13, which allows him to locate Abraham at the oak which he identifies as "Ogygian" (*τὴν Ὠγύγην*) in Canaan, not far from the city of the Hebronites.³⁴ Despite two previous references to the oaks of *Μαμβρῆ* (Mamre), Genesis 13:18 and 14: 13, this is the first time Josephus mentions them and he effects a name change from *Μαμβρῆ* to *Ὠγύγη*.³⁵ This location appears in the Masoretic Text as *אֲרָז* which the Septuagint transliterates as *Μαμβρῆ*. In the present context it appears that he is using the name of a mythical Greek king who was associated with a story of a primeval flood.³⁶ According to Thackeray, however, the adjective "Ogygian" was used in Greek to mean primeval or antediluvian and was more likely to have been what Josephus wrote.³⁷ Josephus also mentions this oak in *Jewish War* IV: 333 where he states that the oak had stood "since the creation".³⁸ It may be that Josephus has deliberately used "Ogyges" in order to associate the character of Abraham and his setting

with characters and locations in Hellenistic literature which were likely to have been recognisable to an educated elite Roman audience.³⁹

- Abraham's distress

After his historical contextualization of the story, Josephus' resumes his retelling of Genesis 16 informing us of Abraham's distress at the childlessness of Sarah, the patriarch's wife. The patriarch's distress is not mentioned at this point in the biblical text. Josephus has lifted this emotive notion from the preceding chapter (Gen. 15: 2). In the Pentateuch it is in fact Sarah who is in distress at her own barrenness and it is she who instigates the plan to have a child for herself via Abraham and Hagar.⁴⁰ In Josephus' account, however, the child is being produced in this manner for Abraham and not Sarah. There is no mention in Josephus' paraphrase of Hagar being Abraham's wife as she is termed in Genesis and Josephus presumes Abraham's desire for a *son*. Genesis is not gender-specific on this point, mentioning only *children*.

- Chronology of events:

Josephus continues with an account of Hagar's pregnancy; her contempt for Sarah, Abraham's deliverance of her to Sarah for punishment, the abuse of Hagar by her mistress and her subsequent flight. This chronology differs slightly from the Genesis account of events. Hagar is said by Josephus to have revealed her contempt for Sarah by assuming "queenly heirs" (*βασιλίσσουσα*),⁴¹ because of her belief that Abraham's dominion would pass to her unborn son. Genesis does not describe Hagar's attitude in this manner, and the reference to Ishmael's inheritance does not appear in the Pentateuch until Genesis 21: 10. Josephus omits Sarah's complaint to her husband, making it appear that Abraham took the initiative to right the situation before he consigns Hagar to his wife for punishment.⁴²

Josephus omits the location of "Shur" (Gen. 16: 7) for Hagar's encounter with the angelic messenger and narrates their dialogue in a rather straightforward moralizing tone rather than quoting the more nuanced version from his source.⁴³ In so doing the angel in Josephus' retelling is emphasising Hagar's blame for her predicament.⁴⁴ Josephus, in common with Genesis, offers Hagar no choice but to return to Abraham and Sarah. He omits however, the promise in Genesis of enormous numbers of descendants, and the account of Ishmael's character and future as a ruler. Josephus also ignores Hagar's calling of God's name preferring, in an extra-biblical comment, that she simply returns to her master and mistress

and receives their forgiveness. Finally, according to Josephus, Hagar gives birth to a son, Ishmael, meaning “heard of God (θεόκλυτον)”.⁴⁵ Josephus does not say how the naming took place, whereas in Genesis, the name was commanded by the angel and given to the child by Abraham (Gen. 16: 11 and 15)

What emerges from this comparison is that Josephus’ retelling of the first Hagar episode retains the substance of the MT and LXX versions but sections of the chronological framework of his narrative are his own invention. Moreover, Josephus has added material to clarify aspects of the narrative while subtracting material he thought was either irrelevant or not suited to the wider aims of his *Antiquities* as a whole. In addition to structural and chronological changes this analysis also reveals that Josephus re-presented the way that the Hebrew and Greek biblical texts characterise Hagar, Sarah and Abraham and their relationship to one another. The alterations will be noted in the following comparisons between Josephus’ retelling and the Masoretic Text and Septuagint representations.

a) Matriarch or Housewife? Genesis & Josephus on Sarah.

i. Genesis:

The character of Sarah in the biblical narrative emerges from the text as a woman of power, prestige and self-determination. Indeed, the force of Sarah’s personality overshadows that of the other characters. The matriarch’s centrality in the scene is immediately impressed upon the reader because, contrary to the word order in the Hebrew and Greek Pentateuch, the opening sentence places Sarah’s name as the subject before the verb, immediately establishing her dominance in chapter 16.⁴⁶

Furthermore, Sarah acknowledges in verse 1 that it is God who has prevented her from bearing and under her own initiative she takes steps to rectify the situation through the use of *her* slave, Hagar, so that she may have a child for *herself*. The fact that Hagar is Sarah’s property is emphasised in the language of both the Masoretic Text and Septuagint. For example, whenever Sarah is designated as Abraham’s wife, Hagar’s slave status and non-Hebrew nationality are also stated placing the women as social opposites in the narrative (Gen. 16: 1; 3). Elsewhere the vocabulary of Genesis 16 (MT *הפשה*, LXX *παιδίσκη*) confirms Hagar’s low status in relation to Sarah and her possession by her mistress.⁴⁷

The meaning of the Hebrew phrase אבנה ממנה (“I may be built up (that is, build a family) through her” (vs. 2)), is unclear but is generally thought to indicate that the child will be Sarah’s heir/ess and not Abraham’s.⁴⁸ The Septuagint translator seems to have acknowledged that Sarah’s intention needed explanation and clarification. In the Septuagint the Masoretic version of verse 2 is reworded thus: “I (Sarah) may get children for *myself* through her”. Sarah’s plan commands Abram’s silent acquiescence as he “listened to [obeyed] the voice of Sarah” (16: 2). Once pregnant by Abraham, Hagar becomes disdainful of her mistress (v. 4) as, inevitably, Hagar’s enhanced status as the pregnant ‘wife’ of Abraham leads to a corresponding decline in the status of the barren wife.⁴⁹

In order to rectify this situation and reassert her authority Sarah reproaches Abraham in the first instance and not Hagar directly. Prior to her entreaty to God for judgement between her and her husband (v. 5), Sarah repeats the vocabulary used by the narrator in verse 4 to record Hagar’s response to her pregnancy. From Sarah’s mouth, however, the words take on a far more pejorative meaning.⁵⁰ Abraham’s response in verse 6 is to effectively return Sarah’s property, *her* slave Hagar, so that *she* can administer punishment as *she* saw fit. This is the only time Abraham is given direct speech in Genesis 16. Where we would expect his power as the patriarch to come to the fore to remedy his wife’s distress and decline in status, he passively absolves himself of responsibility for his part in Sarah’s plan. Sarah then “dealt harshly” with Hagar, causing the slave to flee into the desert. The focus of Genesis 16 now shifts from Sarah, the subject of the narrative so far, to Hagar who has so far been the object.

ii. Josephus:

In Josephus’ retelling of the narrative we find that the strength of Sarah’s personality and the significance of her role in Genesis are diminished. To begin with Josephus mentions Abraham’s and not Sarah’s name first in his introduction to the passage marking him rather than his wife as the dominant subject of the passage. In Josephus it is God who makes the decision to give Hagar to Abraham and not Sarah herself. It is possible that Josephus projected the change into this context from the divine backing Sarah receives from God to dispossess Hagar at Genesis. 21: 12.⁵¹ By overriding Sarah’s decision to rectify her childlessness, Josephus makes it appear that, in contrast to Genesis, Sarah has no control over the people or events with whom she is engaged in the narrative. These are now the sole responsibilities of God. According to Josephus, Sarah gives Hagar to her husband so that *he*, Abraham, and not Sarah *herself*, as in Genesis, can acquire a son. Because of the possibility

that Sarah was concerned here for her *own* lineage and not that of her *husband*, Josephus further diminishes the matriarch's significance in his passage.⁵²

Finally, Josephus omits Sarah's somewhat aggressive complaint to Abraham and her appeal to God to judge between her and Abraham, thus silencing the woman. We can see from this reading of Josephus' paraphrase of Genesis that he presents Sarah as a weaker character, stripped of her legal rights, unable to remonstrate with her husband and generally subordinate to Abraham in a manner not expressed in Genesis.

b) Slave-Matriarch or Insolent Slave? Genesis & Josephus on Hagar

i. Genesis of MT & LXX:

Hagar's status, ethnicity and actions are central to the continuing plot of the Genesis narratives. She is Egyptian rather than Hebrew but her ethnicity does not preclude her from Sarah's considerations for providing Abraham an heir (vs. 1-4).⁵³ She is mute in the presence of Sarah and Abram, given no dialogue in Genesis until her encounter with God's messenger at verse 7.⁵⁴ Furthermore, neither Abraham nor Sarah utter a single word to Hagar throughout Genesis 16. She is passed like property from Sarah to the elevated status of Abraham's second, and probably secondary, wife, for the sole purpose of providing her mistress with a child.⁵⁵ Hagar is the object of the narrative until she becomes pregnant with Abraham's child (v. 4). At the point of conception she becomes the subject and her status is significantly enhanced.⁵⁶ She becomes accustomed to this new status and acts in an unspecified manner that correspondingly lowers the status of her mistress "in her eyes" (v. 5).

The Hebrew expression "her mistress was slight (or trifling) in her eyes" has resulted in a variety of interpretations as the verb לָלַךְ (slight)⁵⁷ and its meanings are problematic to determine precisely. Some commentators have attributed a legitimate, but unnecessarily harsh, meaning to the verb, such as to show *contempt* or *disdain*, based on the reversal of the women's status. Many translators have attempted to resolve this by altering the syntax to make Hagar the subject of the verb. Thus we see variant readings such as, "when she became aware of her pregnancy, she looked on her mistress with disdain,"⁵⁸ or "but when she became aware that she was pregnant, she looked down upon her mistress".⁵⁹ However, if the verb/subject order of the Hebrew is restored, less harsh reading emerges, "her mistress was slight [lowered] in her eyes [esteem]".⁶⁰

It is after Hagar flees from the household (vs. 6) that her status is enhanced in the MT and LXX Genesis. During her sojourn in the wilderness, an angel of God appears and tells Hagar to return to face her mistress's anger (vs. 7-9.). The angel's questions, "Hagar, maid of Sarai, where did you come from? And where do you go?", enhance Hagar's profile in the narrative as this is the first character to speak to Hagar directly and to use her name. The angel, therefore, acknowledges the individuality or "personhood" of Hagar whereas Abraham and Sarah do not. However, the angel also reaffirms Hagar's slave status with the addition of the phrase "maid of Sarai", thus removing any hope of her redemption from slavery as recompense for her ill treatment.⁶¹

Instead of liberating Hagar from abuse the angel commands that she should "return to your mistress, and submit yourself under her hand" (v. 9), in other words, to return to a state of slavery. In recompense for this action the messenger promises that he "will exceedingly multiply your seed, so that it shall not be numbered for multitude" (v. 10). In so saying the messenger has enhanced Hagar's importance in Genesis even further. Whilst the promise of multitudinous offspring is made to all the patriarchs, Hagar is the only woman ever to receive it in scripture. Hagar responds to the angel's revelations not by calling *upon* the name of God,⁶² but by calling out the name Yahweh, an act attributed to no other character in the bible.⁶³ Despite the uniqueness of Hagar's experience in the desert, her story completes the circle and she must return to her mistress, Sarah.

ii. Josephus:

Josephus' treatment of the character of Hagar is very different from her portrayal in Genesis. In his retelling of the story Sarah selects "one of her handmaidens" for the task of producing a son for Abraham. Genesis, on the other hand, gives the impression that Hagar is Sarah's only handmaid, which could indicate that there is a closer relationship between her and Sarah than Josephus' retelling acknowledges. Josephus also omits Hagar's status as Abraham's "wife" altogether and in so doing he has altered her status from Sarah's slave to something akin to Abraham's concubine.⁶⁴

Genesis 16: 5-6 makes Hagar's dismissal for relatively minor indiscretions seem heavy handed and unwarranted. Sarah's actions denote her as the villainess of the piece. However, in Josephus' retelling he is careful to reverse this depiction by informing his audience that

Hagar's abusive attitude towards Sarah derives from her incorrect assumption that her son has a right to inherit a share of Abraham's estate. This scene has been imported into this context from Genesis 21: 10. In the biblical text we can see that Sarah was well aware that inheritance was Ishmael's legal right and not a concept of Hagar's invention.

It is precisely because of this assumption, however, that Josephus tells us that Hagar became "insolent" (*ἐξυβρίζειν*) and abusive towards Sarah and that she assumed "queenly" affectations (*βασιλίζειν*).⁶⁵ These carefully chosen words tell us much about how Josephus wished to emphasise and exaggerate the faults in Hagar's character and to provide justification for her expulsion to his readers. *βασιλεία*, indicates the attributes of a queen or princess,⁶⁶ and is set in contrast to *θεράπεινα* meaning handmaid, or female slave.⁶⁷ By employing these particular words in contradistinction, Josephus is suggesting that Hagar has assumed that, just because she is pregnant with the patriarch's son, an honour denied to his wife, her status has automatically risen from the lowest to the highest possible for a mortal woman. Thus Hagar appears to have assumed a 'royal' status equal to or superseding that of her mistress. This is a notion certainly not represented in such language in Genesis where Sarah is merely 'lowered' or deemed 'slight' in the eyes of her slave.

A more damning assessment of Hagar's attitude can be witnessed in Josephus' use of *ἐξυβριζείν* to describe the slaves' behaviour and its impact on Sarah. The meaning of *ὑβρις* in ancient Greek literature is varied but does have several overriding features in common, that is, various actions by an individual or group that results in the loss of self-worth and honour of another.⁶⁸ The pseudo-Platonic *Definitions* provide this brief and simple example by way of definition: *ὑβρις ἀδικία πρὸς ἀτιμίαν φέρουσα* expressing the idea that injustice leads to dishonour (415e12). Similarly Aristotle's treatment of hubris in his *Rhetoric* (1378b 23-35) highlights the intentional nature of the concept and how it diminishes the honour and self-worth of its victim. We also find in classical Greek literature that *ὑβρις* is always followed by some form of punishment for the perpetrator of hubristic acts. Two examples offered by Aristotle from the *Iliad* demonstrate how Achilles was the victim of Agamemnon's hubristic words and actions.⁶⁹

The ideas encapsulated in the term *hubris* – that excess and disobedience lead to punishment – are also to be found in scripture; Deuteronomy 32: 15, for example, demonstrates that satiety

leads to the abandonment of God.⁷⁰ The Septuagint, however, does not use *hubris* in this context. Indeed, as Daniel Levine has noted, the Septuagint only uses *hubris* twice in the whole of the Pentateuch, at Genesis 49: 4 and Leviticus 26: 19. Josephus uses the word 46 times in his treatment of the first five books of the bible but never where it is found in the Septuagint. In fact Josephus omits Genesis 49: 4 and Leviticus 26: 19 altogether in his paraphrase.⁷¹

Following the Greek literary model, the concept of *hubris* in Josephus' writing invariably accompanies the acquisition of wealth, excesses committed as a result of abundance,⁷² pride,⁷³ sexual indiscretion,⁷⁴ the effects of natural forces⁷⁵ and combinations of all of these elements. In Josephus all of these hubristic events are met with eventual disaster or punishment. Thus, where Josephus has used the word and its inherent conceptual meaning in his paraphrase of the biblical text it was for the express purpose of making aspects of the narrative "intelligible and concrete for his readers",⁷⁶ that is the members of his Greek-speaking audience.

So how do the various Greek strands of the concept of *hubris* impact on Josephus' depiction of the character of Hagar? As we have seen, the biblical version of the expulsion appears harsh and unfair to Hagar, arising as it does through Sarah's jealousy rather than Hagar or Ishmael's behaviour towards her. The reverse is the case in Josephus' paraphrase of the event. Hagar's behaviour is intolerable and unwarranted from a social inferior. Sarah's reaction is therefore justified. Thus the crime and punishment paradigm encapsulated in the model of the classical Greek concept of *hubris* is present in Josephus' narrative. By choosing to use *hubris* to describe the slave's treatment of Sarah, Josephus is laying the blame for her ill treatment and subsequent expulsion at the feet of Hagar herself. Put simply, Hagar is getting her just reward for her outrageous and excessive behaviour towards her social superiors. This concept would have been fully appreciated by Josephus' Greek-speaking audience.

In order to further minimise Hagar's role in his paraphrase of the Genesis narrative Josephus omits sections of the desert sequence within which, it must be remembered, the biblical account bestows a unique experience upon Hagar's character. Although Josephus reiterates Hagar's experience of epiphany and theophany, he robs her of her voice and generally neuters the significance of the event as it is portrayed in scripture. Josephus' angel tells Hagar that 'her present plight was but due to her arrogance and presumption towards her mistress' (*A.J.*

I. 189). Here then Josephus has the divine messenger confirm Hagar's, rather than Sarah's, blame for her plight - a notion absent from Genesis. Indeed Josephus turns the kindly angel of Genesis into an altogether sterner apparition who advises Hagar to exercise "self control" in order for her to improve her lot. In fact, Josephus' angel goes as far as to proffer a dire warning to Hagar that if she does not obey him she will die alone in the wilderness!

Finally, in a Josephan diversion from the Genesis narrative, Hagar returns to Abraham and Sarah "was forgiven" and gave birth to Ishmael, so called because it means "Heard of God", because he had listened to her plea for salvation in the desert. Whilst Genesis makes no mention of Hagar receiving the forgiveness of her master and mistress, it is conceivable that Josephus made this expansion to the text to make sense of the context of the narrative. What is surprising, however, is that he has omitted the important scriptural detail that it was Abraham and not Hagar who names the child. Ishmael simply becomes Ishmael the son of Abraham (*A.J.* I. 190).

c) Husband or Hellenistic Hero? Abraham in Genesis & Josephus

i. Genesis of MT & LXX:

In Genesis Abraham's importance, participation and power are distinctly limited in the scene until the final verse. The opening sentence, "And Sarai, Abram's wife, did not bear to him," immediately marks him as the object of the entire chapter. Next he listens to, and colludes with, Sarah's command, "go in now to my slave girl; perhaps I may be built up from her" (v. 2), that he and Hagar should produce a child for his wife's benefit. Although it must be acknowledged that the birth of a child within his childless family, regardless of the method of acquisition, was also in his best interest, I have shown previously that this child was not destined to be Abraham's own, but that of his wife.

The narrator then tells us that Sarah gives Hagar to him as a "wife". By taking this action Sarah ensures that her husband is denied the opportunity to exercise his right to take a concubine in order to provide a child for himself (v. 3). The structure of verse 3 finds Abraham completely encircled and dominated by the actions of the two women:

*"And Sarai, Abram's wife, took *her slave girl, Hagar*, the Egyptian, and gave her to *her husband Abram* to be his wife."*

At verse 5 he passively allows himself to be berated by Sarah, his first and primary wife for the negative attitude assumed towards her by his new “secondary wife”. His only direct speech, “See, your slave girl is in your hand. Do to her what is good in your eyes” (v. 6), stems from his exasperation at Sarah’s attack upon him, rather than an attempt to take control of the situation. Abraham has thus returned Hagar, his pregnant new “wife” to the control of Sarah so that she can administer punishment to her slave, according to her own wishes (v. 6). He does not appear to have any real power over Hagar as a “wife”. Even with this new found status it appears that she remains above all else Sarah’s property.

Genesis 16 concludes, however, with a plot twist that appears to re-establish the importance of Abraham’s character within the context of the wider patriarchal narrative of the Book of Genesis. At verses 15 and 16 Sarah is removed from the action. In a reversal of the structure of verse 3 we are told:

“And *Hagar* bore a son to Abram, and Abram called the name of his son whom *Hagar* bore, Ishmael.¹⁶ And Abram was eighty-six years old when *Hagar* bore Ishmael to Abram.”

There are two issues to consider here. Firstly, after the statement of fact, that is Hagar giving birth to Ishmael where she is the subject, we see that the two male characters now encircle the only female who remains in the closing section of the narrative. Hence, the woman is now the object to two male subjects. Secondly, the use of the possessive “his son,” coupled with the repeated assertion that Ishmael is Abram’s son indicates that somehow Hagar’s child is not Sarah’s in accordance with her plan but is now Abram’s. The ramifications of this and other issues will be discussed in the following analysis of the social and legal dynamics of Genesis 16.

ii. Josephus:

The character of the patriarch Abraham emerges from Josephus’ account in a much stronger position than in the biblical account. Josephus’ imported notion of Abraham’s distress at his wife’s sterility from Genesis 15: 2 includes his prayer to God for a son. This replaces Sarah’s acknowledgement of God’s role in her barrenness and her wish to rectify the matter for herself, through Hagar, her slave. Josephus makes it appear that God has intervened on behalf of *Abraham’s* need for a son, rather than following Genesis’s account that values *Sarah’s legal right to a child* via her slave’s womb. Thus, any child born to Abraham and Hagar becomes the child of the Patriarch and not Sarah. The absence of Sarah’s complaint to

Abraham suggests that the patriarch is in control of the dispute between Hagar and Sarah, rather than the reverse as presented in Genesis.

Summary of Section One:

So what can we make of Josephus' treatment of the first Hagar cycle? We can see from the above analysis that he has significantly altered the characterisation of the individuals as they appear in Genesis and, moreover, Josephus has shifted the power dynamics between Hagar, Sarah and Abraham. Firstly, we notice that Josephus' reworking of the character of the matriarch Sarah has ensured that her relationship with God is undermined and, furthermore, she is no longer portrayed as in control of her destiny, of her lineage or of her husband's relationship with her slave. In Genesis 16 all of these characteristics combine to express Sarah's assertive and independent persona. We can surmise that the portrayal of assertive and independent biblical Hebrew women was not at the fore of Josephus' agenda whilst composing *Jewish Antiquities*.⁷⁷

Secondly, and in contrast to his treatment of Sarah, Abraham's position is subtly but significantly elevated under Josephus' redirection of the chronological order of the biblical events. His relationship with God and God's interest in his need for a son, imported from elsewhere in Genesis, is greatly enhanced in *Antiquities*. Josephus' passage realigns the original intention of Genesis, which is to provide *Sarah* with a child, in order to ensure *Abraham* acquires a son. Moreover, by omitting Sarah's complaint to Abraham, Josephus alters Abraham's character from passive observer to active participant. This, as we have seen, is not present in Genesis. Thus it is Josephus' purpose to strengthen the great patriarch's role and participation in the Hagar narratives.⁷⁸

Finally, what of Hagar? The slave is presented in an entirely different light in *Antiquities* than she appears in biblical Genesis. Because of Josephus' omission of her status as Abraham's second 'wife', and because of her sexual relationship with Abraham, she can now be viewed as his concubine whose sole purpose is to breed with him to produce a son. Josephus portrays her as aggressively abusive to Sarah and makes her appear to anticipate an absurdly high opinion of her own status, as well as that of her unborn son. Her experience in the desert is degraded by Josephus' angel who presents Hagar with a stark choice - return to Sarah and suffer, or continue into the desert and die.



Section Two: Josephus & the Second Hagar Episode: *Antiquities* I: 215-221

Josephus:

Josephus narrates Hagar's second appearance in *Antiquities* as follows:

Sarra at the first, when Ishmael was born of her servant Hagar, Cherished him with an affection no less than if he had been her own son, seeing that he was being trained as heir to the chieftaincy; but when she herself gave birth to Isaac, she held it wrong that her boy should be brought up with Ishmael, who was the elder child and might do him an injury after their father was dead. She therefore urged Abraham to send her and her son away to settle elsewhere. He, however, at first refused to consent to Sarra's scheme, thinking nothing could be more brutal than to send off an infant child with a woman destitute of the necessaries of life. But afterwards, seeing that Sarra's behests were sanctioned also by God, he yielded and, committing Ishmael to his mother, the child not yet being of the age to go alone, bade her take a skin of water and a loaf and be gone, with necessity to serve as her guide. She went her way, but, so soon as her provisions failed her, was in evil case; and the water being well nigh spent, she laid the little child, expiring under a fir tree and went farther on, that she might not be there when he gave up his spirit. But she was met by an angel of God, who told her of a spring hard by and bade her to look to the nurture of the young child, for great blessings awaited her through the preservation of Ishmael. These promises gave her new courage, and, meeting some shepherds, she through their care escaped her miseries. When the child reached manhood, his mother found him a wife of that Egyptian race whence she had originally sprung; and by her twelve sons in all were born to Ishmael, Nabaioth(es), Kedar, Abdeel, Massam, Masmah, Idum(as), Masmah, Chodam, Thaiman, Jetur, Naphais, Kadmas. These occupied the whole country extending from the Euphrates to the Red Sea and called it Nabatene; and it is these who conferred their names on the Arabian nation and its tribes in honour of both their own prowess and the fame of Abraham.

Σάρρα δὲ γεννηθέντα τὸν Ἰσμαῆλον ἐκ τῆς δούλης αὐτῆς Ἀγάρης τὸ μὲν πρῶτον ἔστεργεν οὐδὲν ἀπολείπουσα τῆς πρὸς ἴδιον υἱὸν εὐνοίας, ἐτρέφετο γὰρ ἐπὶ τῇ τῆς ἡγεμονίας διαδοχῇ, τεκοῦσα δ' αὐτὴ τὸν Ἰσακὸν οὐκ ἤξιον παρατρέφεισθαι τοῦτω τὸν Ἰσμαῆλον ὄντα πρεσβύτερον καὶ κακουργεῖν δυνάμενον τοῦ πατρὸς αὐτοῖς ἀποθανόντος. ἔπειθεν οὖν τὸν Ἀβραμὸν εἰς ἀποικίαν ἐκπέμπειν αὐτὸν μετὰ τῆς μητρὸς. ὁ δὲ κατὰ μὲν ἀρχὰς οὐ προσετίθετο τὴν αὐτοῦ γνώμην οἷς ἡ Σάρρα ἐσπουδάκει πάντων ὠμότατον ἡγούμενος εἶναι παῖδα νήπιον καὶ γυναῖκα ἄπορον τῶν ἀναγκαίων ἐκπέμπειν.

ὕστερον δέ, καὶ γὰρ ὁ θεὸς ἠρέσκετο τοῖς ὑπὸ τῆς Σάρρας προστατομένοις, πεισθεῖς παρεδίδου τὸν Ἰσμαῆλον τῇ μητρὶ μήπω δι' αὐτοῦ χωρεῖν δυνάμενον, ὕδωρ τε ἐν ἀσκῷ καὶ ἄρτον φερομένην ἐκέλευεν ἀπιέναι ὁδηγῶ τῇ ἀνάγκῃ χρωμένην. ὡς δ' ἀπιούσαν ἐπιλελοίπει τὰ ἀναγκαῖα, ἐν κακοῖς ἦν, ὕδατος δὲ

σπανίζοντος ὑπ' ἐλάτῃ τινὶ θεῖσα τὸ παιδίον ψυχορραγούν, ὡς μὴ παρούσης τὴν ψυχὴν ἀφῆ, προῆει πορρωτέρω. συντυχῶν δ' αὐτῇ θεῖος ἄγγελος πηγὴν τε φράζει παρακειμένην καὶ κελεύει προνοεῖν τῆς ἀνατροφῆς τοῦ παιδίου· μεγάλα γὰρ αὐτὴν ἀγαθὰ περιμένειν ἐκ τῆς Ἰσμαήλου σωτηρίας. ἡ δ' ἐθάρσησε τοῖς προκατηγγελέμοις καὶ συμβαλοῦσα ποιμέσι διὰ τὴν ἐξ αὐτῶν ἐπιμέλειαν διαφεύγει τὰς τλαιπωρίας.

Ἄνδρωθέντι δὲ τῷ παιδί γύναιον ἄγεται τὸ γένος Αἰγύπτιον, ἐνθένδε ἦν καὶ αὐτὴ τὸ ἀρχαῖον, ἐξ οὗ παῖδες Ἰσμαήλω γίνονται δώδεκα πάντες, Ναβαιώθης Κήδαρος Ἀβδεήλος Μάσσαμος Μάσματος Ἰδουμάς Μάσμησος Χόδαμος Θέμανος Ἰετοῦρος Νάφαισος Κάδμασος. οὗτοι πᾶσαν τὴν ἀπ' Εὐφράτου καθήκουσαν πρὸς τὴν Ἐρυθρὰν θάλασσαν κατοικοῦσι Ναβατηνὴν τὴν χώραν ὀνομάσαντες. εἰσὶ δὲ οὗτοι, οἱ τὸ τῶν Ἀράβων ἔθνος καὶ τὰς φυλάς ἀπ' αὐτῶν καλοῦσι διὰ τε τὴν ἀρετὴν αὐτῶν καὶ τὸ Ἀβράμου ἀξίωμα.

At *Antiquities* III: 215 Josephus informs us that Sarah regarded Hagar's son, Ishmael, as her own child, treating the boy as Abraham's heir. Once she had given birth to her own son Isaac, however, this attitude changes. Sarah is concerned that because the boys were raised together as equals, Ishmael, as the older son, might harm Isaac in order to protect his status as his father's heir. Sarah counters this potential problem by asking Abraham to send Ishmael and Hagar away: Abraham refused because committing such an act upon an infant and a woman was inhumane. Abraham, realising that Sarah's request was supported by the will of God, changed his mind about banishing Ishmael and Hagar, and sent Ishmael and his mother into the desert with bread and water to sustain them (*A. J.* III: 216).

Hagar and her son soon find that their lives are in jeopardy when the food and water become exhausted. Hagar, realising that Ishmael was close to death, laid him under the shade of a fir tree and removed herself from the scene so as not to witness Ishmael's death (*A. J.* III: 218). Hagar was visited by an angel of God who told the slave that a spring of water was close by and that great honours would be bestowed upon her if Ishmael's life was preserved by her actions. This prophesy encourages Hagar to continue, and, after meeting some shepherds in the desert who took care of the mother and son, both survived (*A. J.* III: 219).

Josephus concludes his narrative with an account of Ishmael's adult life and the historical background of the Arab peoples. He tells us that the Egyptian Hagar found a bride from her own people for her son, and that she bore Ishmael twelve sons whose names are listed. These sons became the progenitors of what became the Arab nations who colonised the territory

from the Euphrates to the Red Sea - the land of Nabatene. The names of the Arab tribes were derived from the names of Ishmael's sons in honour of Abraham.

Josephus and Genesis: A Comparison

Let us now compare and contrast Josephus' retelling of the second Hagar episode with its presentation in his most likely sources, MT and LXX Genesis. The Hebrew and Greek versions contain slight variations which will be discussed in footnotes. The MT and LXX passages can be found in my Source Appendix.

Chapter 21 of Genesis narrates the birth, the naming and the circumcision of Isaac on the eighth day (vs. 1-7), and the child's weaning feast (v. 8), before embarking on telling the story of the expulsion of Hagar and Ishmael. Genesis presents this information as a simple account of the fulfilment of God's promise in the conception and birth of a son to Abraham and Sarah. At Isaac's birth Abraham is one hundred years old and Sarah is ninety. Josephus' account, *Antiquities* I: 213-4, gives the substance of the narrative but it is retold with an altered chronological framework and additional historical data.⁹³ Josephus glosses over Isaac's weaning feast and whatever Sarah may have seen happening between Isaac and Ishmael that disturbed her (v. 8-9) and moves straight on to tell us of Sarah's attitude towards Ishmael.

Sarah's thoughts here are developed by our author from her speech to Abraham at Genesis 21: 10. Josephus, in contrast to the Genesis narrative, makes Sarah appear more kindly and reasonable. He tells us in an extra-biblical comment that she cherished Ishmael as her own son and saw to it that he was trained as Abraham's heir but that she feared that if the boys were allowed to remain together the elder might harm the younger after her husband's death.⁹⁴ In Josephus, Sarah merely 'urges' the expulsion of Hagar and her son. In Genesis this sequence is rather more sinister. Sarah perceives that Ishmael's behaviour towards her son is in some way inappropriate and demands that Abraham 'drive out' Ishmael and his mother. It is Isaac's inheritance that is at issue here and not the harm Ishmael might do to his brother.⁹⁵ In the biblical account the demand for the expulsion of Hagar and her son is abrupt and emphatic and unlike Josephus' gentler 'resettling'.

Josephus and Genesis agree that Abraham is unhappy at his wife's suggestion. God however, sanctions this move and so the patriarch agrees with his wife. Both Josephus and Genesis, however, represent this scene in different ways. Genesis gives a rather emotional account of Abraham's reaction to Sarah's demand to expel his son and his mother. The deed is *עו* ("evil"; "crushing"; 'grievous'; distressing) for Abraham.⁹⁶ The pathos in the text strongly implies that the patriarch has developed an emotional attachment to his first born son and is reluctant to do Sarah's bidding. God's speech to Abraham is tenderly narrated and his conscience is eased by God's assurance that if he acquiesces to Sarah, Ishmael and Hagar will begin a new nation from his seed. It is part of God's grand design.⁹⁷ The next morning Abraham takes bread and water, puts the supplies and Ishmael onto her back and sends her and her son, reluctantly one suspects, into the wilderness of Beer-Sheba to face an uncertain future (vs. 11-14).

Josephus' retelling lacks the pathos of Genesis and borders on the melodramatic. Our author expresses Abraham's invented thoughts that there was nothing more brutal than to treat a woman and a small child in this way without adequate means of sustaining life in the wilderness. In Josephus, God merely sanctions Sarah's demands without qualifying agreement with her. Josephus' narrative suggests that the expulsion was perfunctory as she appears to be made to leave immediately. She is made to take her bread and water, rather than being given it by Abraham, and is left helpless 'with necessity to serve as her guide'. As it is Ishmael and not Hagar that Sarah really wants to be rid of it appears that Josephus evidently felt the need to explain why the slave must also go. He tells us that Ishmael is too young to go alone. Josephus omits Genesis' reference to the location, Beer-Sheba.⁹⁸

The next scene has the pair wandering in the wilderness. The water was finished and Hagar is aware that with no water her son's life was in danger so she placed him under a shrub and removed herself from the scene to avoid witnessing his death. She raises her voice and weeps. Ishmael must also weep because an angel hears him too. The angel reassures Hagar that no harm will come to her or the boy and that she should nurture him so that the prophecy made in chapter 16 will be realised. God makes a well of water appear to Hagar who fills the skin and gives water to Ishmael (vs. 15-19). In Josephus' retelling Ishmael is placed under a 'fir-tree' before Hagar removes herself. Josephus omits Hagar's weeping and the angel's response to Ishmael's crying. The angel simply meets Hagar, tells her of the well and advises

her to care for Ishmael since blessings await her rather than her son. Josephus omits to refer to Hagar's use of the well.

Genesis concludes by telling the reader that God was with Ishmael as he grew up in the wilderness, that he became an archer and that Hagar found him an Egyptian wife. Josephus' conclusion is somewhat different. He tells us that Hagar and Ishmael met some shepherds in the wilderness who took care of them.⁹⁹ Our author seems to have no interest, as does Genesis, in Ishmael's growing up but he does recount that Hagar chose him an Egyptian wife and that he had twelve sons. The latter inclusion has been appropriated by Josephus from Genesis 25: 12-16 according to the order in which they are found in the biblical text. Josephus and Genesis disagree on the territories the sons held. In scripture they colonised the region from Havilah to Shur, whereas Josephus locates them from the Euphrates to the Red Sea, a land called Nabatene. It is, according to Josephus in an historical aside, the Ishmaelites who gave their name to the Arabian nation and its tribes in honour of their own prowess and the glory of Abraham. This notion is absent from Genesis.¹⁰⁰

The previous comparison shows that, in general terms, Josephus' retelling of Genesis 21 includes the substance of the biblical text but that the chronology of events is of his invention. It is also evident that he has omitted and added sections of text in his retelling of the second Hagar cycle. Josephus also appears to have found it necessary to amplify and explain parts of Genesis that are confusing and would otherwise make little sense to its readers. Josephus' retelling also shows that he has reordered the way in which the writers of Genesis wished to convey their characterisations of the protagonists in the narrative. As with my analysis of the first Hagar episode the following profiles on Sarah, Hagar and Abraham unpack Josephus' portrayal of these characters as compared to the way they are represented in Genesis of the MT and LXX.

a) Protective Mother or Cruel Mistress? Genesis & Josephus on Sarah

i. Genesis in MT and LXX:

Let us begin with Sarah's role in the second Hagar cycle. The matriarch figures only very briefly in the second Hagar cycle and only then to move the narrative along towards its conclusion. The brevity of her appearance, however, does not diminish the strength and power of her persona as compared to how she is represented in the first cycle at chapter 16.

By verse 9 of Genesis Sarah appears to be a fulfilled woman. She has a son by Abraham and her slave woman and she and Abraham have, at advanced ages, produced their own child, Isaac. However, in the introduction to the scene the narrator's use of language suggests that further tension exists between Hagar and Sarah on account of their sons.

Sarah is concerned on two levels. Firstly, she is clearly anxious in some way not defined by the writers of Genesis about the nature of the interaction between Ishmael and his younger brother, Isaac (v. 9). Sarah moves to protect her interests and those of her son. She demands that her husband expel Ishmael and his mother to ensure that the slave's child would not inherit with her own son. In eliminating the pair, Sarah's dialogue simultaneously raises her status in the narrative and lowers Hagar's and Ishmael's:

Drive away this slave girl and her son, for the son of this slave girl shall not inherit with my son, Isaac. (v. 10)

This verse is an unequivocal demand and one that Sarah expects her husband to carry out without argument and in this respect he has little choice but to do her bidding as God commands that he listens (obeys) to his wife. The phrase "her son," without the addition of the name Ishmael, counters "my son...Isaac." Sarah's description of Hagar as "this slave girl," without the possessive used in the first cycle "my slave girl" and without reference to Abraham's role in the birth of Ishmael, deliberately increases the distance between the two women.¹⁰¹ Of course Sarah's demands are carried out by Abraham and she disappears from the narrative, her character having completed its task in the chapter.

ii. Josephus:

Sarah, in Josephus' retelling of the second Hagar cycle, is an altogether different character than in Genesis. The author's representation robs her of her speech and he replaces it with an expanded narrative that is intended to relate the matriarch's thoughts in a manner that Josephus preferred his audience to be party to. Sarah's emphatic demand that Abraham send Ishmael and Hagar away is transmuted in *Antiquities* into a softer form that makes it appear that she is suggesting the option to her husband rather than ordering him to carry out her wishes. In Josephus, Abraham only takes the initiative to carry out the expulsion because God, and not his wife, has sanctioned it.

b) Slave Woman or a Nation's Progenitrix? Genesis & Josephus on Hagar

i. Genesis in MT and LXX:

Hagar is first mentioned in Genesis 21 at verse 9 and remains at the heart of the action until her role becomes redundant at the conclusion of the chapter at verse 21. Hagar's introduction into the narrative is surrounded by conflict. Her mistress, it seems, has no further use of her fecundity, having produced a child of her own. Hagar's continued presence with Ishmael in Abraham's household is a threat that Sarah is determined to circumvent. Sarah's exit from the narrative, however, precipitates Hagar's centrality to the plot and as such her importance within the narrative gradually increases but she is also belittled by both Abraham and God.

According to Genesis, although Abraham disapproves of Sarah's demand and is distressed at the thought of the expulsion, the language of the narrative minimises his relationship with both Hagar and his first son, Ishmael. God, in his dialogue to the patriarch, refers to Ishmael as "the lad" rather than "your son" (v. 12a). Furthermore, Hagar is referred to by God as Abraham's "slave woman" and not your wife (v. 12a); this description echoes the vocabulary of Sarah at Genesis 21: 10.¹⁰² It is not just Sarah who undermines Hagar; God's words interrupt the narrative to confirm the matriarch's order (v. 12b). Hagar and her son, after some prevarication by Abraham, are subsequently expelled.

It is at this point in the narrative that Hagar's character in the second cycle is at its most important. Through the pronoun *she*, the slave woman becomes the subject of active verbs for the first time in Genesis 21. The narrative focuses upon Hagar's activities and recognises her personhood (vs. 14-16).¹⁰³ At verse 16 Hagar's despairing thoughts are narrated and she is given speech as she raised her voice and wept at Ishmael's impending death. However, God's response is to Ishmael's voice, which is not narrated, and not Hagar's, which is. This change first appears in the Septuagint translation of the bible and there are several modern interpretations that either ignore or attempt unsuccessfully to justify the anomaly.¹⁰⁴

As Phyllis Tribble notes, the changes to the Hebrew form in translations of Genesis falsely alter "...the unambiguous feminine verb forms to masculine constructions." In so doing the masculine emendations to the verse erroneously make Ishmael lift up his voice and weep, when in fact the "...host of feminine verb forms throughout this section (vs. 14-16)" unambiguously witnesses Hagar's grief.¹⁰⁵ Furthermore, from verses 17 to 19 Hagar's

importance in the narrative begins to diminish as the focus of the chapter switches to her son, Ishmael. It is God's recognition of the boy's weeping that signals the change: Hagar wept loudly, but God responded to a silent child. Even though God speaks directly to Hagar the narrator does not allow her to reply and the content of the speech concentrates singularly on Ishmael's future and his mother's duty in ensuring his survival.

Hagar's diminished importance in the Genesis narrative is further indicated by a change in vocabulary. Whilst speaking to her about her son, God never uses an equivalent to the noun *son* or the adjective *your*, and God, like the narrator, refers to Ishmael as the lad undercutting Hagar as his mother. Hagar's character is also undermined at verses 18-19. Here God promises to make a great nation of Ishmael in a reversal of the promise made to Hagar to make a nation of her at Genesis 16: 10. Thus Hagar's importance in the narrative recedes into the background as Ishmael's character comes to the fore. Hagar, however, is charged with ensuring that God's prophesy is realised by her continued care of her son.

In the conclusion to the second episode Hagar remains in the background for it is God who is with Ishmael in the wilderness as he becomes an expert Bowman (vs. 21-21a). Her importance in the Hagar narratives is, however, briefly reasserted. The choice of an Egyptian wife for her son highlights Hagar at the close of the episode. This is the last reference to her in the Hebrew scriptures and the first time she is called "mother". The consequence of her final act is significant. Her choice of wife for Ishmael has ensured that the innumerable descendants promised by God to Hagar (Gen. 16: 10) and Ishmael, Abraham's son (Gen. 21: 18), are Egyptian rather than Hebrew.¹⁰⁶

ii. Josephus:

If we engage with Hagar's role in Josephus' retelling of Genesis 21: 9- 21 we can see that her role in this cycle has been limited by our author. Josephus uses Hagar's name only once in his narrative as a means of re-introducing her character and her status to his audience. In the remainder of his retelling she is referred to in the third person. At *Antiquities* I: 216-218 Josephus moves perfunctorily through the Genesis chronology of Hagar and Ishmael's expulsion, appearing not to be acquainted with the pathos or emotional content of the biblical narrative. Moreover, Josephus limits the significance of Hagar's second desert experience by omitting her contact with the deity. In his abbreviated retelling, an angel meets Hagar and commands her subsequent actions. This replaces Genesis' chronology whereby Hagar is

spoken to by God and then has contact with an angel (*A. J. I.*: 219). In Josephus, the angel tells her that a spring of water is to be found nearby, implying that Hagar must get up from where she is sitting and look for it. Genesis, on the other hand, describes the appearance of water in miraculous terms - God opened her eyes and a well of water had appeared before her (v.19).

Josephus retains the promise that great things would come to Hagar with the survival of Ishmael. Josephus does not allow Hagar to save her son's life single-handed. In an addition to Genesis, the author speaks of some shepherds without whose help Hagar and Ishmael would have perished (*A. J. I.*: 219). Josephus concludes his retelling of the second Hagar cycle by restating that she chose for Ishmael an Egyptian wife. Hagar is then dropped from the narrative. Ishmael's sons are listed and, in complete contrast to Genesis, the prestige of the nations that arose from these sons, according to Josephus, brings honour and increased fame to Abraham. Hagar is forgotten.

c) Humane Patriarch or Uncaring Master? Genesis & Josephus on Abraham

i. Genesis in MT and LXX:

The character of Abraham in chapter 21 appears in the narration of Isaac's birth in verses 1 to 8 and the expulsion of Hagar and Ishmael at verses 11 to 14. Given no speech in the entire chapter the patriarch's function is to move the action from one scene to another. Abraham may not be the most prominent cast member in the drama but he, along with Hagar and Ishmael, provides the emotional content of the chapter. At verse 5 he appears to be horrified at the prospect of having to carry out his wife's order to banish his son and the child's mother with him. The narrator describes Abraham's anguish as if he is "crushed" at the prospect of losing his son. He cannot, however, seem to muster the authority to refuse to comply with Sarah's wishes. Hagar seems not to figure in Abraham's thoughts. God acknowledges the patriarch's concern echoing the narrator's terminology. God tells Abraham not to be "crushed" because of his son and implies that Hagar deserves his concern too (v. 12). Abraham is also told by the deity to do as his wife has requested and promises him that if he does both of his sons will be the progenitors of a nation.

The following and final scene in which Abraham is a participant reinforces the narrator's desire to portray Abraham as a sympathetic humanist. Verse 14 takes place the morning after

Sarah demands the banishment of the pair. We hear that Abraham, forced by God's will to comply with Sarah's demand, gathers together a pitiful ration of bread and water to sustain his son and the child's mother during their expulsion into the wilderness. The patriarch places both the rations and Ishmael onto the shoulder of the slave woman and sends them off into an uncertain future. Abraham does not feature again in chapter 21 of Genesis.

ii. Josephus:

In contrast to Genesis 21, the character of Abraham in Josephus' retelling of the second Hagar cycle is more robust and dominant but significantly less emotionally based. At *Antiquities* I: 216 Abraham pointedly refuses to comply with Sarah's demand to expel his son and Hagar. Josephus provides a reason for his resistance - such an act would be a "brutal" thing to perpetrate on a defenceless child and a woman. Josephus narrates God's message to Abraham that he should capitulate to Sarah's demand and implies in an extra-biblical comment that Hagar is to be banished with her son solely because he is too young to travel alone.

In Josephus' account Abraham does not gather together the supplies and give them to Hagar. The slave woman is ordered to take water and a loaf and leave forthwith. The scene does not take place the following morning as in Genesis. Instead of disappearing from the narrative at Hagar's departure, Abraham is brought back into the action following Josephus' retelling of the desert scene to ensure that the entire second Hagar cycle concludes with comment on the distinguished patriarch. We are told that the honour and prowess of the progeny of Ishmael, the Arab nations, bestow "fame" upon their mutual ancestor, Abraham. This is an observation not found in the Pentateuch.

Summary of Section Two

So how has Josephus' treatment of Genesis 21: 9-21 reshaped the dynamics of the relationships between the main protagonists in the second Hagar cycle? Let us begin with Sarah. In her brief appearance in the scenes under discussion, her significance in the narrative is underscored by the fact that she is the only mortal character given direct speech in the entire episode. The matriarch continues to control the actions of both her husband and her slave. In this chapter Sarah's actions also determine the continuance of the stories of Ishmael's and Isaac's future. In this respect the subordinate characters have no choice but to

obey Sarah for she has the full support of God whose divine plan she is instrumental in fulfilling.

Sarah's power in this chapter, as with chapter 16, is founded on her ability to manipulate the contexts, events and persons that surround her and her household. It is her will, supported by God, which influences the direction and ultimate outcome of the narratives. Josephus' characterisation of the matriarch in his retelling of the cycle does not portray Sarah as the writers of Genesis had intended. She is mute throughout; she is suggestive rather than demanding of her husband and she has lost divine support for her scheme to usurp Ishmael. Moreover, Josephus' invented reasons for the need for the departure of the pair and Abraham's concern for them imply that Sarah possessed a degree of neurosis on behalf of Isaac and heartlessness towards Hagar and her son.

And what of Josephus' representation of Hagar? Although as we have seen the narrator of Genesis undermines Hagar's character through the words and deeds of Sarah and Abraham, she remains central to the plot and is the principal vehicle for moving the plot of both cycles towards their final conclusion. It is the conclusion that determines the ultimate successes of the slave and her son. As with Genesis 16, Hagar is spoken to by God and is visited by an angel; both events secure the uniqueness of Hagar's characterisation in the Pentateuch.

Josephus, however, seems intent on retelling the basic details of Hagar's role in the narrative but is at pains to minimize the significance of the slave woman's character in the context of her relationship with Abraham and the founding of the Arabian tribes. To achieve this Josephus omits much of Abraham's concern for Hagar and Ishmael. The author has her gather together the means by which she is to sustain herself and her son in exile; he has her meet with a representative of the deity and not communicate directly with God; he omits the miraculous appearance of the life-saving well and he adds that the exile's survival was dependent not on Hagar's resourcefulness, but because of the intervention of men. These omissions and additions significantly diminish Hagar's prestige in the narrative. In a final effort to subvert Hagar's character Josephus reorders the final scene of the cycle and in so doing robs the slave woman of her status as progenitrix. Instead Josephus prefers to deflect the glory for the origins and successes of the Arab peoples to the character of Abraham.

Finally, how has Josephus retold Genesis' representation of Abraham in chapter 21: 16-21? It is clear from this analysis that, in contradistinction to his treatment of the female characters in the second cycle, Abraham's character is built up considerably. He is no longer the subordinate husband of a demanding and scheming wife. His emotional devastation at his wife's and God's request that he exile Hagar and Ishmael is replaced with stubborn acquiescence at the hands of Josephus. Abraham appears to be singularly unmoved by the loss of his secondary wife and his first-born son beyond the fleeting thought that it was brutal for the child to travel alone. And there is no delay or time for prevarication. The slave woman and her son are summarily despatched into the wilderness without the patriarch bothering to assemble even the most inadequate of supplies.

In order that Josephus' readers were sure to perceive that the entire cycle was central to telling the life story of Abraham, Josephus has the patriarch return in the final scene to accept due praise as the progenitor of the Arabs.¹⁰⁷ Josephus' retelling of the action and events in both the first and second Hagar cycles ends, not with the exaltation of a female slave as in the Pentateuch, but with a radical re-presentation of the story of the patriarch Abraham.

Section Three: Possible Secondary Sources for Josephus' Retelling of Genesis 16 and 21

The previous analysis has shown how and where Josephus' retelling of the Hagar cycles differs from their representation in the Hebrew or Greek Pentateuch, his most likely sources for this material. Josephus is not the only extant source to have rewritten versions of the Hagar episodes. Hagar also appears in surviving retellings of Genesis in the writings of Paul of Tarsus, the Book of Jubilees, Philo of Alexandria and Pseudo-Philo. These works are all roughly contemporary with Josephus and may possibly, therefore, contain material or concepts that Josephus was conversant with. The question being addressed in this section is whether Josephus' understanding of the Hagar story shows resemblances with these other contemporaneous traditions of biblical interpretation. The following, therefore, will compare and contrast Josephus' retelling of the Hagar cycles in his *Antiquities* with sources that he may, or may not, have been acquainted with.

a) Hagar in Galatians 4: 21-31:

The Epistle to the Galatians is the only place in the New Testament in which reference is made to Hagar. The epistle is generally thought to have been written towards the end of the first half of the first century CE.¹⁰⁸ Whether Josephus would have known Paul's writings or even whether they would have been available to him cannot be stated certainly, but is unlikely. However, his *Antiquities* was published in 93 CE, some forty years after the writing of the epistle, so it is not impossible that Josephus may have known of it. On the basis that this assumption is correct and that the literary genre of the epistle was not unique to Paul but may have been common in Josephus' time, I have included it in this examination of sources.

The epistle, the text of which can be consulted in my Source Appendix, includes an allegorical interpretation of the Genesis story of Hagar and Sarah. It is Paul himself who calls his interpretation 'allegorical' (v. 42), meaning that the entities in the story represent something other than what the story expresses at face value.¹⁰⁹ It is unclear whether this sense of the narrative was intended by Paul or whether it is the contribution of the interpreter.¹¹⁰ Even if this is so, the interpretation gives the impression that he is bringing out Paul's true intentions.¹¹¹ Within the allegory the distinction is clearly made between Sarah "the freewoman," and Hagar "a slave," for the express purpose of St Paul's presentation of the antithesis of the "old covenant" and "the new."¹¹² Sinai, the mountain of the Law, which was in Arabia, the dwelling place of "the son of Hagar" is set in contradistinction against Mount Sion, the mountain of gracious promise, and the home of the true Israel.¹¹³

On the one hand, Paul's expansion of the story can be seen as a literary reproduction of the traditional hostility felt by Jews towards Arab tribes whose constant inroads upon the southern border of Judaea appeared to repeat the conduct of Ishmael towards Isaac.¹¹⁴ On the other hand, the allegory speaks of two branches of Abraham's family - the slave, and the free. Thus Paul may have intended to induce the Galatians to recognise that they were joining the wrong (slave) branch of the family.¹¹⁵

Did the tradition of biblical reinterpretation practised by Paul impact on the work of Josephus? This is highly unlikely. The Epistle to the Galatians is completely different in

style, genre and purpose. Whereas Josephus' remit was to provide a representation of the historical biblical narratives to an audience of gentiles and possibly some Jews, the Hagar section in Galatians is highly interpretative and purely allegorical, designed to promote the attitude of the early church to scriptural law to a narrowly defined audience. It in no way constitutes a paraphrase of the early history of the Jews as characterised in Genesis 16 and 21.

b) Hagar in Philo

Philo was a Jewish author of philosophical works who was born in Alexandria around 20 BCE and who died there sometime after 41 CE. An educated aristocrat, Philo's writings employ philosophy as a vehicle by which he could exegete the Greek text of the Pentateuch in accordance with a long tradition of Alexandrian Jewish theology.¹¹⁶ The views expressed in his writings often reflect the attitudes and prejudices of the elite and intellectual class to which he belonged. Almost all of Philo's writings consist of treatises on material from the Pentateuch. As a student of philosophy and as a writer he used Greek philosophical concepts to exegete aspects of the biblical narrative. Philo, like Josephus, intended to interpret biblical laws and narrative in a manner acceptable to Hellenistic thinking but within the limits imposed by the role of the exegete. For Philo, Greek philosophy supplied the language of reason to examine the deeper meaning present in scripture itself.¹¹⁷ An Alexandrian, he almost certainly used a Greek translation of the Hebrew Pentateuch as his source for the biblical narratives. In one example, Philo's retelling of Genesis 16: 1-2 is as follows:¹¹⁸

"Now Sarah the wife of Abraham was not bearing him children, but she had an Egyptian handmaiden named Hagar, and Sarah said to Abraham, 'Behold the Lord hath closed me that I should not bear. Go in unto my handmaid and beget children from her,'" (*De Congr.* 1)¹¹⁹

"Σάρα δὲ ἡ γυνὴ Ἀβραάμ οὐκ ἔτικτεν αὐτῷ. ἦν δὲ αὐτῇ παιδίσκη Αἰγυπτία, ἣ ὄνομα Ἄγαρ. εἶπε δὲ Σάρα πρὸς Ἀβραάμ· ἰδοὺ, συνέκλεισέ με κύριος τοῦ μή τικτεῖν, εἰσελθε πρὸς τὴν παιδίσκην μου, ἵνα τεκνοποιήσης ἐξ αὐτῆς"

Later Hagar is referred to in Philo's narrative thus:

This is why Moses does not say that Sarah did not bear, but only that she did not bear for some particular person. For we are not capable as yet of receiving the impregnation of virtue unless we have first mated with the handmaiden, and the handmaiden of wisdom is the culture gained by the primary learning of the school course. (*De Congr.* 9)

διὰ τοῦτο οὐ φησι μὴ τίκειν τὴν Σάραν, ἀλλ' αὐτῷ τινι μὴ τίκειν. οὐ γάρ ἐσμεν ἱκανοὶ
δέξασθαι πῶς γονὰς ἀρετῆς, εἰ μὴ πρότερον ἐντύχοιμεν αὐτῆς τῆς θεραπαίνιδι· θεραπαίνις
δὲ σοφίας ἢ διὰ τῶν προπαιδευμάτων ἐγκύκλιος
μουσική.

It is immediately clear from these excerpts that Philo is not offering a re-presentation of Hagar's story as it appears in Genesis in the same manner as Josephus' retelling. It is widely accepted that Philo's view on slavery¹²⁰ follows the Stoic school of philosophy, put simply, that there are two kinds of slavery - physical and spiritual or moral, and that slavery is not necessarily a natural human state.¹²¹ *Every Good Man is Free* 17-19, which may be consulted in my Source Appendix, sets out the bones of the Philonic/Stoic view.

Philo's understanding of the Hagar narratives is presented in *De Congressu* as a philosophical discussion about the differences between higher and lower forms of learning, the Encyclia and philosophy. Hagar, the slave (θεράπεινα) represents the encyclical studies, or the middle stage of education,¹²² whereas Sarah, the mistress (δέσποινα)¹²³ is philosophy. This follows a well-established historical literary precedent. The Stoic, Austo of Chios, following Aristippus, describes the encyclical studies as handmaids to the mistress, philosophy.¹²⁴ Philo then is reinterpreting the scriptural narrative to make sense of it to a particular audience whose interest was philosophical discourse rather than history, which is the case for Josephus' audience. He has symbolically characterised Hagar and Sarah to fit an established Hellenistic philosophical model that may have been well known to his readers.¹²⁵

Elsewhere in Philo's writings it is evident that his views on Hagar's character diverge fundamentally from those of Josephus. One significant example should suffice. Philo, unlike Josephus rejects the biblical notion that Hagar, as an Egyptian, can experience a theophanic visitation in no uncertain terms. In *De Somn.* I. 41 Philo states 'Being Egyptian by descent she [Hagar] was not qualified to see the supreme cause', or that by being an Egyptian, Hagar was disqualified from obtaining prophesy directly from God. As we have seen previously, although Josephus seeks to minimise Hagar's role in both Genesis 16 and 21, he does retain the theophanic and epiphanic aspects of the story in his paraphrase.

So can Philo of Alexandria be acknowledged as a source for Josephus' representation of the Hagar cycles? This connection is almost certainly doubtful. There is no certainty, despite

Feldman's assertions to the contrary,¹²⁶ that Josephus was familiar with Philo's works, even though he certainly knew of him.¹²⁷ Moreover, Philo's and Josephus' lives and works are separated both geographically and by their respective fields of specialisation. Philo was a philosopher, Josephus a historian. As such both authors wrote with very different interpretative styles and agendas. Philo adopted the Hagar character in order to construct and illuminate particular philosophical arguments. He, unlike Josephus, is not offering an apologetic retelling of a biblical narrative.

c) Hagar in Jubilees:

We now turn our attention to references to Hagar in the Book of Jubilees, generally thought to have been composed in Hebrew between 153 and 105 BCE.¹²⁸ Jubilees takes the form of an enlarged Targum, or translation of scripture, of Genesis and part of Exodus, within which some parts of the narrative have been condensed whilst other have been omitted. In other places, however, the authors have expanded and recast the text significantly.¹²⁹ In the light of this purpose and methodology, and because this work was extant in Josephus' time, we must consider it as a potential source for Josephus' retelling of the Hagar episodes. A translation of Jubilees 14: 21-24 can be consulted in my Source Appendix.

If we compare the Hagar narrative of Genesis 16 with the version in the Book of Jubilees we find that it is highly truncated and bears little resemblance to its canonical parallels. Jubilees 14:21-24 deals only with Genesis 16: 1-4a and 15-16. Omitted is Sarai's distress at her sterility that she attributes to God (16: 1), Hagar's mistreatment of Sarah, her complaint to Abram, Sarai's appeal to God to make judgement over her dispute with Hagar; Sarai's harsh treatment of Hagar and her flight into the desert (16: 4b-6). Also missing from Jubilees is the entire desert sequence. The reasons behind this drastic paraphrase will not be entered into here; instead I will evaluate, so far as is possible given the brevity of the piece, whether its author has altered the dynamics of the relationships between the characters.

Sarah remains the dominant character in Jubilees paraphrase. Jubilees is explicit in maintaining that Hagar is the property of Sarah in accordance with Genesis. It is she who suggests her husband uses Hagar to provide a child so that she "shall build up seed unto thee by her." Abram agrees with his wife's plan and Sarah gives Hagar to him as "his wife." Abram remains the object of the action although Jubilees implies at 14: 24 that Abram's

disappointment at not being a father prompted Sarai's decision to use Hagar as a surrogate mother. He agrees with this plan and duly obtains his son through his wife's slave. Here Jubilees agrees with Genesis in that ultimately Abram names Ishmael instead of Hagar and the child becomes Abram's rather than Sarai's. Hagar's role in the narrative has been edited to the barest minimum. The absence of the desert sequence, so profoundly important to the biblical Genesis, strips her of her voice and her religious experience in the wilderness. Her role as the mother of the progenitor of a great people is lost. She is reduced to a mere adjunct to the continuation of the patriarch's story, a vehicle by which Genesis 16 and 21 can be linked.

Let us now compare Josephus' retelling of the second Hagar episode with that of Jubilees. A translation of Jubilees' account can be found in my Source Appendix. Jubilees 21 ff., closely follows the Pentateuchal narrative and although the Jubilees narrative introduces the second episode with an expansion of Genesis, the author continues to follow the chronology of events and reflects the power structures and interpersonal dynamics as they appear in the biblical text. The narrator of Jubilees clarifies Ishmael's behaviour towards Isaac stating that the boys were "playing and dancing" together and adds that Abraham was happy to witness his son's interaction. Sarah's response and motivation, however, is retold according to Genesis. She demands Hagar's and Ishmael's expulsion so that Ishmael cannot inherit with Isaac. Abraham, as in Genesis, resists until God gives his backing to the matriarch's plan and reiterates the promises of nations to be born of both sons.

Jubilees also closely follows Genesis' expulsion and desert sequences. Hagar is ejected the morning after Sarah's demand is made and it is Abraham who provides the mother and son with their supplies. Ishmael's near demise is retold with few deviations from the Genesis narrative. Hagar's weeping is retold in the form of spoken words that, similarly to Josephus' account, are responded to by an angel of God rather than the deity. However, the angel in Jubilees is clearly relaying God's words to Hagar and her son rather than omitting any reference to God in connection with the expelled slave woman as does Josephus. The well of water apparition remains a miraculous event. The details of the remainder of Jubilees retelling of chapter 21 adheres to the chronological framework of the Genesis narrative.

This comparison between Jubilees and Josephus shows that any influence from this source on our historians' work is unlikely. As I have shown previously, Josephus is at pains to

minimise the roles of both Sarah and Hagar in his paraphrase whilst at the same time strengthening the characterisation of Abram. Jubilees, on the other hand, is content to maintain the *status quo* of the dynamics of the biblical relationships, albeit in greatly abbreviated form. Moreover, Josephus retains the primary features of the desert sequence despite the fact that these scenes, although adding colour and emotional depth to the narrative, are not essential in moving the greater thrust of the narrative forward onto the next phase. It would seem likely to me that had Josephus used Jubilees as a model for his paraphrase of Genesis 16 he would have followed its example in omitting Hagar's empowering desert experiences.

In most important respects Jubilees retelling of the second Hagar cycle follows the chronology and events of the biblical text. It also maintains Genesis' portrayal of the characters and the manner in which they interact with one another. The similarities between the texts imply, therefore, that Josephus' retelling diverges as much from Jubilees representation as it does from Genesis. The most significant similarity between Jubilees and Josephus, the absence of direct speech from God to Hagar, is not compelling enough for a direct connection to be made. The author of Jubilees attributes the angel's words to God, whereas Josephus omits God's role in the desert scene entirely in connection with Hagar.

d) Hagar in Pseudo-Philo:¹³⁰

Pseudo-Philo's *Biblical Antiquities*¹³¹ exist in Latin manuscripts from the eleventh and fifteenth centuries. The erroneous attribution of the texts to Philo of Alexandria occurred because the Latin texts were transmitted along with Latin translations of the Alexandrian's works. Pseudo-Philo is in fact generally thought by scholars to have a first century CE Palestinian origin and to have been authored initially in Hebrew before its subsequent transmission in Greek and finally Latin.¹³² *Biblical Antiquities* is an imaginative retelling of the history of Israel from Adam to David. The text interweaves biblical incidents and legendary expansions of these accounts utilising material from Genesis, Exodus, Deuteronomy, Joshua, Judges and several other biblical books. Pseudo-Philo, as Charlesworth indicates, reflects the shared religious and cultural outlook of the Palestinian synagogue at the turn of the first century CE as its reinterpretation of scripture has little in

common with the literary activities of other Jewish groups of the same period; the Qumran community; Samaritans; Gnostics and others.¹³³

The question in the context of this chapter is, of course, whether a connection between Pseudo-Philo and Josephus can be detected in their respective retellings of the Hagar narratives. Let us look at Hagar in the *Biblical Antiquities* as compared to Josephus' *Jewish Antiquities*:

1 Now Abram went forth from there and dwelt in the land of Canaan and took with him Lot his nephew and Sarai his wife. And since Sarai was sterile and had not conceived, then Abram took Hagar his maid and she bore him Ishmael. 2 Now Ishmael had become the father of twelve sons. The Lot separated from Abram, and dwelt in Sodom. But Abram lived in the land of Canaan. And the men of Sodom were very wicked men and great sinners. 3 And God appeared to Abram, saying, "To your seed I will give this land, and your name will be called Abraham, and Sarai, your wife, will be called Sarah. And I will give to you from her an everlasting seed, and I shall establish my covenant with you." And Abraham knew Sarah, his wife, and she conceived and bore Isaac. (*Biblical Antiquities* 8: 1-3)

Chapter 8 of the *Biblical Antiquities* is a heavily redacted version of the Genesis version of the history of Israel's origins from Abraham's settlement in Canaan to the descent of Jacob's sons into Egypt. Pseudo-Philo's account of the Hagar cycles has reduced the narrative to a skeleton outline of events with no attempt made to flesh out the substance of either of the episodes to the reader. Its author combines events from the first and second cycles in verse 2; the entire Lot episode that divides the Hagar narratives is retold in verses 2 b and c. God's promise to Abraham is combined with his renaming of the patriarch and matriarch, whilst the significance of Hagar's character is ignored beyond an acknowledgement of her giving birth to Ishmael.

What of Pseudo-Philo as a source for Josephus' *Antiquities*? The most elementary comparison between these retellings of the same narratives makes it clear that Pseudo-Philo's *Biblical Antiquities* was not a source for Josephus' retelling of the Hagar cycles in his *Jewish Antiquities*. The construction of Pseudo-Philo's representation of the Hagar episodes is completely different both from Genesis, Josephus and, for that matter, any of the other examples that have been looked at in this section. Pseudo-Philo has no interest in the characters and their interactions, giving no insight whatsoever into the personalities of Hagar,

Abraham or Sarah or in retelling Genesis in a coherent form. In these respects it is improbable that *Biblical Antiquities* can be connected with Josephus' retelling of the Hagar narratives.

Summary

The above comparisons between Josephus' retelling of the Hagar episodes and the manner in which other authors have engaged with the subject shows that none of them are likely candidates as a source for *Antiquities*. None of the sources re-present the material in the same way as Josephus. For some the purpose of their interpretation is to exegete philosophical constructs, whereas in other sources the retellings appear more as literal interpretations of scripture for purposes other than apologetics.

Conclusions

Let us return to my initial queries. Firstly, what is Josephus' methodology and rationale for his retelling of Genesis 16: 1-16 and 21: 9-21? The above analysis of Josephus' treatment of the Hagar narratives has demonstrated that our author applies three main methodological criteria to his primary version:

- a) Josephus subtracts material that he considers to be irrelevant, confusing, non-essential or which conflicts with his understanding of what is acceptable for consumption by his audience. Similarly he has added material that was likely to conform to the cultural expectations of his audience.
- b) Josephus has reworked the narratives in order to structure them in a coherent stylistic framework, thus smoothing out some of the inherent eccentricities of his primary source.
- c) Josephus has recast the fundamental features of the personalities of Hagar, Sarah and Abraham as portrayed in his primary version. Where the characters of Genesis stray from Hellenistic societal norms, Josephus redevelops them in conformity with the cultural expectations of the dominant Mediterranean society. Abraham is maximised, recast as a morally pure and dominant head of his household. Sarah is minimised, recast as the submissive mute adjunct to her husband. Hagar, like her mistress is also minimised, recast as a typically slave-like and troublesome subordinate to the other major characters.

I will now address my second question. Does Josephus' manipulation of his primary version offer the reader a carefully considered interpretation of the Hagar episodes or has his retelling compromised the integrity of the primary version's narrative and characterisations of its players? It is clear that Josephus' retelling is not a straightforward representation of the biblical narrative. For the most part the texts are abbreviated, their chronology altered and their characters are remodelled to conform to their appropriate social status. On the other hand, however, the essence and integrity of the plotlines as represented in his primary version are retained by Josephus. The events and outcomes in both sources are very similar, in most cases, identical. This is in marked contrast to the retellings of the narratives by other writers in antiquity. I have shown that with the exception of the representation of the Hagar narratives in the Book of Jubilees the other representations of the Hagar episodes have altered the biblical text beyond all recognition. *Antiquities* I: 186-191 and 215-221, in comparison, constitutes a reflective reading and rewriting of his primary version. The fact that his retelling maintains the integrity of his source's plot and demonstrates painstaking care and attention in his re-presentation of the characters shows how important Josephus perceived the Hagar cycles to be and how seriously he wished his audience to regard the stories.

If the story was so important to Josephus why change it at all? What was it about the narratives that he and his audience were so likely to find so profoundly distasteful? This brings me to answer my final query. If Josephus' retelling of the Hagar cycles is careful and considered, can we isolate his reasons for retelling the narratives in this manner?

Given that I argue in my introduction that Josephus wrote *Antiquities* as an apologetic it is reasonable to assume motivation for remodelling the bible's characterisation of Hagar, Abraham and Sarah and the context of their relationship was to make the narrative conform to Graeco-Roman traditions. My analysis of his retelling has identified key themes in Josephus' reconstruction of the relationships and power dynamics between the characters, particularly with reference to the relationships between the slave woman Hagar and Abraham.

I propose that Josephus has adjusted Genesis' portrayal of the characters in Genesis 16 and 21 according to Hellenistic typological models.¹³⁴ In so doing he has presented his audience with a vision of the 'correct' social order - a strong hero,¹³⁵ a submissive heroine and a villainous slave.¹³⁶ This, he must have been aware, would have suited the tastes of his

Hellenized reader.¹³⁷ As we have seen, Josephus was faced with the task of retelling two biblical cycles in which the character of the first patriarch, Abraham, is subordinate to the actions of two women, his wife and her slave. This would not have made comfortable reading for a Roman male audience. To redress the balance Josephus added and subtracted material to soften the character of Sarah and make the character of Hagar more discernibly slave-like.¹³⁸ His first action was to transform their direct speech into a narrated paraphrase of their thoughts and feelings. This silence serves to show that Judaism in Josephus' time observed the cultural norms of the wider society in which Jews of the period lived.¹³⁹ His second was to delegate the few acts of independent initiatives given to the women in the biblical narratives thus disempowering them.¹⁴⁰

Sarah appears to need God's permission to bring Hagar to her husband's bed, rather than simply exercise her own right to do so (*A. J. I.*: 187). Sarah becomes the victim of her slave's abuse and unfounded assumptions (*A. J. I.*: 188). This is in stark contrast to the jealous wife and spiteful mistress of the portrayal of her character in Genesis 16. In chapter 21 we are told that Sarah cherished Ishmael as if he was her own son. Josephus then substitutes Sarah's fear for Isaac's safety for the harsher biblical motive of her wish to prevent Ishmael from inheriting with Isaac for expelling the slave and her son (*A. J. I.*: 215).¹⁴¹ The expulsion (*Gen.* 21: 10) is recast by Josephus from a demand from a domineering wife to the urging of a woman uncertain of what action is necessary (*A. J. I.*: 216).

Both Hagar and Sarah are permitted assertive action in Josephus' retelling of the Hagar episodes. The women, however, are only allowed to exercise this assertiveness on behalf of a son. The portrayal of Sarah's character as silent in public, submissive in nature and guided by maternal concern is wholly appropriate for a respectable Hellenistic woman and wife. These traditional virtues enhance Sarah's femininity and bring honour to her husband.¹⁴²

Josephus applies the reverse methodology to his treatment of the character of Abraham as compared to his representation of the female characters. In contrast to the mute and submissive patriarch in Genesis we are presented with a man of humanity and integrity who is in control of the actions of the women who surround him. But what would a Roman audience have made of Genesis' characterization of Abraham if Josephus had not represented the role of the patriarch in his retelling of the Hagar cycles?

Josephus was compelled to omit the Genesis reference to Hagar as Abraham's secondary wife. In the Roman context bigamy was neither socially acceptable nor legally possible. The patriarch would have had to indulge in serial marriage, divorcing Sarah and marrying Hagar before her son was born otherwise the child would have no legal claim on him as Josephus suggests in his retelling of chapter 21.¹⁴³ There was no moral objection for Roman men to have sexual relationships with female slaves or to take them as concubines,¹⁴⁴ but the problem here is that marriage between an aristocrat, as Josephus doubtless wished Abraham to be perceived by his audience, and a slave woman in Roman law was equally as impossible and unacceptable as bigamy.¹⁴⁵ Augustus' marriage laws, the *Lex Julia de maritandis ordinibus* of 18 BCE, prohibited marriages between senators, their children and descendants in the male line even with freed slaves and others who were considered disreputable.¹⁴⁶

In order to circumvent this problem and present Abraham as morally virtuous Josephus has God, and not the matriarch, dictate events. This move has the effect of side-stepping Sarah's connivance and imparting to the narrative the notion that Abraham was part of a divine plan over which he had no control but to which he was compelled to submit to.

The next problem Josephus had to deal with was Abraham's apparent inability to deal with Hagar's attitude towards his wife (*A. J. I: 188, cf. Gen. 16: 5*). Instead of Abraham's acknowledgement of Sarah's ownership of Hagar and right to punish her as she saw fit, Josephus overplays the severity of the slave's treatment of Sarah. Abraham then consigns Hagar for punishment at the hands of the offended party whose retribution is so harsh that the slave woman flees the household. In this treatment of the scene, Abraham is portrayed as respectful of his wife and is distanced from the cruelty meted out by her. The humanity of the patriarch is emphasised in his appearance in the second cycle. Abraham is said in an extra-biblical comment to have resisted Sarah's request for the expulsion of Hagar and Ishmael. Not because he was distressed on account of the boy and his mother but because this act was a brutal thing to do to a child as young as Ishmael and a woman. Josephus places emotional distance between Abraham and his son and slave woman by removing Genesis' emotive content and by the addition to the scene of his detached attitude to the expulsion and provision of rations.

So, Abraham is transformed by Josephus into a stereotypical Hellenistic hero,¹⁴⁷ detached from his slave woman/concubine and deferred to by his submissive wife. Josephus has, in my

view, skilfully handled his retelling of the Hagar narratives, at once maintaining the integrity of the biblical story and re-presenting it in a novelistic format that would have been understandable to his audience.

³ LSJ s.v. *Ωγύγιος*, meaning *Ogygian*, or from *Ogyges*, a mythical king of Attica, hence generally primeval, or primal.

⁴ *A. J. I.*: 187.

⁵ *A. J. I.*: 188

⁶ *A. J. I.*: 188-189.

⁷ *A. J. I.*: 190-191.

⁸ There is a further implied contradistinction between Sarah and Hagar in the Genesis narrative. Sarah is free and a freeborn elite member of her society whereas Hagar is a slave, but also foreign, which makes her status lowlier still. Additionally, Genesis comments upon Sarah's great beauty (Gen. 12: 11), whereas Hagar's looks are never commented upon; we are told of Abraham's deep love for Sarah, whilst Hagar elicits no emotional response from Abraham. See Athalya Brenner, "Female Social Behaviour: Two Descriptive Patterns within the Birth of a Hero Paradigm", *VT* 35 (1986), pp. 257-273 (260). Later Jewish traditions describe Hagar as the daughter of Pharaoh (*Bereshit Rabbah* 45: 1; *Yashar* 42, 44; *Yalqut tehilim* 750). These traditions generally have Hagar given directly to Abraham when he is given "male and female slave" by Pharaoh at Gen. 12: 16. Islamic traditions on the other hand do not consider Hagar to have royal connections and view her very much as a slave. See Reuven Firestone, "Difficulties in Keeping a Beautiful Wife: The Legend of Abraham and Sarah in Jewish and Islamic Tradition", *JJS* 42-43 (1991-91), pp. 196-214 (208-9).

⁹ The custom of a woman alleviating her childlessness by the surrogacy of her slave was apparently widespread at this period in biblical history. A wife could bring to her marriage a personal slave (as do Rachel and Leah Gen. 29) who was not available to her husband as a concubine in the same way as his female slaves were. The child born to the wife's slave was considered to belong to the wife. The slave gave birth "on the knees" (Ch. 30: 3, 9) of the wife so that the child came symbolically from the womb of the wife herself. See Gerhard von Rad, *Genesis* (London: SCM Press LTD, 1971), p 191. See also the articles by J. van Seters that set out the origins and applications of this law and how it was applied in the Pentateuch, see van Seters, "The Problems of Childlessness in Near Eastern Law and the Patriarchs of Israel", *JBL* 87 (1968), pp. 401-408; and van Seters, "Jacob's Marriages and Ancient Near East Customs", *HTR* 62 (1969), pp. 377-95.

¹⁰ BDB s.v. עבד. See, for example, 1 Sam. 19: 4.

¹¹ BDB s.v. שפחה is synonymous with אמה meaning maid, or maid servant belonging to a mistress, as is the case with Hagar, Zelpha and Balla. שפחה is also a term of humility towards a social superior. KB s.v. שפחה: slave-girl; making a self-deprecating introduction into the presence of someone holding a superior social position.

¹² BDB s.v. עבד can mean both servant and slave with clear differences in what it denotes about an individual's status depending on the context in which it is used. See, for example Gen. 44: 9-10 where Joseph's brothers use עבד as courtly language of self-abasement after stealing his silver cup (v. 9). However, when Judah, at v. 10, offers himself and his brothers as slaves they are actually proposing to surrender their freedom and enter a condition of actual servitude. אמה can also mean chattel slave as in the case of Hagar, Zelpha and Balla and the women mentioned in the slave laws of the Pentateuch, or denote a woman's subservience to a person of higher social standing. See for example, Abigail's reference to herself as David's אמה (1 Sam. 25: 24, 25, 28, 31, 41); the 'wise woman' who refers to herself as Joab's אמה even though she does not know him (2 Sam. 20: 17); Ruth refers to herself as Boaz's אמה (Ruth 3 9: 9); Bathsheba refers to herself as king David's אמה (1 Kings 1: 13, 14). Similarly with שפחה, Hannah emphasises her humble bearing in her address to Eli as his שפחה (1 Sam. 1: 27).

¹³ See also Ps. 123.2; Pr. 30: 23; Isa. 24: 2.

¹⁴ Exod. 11: 5. See also of Abraham's maidservants in Egypt (Gen. 12: 16; 24: 35); Abimelech gives Abraham maidservants, Jacob has many maidservants (Gen. 30: 43; 32: 6). Finally, the curse in Deuteronomy 28: 68, that in Egypt you will offer yourselves for sale to your enemies as male and female slaves, but no one will buy you. Parallel with עבד in Genesis 12: 16 and Deuteronomy 28: 68.

¹⁵ A. Jepsen, "Amah und Schipcha", *VT* 8 (1958), pp. 293-279 (296).

¹⁶ See BDB s.v. אמה: maid, handmaid lit. maidservant = שפחה, but sometimes more servile than אמה (Gen. 30: 3; 31: 33), and is parallel with it in Genesis 29: 24, 29; 30: 4 f., and Exodus 2: 5. Parallel with עבד in all of the

following examples; Exod. 20: 10, 17; 21: 20, 26, 27, 32; Lev. 25: 6, 44; Deut. 5: 14, 18; 12: 12, 18; 15: 17; 16: 11, 14.

¹⁷ Robert Alter, *Genesis: Translation and Commentary* (New York, London: W. W. Norton & Company, 1996), p. 67.

¹⁸ See also Jackson's comments on the differences between the contexts in which the slave legislation of Exodus and Deuteronomy use the male slave term in the Hebrew scriptures. Jackson, "Biblical Laws of Slavery", p. 99.

¹⁹ Alter, *Genesis*, p. 67. See also Teubal's unconvincing argument that שפחה represents some kind of elevated status for the holder of the title, Savina J. Teubal, *Ancient Sisterhood: The Lost Traditions of Hagar and Sarah* (Athens: Ohio University Press, 1990), pp. 49-62.

²⁰ Wright, "Δουλος and Παις as Translations of עֶבֶד", p. 268. See also BDB s.v. שפחה.

²¹ See LSJ s.v. παιδίσκη.

²² παιδίσκη is used of Hagar in Gal. 4: 22 f., and Philo, All. 3. 244, reflecting LXX. See W. Arndt and F. Gingrich, *A Greek-English Lexicon of the New Testament*, s. v. παιδίσκη.

²³ Benjamin G. Wright, "Δουλος and Παις as Translations of עֶבֶד", p. 266.

²⁴ Lev. 25: 44 and 26: 13.

²⁵ Deut. 32: 36. Wright, "Δουλος and Παις as Translations of עֶבֶד", p. 266, rejects Walther Zimmerli's assertion that δοῦλος in the Greek Pentateuch is reserved for especially severe forms of bondage on the grounds that the three contexts in which the term appears do not seem to bear this out. See Zimmerli and Joachim Jeramias (παις) in Gerhard Kittel and Gerhard Friedrich (eds.), *Theological Dictionary of the New Testament* (Grand Rapids: William, B. Eerdmans, 1967).

²⁶ See παις above.

²⁷ LSJ s.v. παιδίσκη: young female slave, bondmaid; generally maidservant.

²⁸ Wright, "Δουλος and Παις as Translations of עֶבֶד", p. 268.

²⁹ Wright, "Δουλος and Παις as Translations of עֶבֶד", pp. 273-277. See also his summary of Philo's use of slave vocabulary in, "Ebed/Doulos: Terms and Social Status", pp. 100-105.

³⁰ Wright, "Ebed/Doulos: Terms and Social Status", p. 98.

³¹ Outside of his vocabulary for Hagar, Zelpha and Balla three main terms are used to denote the type of slave or the method by which individuals or groups were enslaved. These are, firstly, the δοῦλος group that applies to household, agricultural and general slave groups; secondly, the ἀιχμαλωτος group that refers to slaves obtained as a result of captivity through war or other forms of involuntary captivity (*B. J. I: 16; IV: 311; A. J. XI: 43*). This term also implies that, for Josephus, submission to captivity brought with it the status of slave. And finally, the ἀνδράποδον group that encompasses the selling of slaves by traders or individuals for profit (*A. J. II: 32, 189*).³¹ Three sub-groups of persons of servile status can also be identified in Josephus these being παῖς (servant), θέρραπων, a slave that was very close to their master, for example, a valet or butler. See Gibbs and Feldman, "Josephus' Vocabulary for Slavery", p. 91. Eunuchs (εὐνοῦχοι) also appear as servile individuals within the domestic sphere in the writings of Josephus and can also undoubtedly be classified as slaves because their castrated state was unlikely to have been submitted to with their consent. The random use of these terms in the works of Josephus, especially the δοῦλος and παῖς group show that he made no careful distinctions between types of slaves and other servile people and found no need to apply a precise meaning to a given term. This is especially evident in his reference to the people of Canaan in which he designates them as both παῖς and οἰκέταις (slave). See Gibbs and Feldman, "Josephus' Vocabulary for Slavery", p. 96. Discussions of Josephus' terminology and that of other extant first century Jewish sources can be found in Benjamin G. Wright 'Ebed/Doulos: Terms and Social Status in the Meeting of Hebrew Biblical and Hellenistic Roman Culture', in Richard Horsley, Allen Callahan and Abraham Smith (eds.), *Slavery in Text and Interpretation, Semeia 83/84* (2001), pp. 83-111, especially 98 f. The aforementioned article is an expanded version of Wright's earlier paper on the subject, 'Δουλος and Παις as Translations of עֶבֶד: Lexical Equivalences and Conceptual Transformations', in Bernard Taylor (ed.), *Proceedings of the IXth Congress of the IOSCS* (Cambridge, Atlanta: Scholars Press, 1997), pp. 263-277.

³² John G. Gibbs and L. H. Feldman, "Josephus' Vocabulary for Slavery", *JQR* 76 (1986), pp. 281-310 (288); see also Wright, "Ebed/Doulos: Terms and Social Status", p. 108.

³³ *A. J. I: 188 and 255* respectively.

³⁴ See LSJ s.v. Ωγύγιος.

³⁵ See also *B. J. IV: 533*.

³⁶ Feldman, *Flavius Josephus: Translation and Commentary*, p. 70.

³⁷ See n. a, in Thackeray's, *Jewish Antiquities Books I-III*, p. 93.

³⁸ Franxman, *Genesis and the "Jewish Antiquities"*, p. 138.

³⁹ See Feldman's discussion of the relevance of Ωγύγη in Hellenistic literature, *Flavius Josephus: Translation and Commentary*, p. 70.

- ⁴⁰ Franxman, *Genesis and the "Jewish Antiquities"*, p. 138.
- ⁴¹ LSJ s.v. βασιλεία: queen; princess.
- ⁴² Franxman, *Genesis and the "Jewish Antiquities"*, p. 139.
- ⁴³ Franxman, *Genesis and the "Jewish Antiquities"*, p. 138.
- ⁴⁴ Feldman, *Flavius Josephus: Translation and Commentary*, p. 71.
- ⁴⁵ LSJ s. v. θεόκλυτος: calling on the gods; heard by God, cf. Ishmael. Philo also understands this to mean "heard of God", *De Mutatione* 37: 202.
- ⁴⁶ Phyllis Tribble, *Texts of Terror: Literary Feminist Readings of Biblical Narratives* (Philadelphia: Fortress Press, 1984), p. 10.
- ⁴⁷ See verses 2, 4, 5, 6, 8, and 9.
- ⁴⁸ Savina J. Teubal, *Ancient Sisterhood: The Lost Traditions of Hagar and Sarah* (Athens: Ohio University Press, 1990), asserts that the legitimacy of this practice is echoed later in Genesis. Rachel uses the same terminology when she acquires a child through her slave girl (p. 84). Indeed Rachel also asks to be "built up" (Gen. 30: 1), meaning her own lineage and not Jacob's. According to Teubal, when Rachel plaintively cries "Give me children or I will die" this is not a literal premonition of her own demise, Rachel is warning that without heirs her 'house' will die out (p. 60). In direct parallel to the present context the children of Zelpha and Balla become the heirs of the slave girl's mistresses and not of the slaves themselves (p. 54). See also von Rad, *Genesis*, p. 191; van Seters, "The Problems of Childlessness in Near Eastern Law", pp. 401-408, and "Jacob's Marriages", pp. 377-95; Claus Westermann, *Genesis 12-36: A Commentary* (London: SPCK, 1984), pp. 233-244.
- ⁴⁹ Tribble, *Texts of Terror*, p. 12.
- ⁵⁰ Tribble, *Texts of Terror*, p. 12.
- ⁵¹ Franxman claims that Josephus may have known of alternative traditions that endow Sarah with the powers of a prophetess along with Miriam, Deborah, Hannah, Abigail, Hulda and Esther (*Megillah* 14a). Furthermore, that he might have known of the rabbinic tradition that says that, Abraham, "hearkening to Sarah in this present context was in fact hearkening to the voice of God", see Franxman, *Josephus and the "Jewish Antiquities"*, fn. 12, p. 138-9.
- ⁵² Teubal, *Ancient Sisterhood*, p. 21.
- ⁵³ Teubal, *Ancient Sisterhood*, p. 46.
- ⁵⁴ Teubal, *Ancient Sisterhood*, p. xxi.
- ⁵⁵ van Seters, "The Problem of Childlessness in Near Eastern Law", p. 403.
- ⁵⁶ Tribble, *Texts of Terror*, p. 11.
- ⁵⁷ BDB s.v. לָקַח be slight, swift, trifling, despise or dishonour. Westermann (1984) prefers the phrase "her mistress lost cast in her eyes" in favour of "looked with contempt" or "despised" which is the translation of many commentaries because the passage is referring to a loss of status rather than aggression on Hagar's part. See Westermann, *Genesis*, (1984), p. 240.
- ⁵⁸ Vawter, *On Genesis*, p. 213-4.
- ⁵⁹ Westermann, *Genesis*, p. 122.
- ⁶⁰ Such is the reading of Alter, *Genesis*, p. 68. Phyllis Tribble's reading appears here in parentheses, *Texts of Terror*, pp. 14-17.
- ⁶¹ Tribble, *Texts of Terror*, p. 15.
- ⁶² See Genesis 12: 18 and 13:4.
- ⁶³ Tribble, *Texts of Terror*, p. 18.
- ⁶⁴ This omission by Josephus has gone unnoticed by Franxman, *Genesis and the "Jewish Antiquities"*, p. 138.
- ⁶⁵ LSJ s.v. βασιλίζειν: this is the only use of this verb in Josephus. It is used in middle form in later Hellenistic Greek to mean 'to assume the state of a king'. LSJ citing Josephus and App. *Bella Civilia* 3. 16.
- ⁶⁶ LSJ s. v. βασιλεία.
- ⁶⁷ LSJ v.s. θεράπαινα.
- ⁶⁸ LSJ s.v. ὕβρις: wanton violence arising from pride of strength or from passion; insolence, mostly of the suitors, ὕβριζειν: an outrage on the person, especially violation, rape.
- ⁶⁹ Daniel. B. Levine, "Hubris in Josephus' *Jewish Antiquities* 1-4", *HUCA* 44 (1993), pp. 51-87. For more on the range of uses of *hubris* in classical sources see Levine, pp. 52-55.
- ⁷⁰ This passage of Deuteronomy refers to the satiated state of Jeshunun.
- ⁷¹ Levine, "Hubris", p. 51.
- ⁷² The excesses of Cain, *A. J. I.* 60-61; the Sodomites, *A. J. I.* 194 and Pharaoh *A. J. I.* 166
- ⁷³ See Josephus' definition of the hubris of the children born to angels and women in his paraphrase of the Flood narrative, *A. J. I.* 72-103. See also hubris and the builders of the Tower of Babel, *A. J. I.* 113-114.

⁷⁴ Sex and hubris seem to be a favourite theme for Josephus. Among his many examples are: Cain *A.J.* I. 60; Pharaoh and Sarah, *A.J.* I. 162-63; Abimelech and Sarah, *A.J.* I. 208; Joseph and Potiphar's wife, *A.J.* II. 42, 54 and 56; homosexuality, *A.J.* III. 275.

⁷⁵ At *Antiquities* III.: 133, Josephus adds extra-biblical detail that the coverings of the Tabernacle and the gateway protect them from the ill affects of heat and the hubris of rain (*A.J.* III: 133). This follows the Greek notion that animals, vegetation and natural forces could be destructive and excessive, thus in need of human correction (punishment?) See examples of these phenomena in Levine, 'Hubris', p. 69.

⁷⁶ Levine, "Hubris", p. 57.

⁷⁷ James Baily has suggested that Josephus' recasting of the character of Sarah was intended to show her in a favourable light and to Hellenize the stories in which she appears generally. He concludes that in Josephus' representations Sarah appears as an idealised but realistic character. See, Baily, "Josephus' Portrayal of the Matriarchs", in L. H. Feldman and G. Hata (eds.), *Josephus, Judaism, and Christianity* (Detroit: Wayne State University Press, 1987), pp. 154-179. See in Particular his section on Sarah and Sarah and Hagar, 157-161. Similar kinds of "Hellenizations" have been detected in his treatment of the Hasmonaean women in his later books of *Antiquities* and in the *Jewish War*. See, Joseph Sievers, "The Role of Women in the Hasmonean Dynasty", in L. H. Feldman and G. Hata (eds.), *Josephus, the Bible, and History* (Detroit: Wayne State University Press, 1989), pp. 132-145.

⁷⁸ See Feldman, "Abraham the Greek Philosopher in Josephus", especially pp. 143, 145, 152, and, "Hellenizations in Josephus' Jewish Antiquities: The Portrait of Abraham", pp. 133-153, especially 135 f.

⁹³ See Franxman, *Genesis and the "Jewish Antiquities"*, pp. 152-54.

⁹⁴ Franxman, *Genesis and the "Jewish Antiquities"*, advances the theory that Josephus' explanation might be based on his understanding of Genesis 21: 9, p. 154.

⁹⁵ According to Robert Alter, *Genesis* 21: 9 tells us that sometime after having held a feast to celebrate Isaac's weaning (21: 8) Sarah observes the interaction between her son Isaac, and Hagar's son Ishmael. She is clearly not pleased with what she witnesses, that is, Ishmael 'mocking' (לצַתֵּק) Isaac or 'laughing' at him. Determining that this apparently harmless behaviour is in some way deleterious to Isaac Sarah demands that Abraham expel Hagar and her son adding, "the son of this slavegirl shall not inherit with my son, with Isaac" (Gen. 21: 10). The precise meaning of the verb (*metsaheq*) מִצַּחֵק in the context of this passage has proved difficult for both ancient and modern interpreters alike: it can have different meanings and wildly varied connotations. *Metsaheq* is the same verb that meant 'mocking' or 'joking' in Lot's meeting with his son's-in-law at Genesis 19: 14. Elsewhere in the Pentateuch it connotes adult sexual play and playful childish behavior. Taking the sexual element further, presumably to find justification for Sarah's apparent overreaction to Ishmael's interaction with Isaac, some medieval exegetes construed the verb to imply that Ishmael had made homosexual advances towards his half-brother. It would seem that the translation and interpretation of this verb was also problematic for the authors of the Septuagint version of Genesis, who translated מִצַּחֵק to the Greek παίζοντα. The Greek verb loosely alludes to a kind of sporting or competitive playfulness between the boys. This divergence between the texts is surprising because up to this point the Masoretic and Septuagint versions are virtually identical: but neither the Hebrew term meaning, 'mocking/joking', nor the Greek 'sporting/playing', seems to justify Sarah's reaction. Alter, *Genesis*, p. 98.

⁹⁶ BDB s.v. עָלָה: evil, distress, misery, injury, calamity. עָלָה generally infers evil as reflected in Alter's usage, *Genesis*, p. 99. This has been translated by other scholars as 'grievous', Driver, *The Book of Genesis*, p. 211; 'troubling' or 'troubled', Westermann, *Genesis*, 153; and as 'distress', Vawter, *On Genesis*, p. 247.

⁹⁷ Despite God's apparent concern for Hagar and Ishmael his sympathy appears to be limited: his dialogue is generally disparaging towards them both. As if to reinforce Sarah's denigration of Ishmael as the 'son of this slave-girl' at Genesis 21:10 God also minimizes Abraham's relationship to Ishmael calling him גֵּר ('the boy' or 'the lad'), indicating His recognition of Ishmael's low status. We can begin to detect at this point that the attitude of God towards Hagar takes on a different, harsher tone than that expressed in chapter 16. At Genesis 21: 12 God refers to Hagar not as Abraham's wife as we know her to be from Genesis 16, but as *his* slave-girl, a designation that reflects Sarah's vocabulary at Genesis 21:10. These differences may be accounted for in viewing Genesis 16 as derived from the Yahwistic source, and Genesis 21 from the pen of the Elohist source. Occasionally the P or Priestly source is evident, thought to date from as late as the sixth or fifth centuries BCE. Known as the Documentary Hypothesis, this theory variously has J and E as either composed contemporaneously, around the tenth century BCE, or places E a century later than J. E is believed to derive from the Northern kingdom, Israel, whilst J originated in the southern kingdom, Judaea. The Jahwist and Elohist sources, therefore, reflect slightly different regional and cultural approaches to their subject matter, differences that were accepted and adopted by the final redactors of the biblical books. The Jahwist authors of chapter 16, presumably in accordance with their particular social and cultural traditions, were content to portray Sarah as a slave owner, Hagar as Abraham's wife and Ishmael as Abraham's legitimate son. The Elohist may

have adopted somewhat androcentric traditional values whereby the patriarch owns and controls the slave whose status now resembles that of a lower status concubine rather than that of a second wife. Thus even God's vocabulary redefines Ishmael's status; he becomes the 'lad', the son of a concubine, rather than Abraham's son by his second wife. Hence, although clearly upset by what he has to do, but on account of Ishmael only, Abraham acquiesces to Sarah's demands and God's endorsement of them without protest. See, Alter, *Genesis*, p. 99; Teubal, *Ancient Sisterhood*, p. 52; and Tribble, *Texts of Terror*, pp. 22-23.

⁹⁸ Franxman, *Genesis and the "Jewish Antiquities"*, p. 155.

⁹⁹ Franxman, *Genesis and the "Jewish Antiquities"*, concludes that Josephus' addition of the shepherds may have evolved from a pardonable misreading of the Hebrew text, p. 155.

¹⁰⁰ Franxman, *Genesis and the "Jewish Antiquities"*, p. 156.

¹⁰¹ Tribble, *Texts of Terror*, p. 21.

¹⁰² Tribble, *Texts of Terror*, p. 22.

¹⁰³ Tribble, *Texts of Terror*, p. 23.

¹⁰⁴ See, Alter, *Genesis*, p. 100; Vawter, *On Genesis*, p. 249; Westermann, *Genesis*, p. 155; John Skinner, *A Critical and Exegetical Commentary on Genesis* (Edinburgh: T. & T. Clark, 1969), pp. 248-49. But see also Speiser's alternative reading in E. A. Speiser, *Genesis*, Anchor Bible (Garden City, New York: Doubleday & Co., 1977), pp. 155-56.

¹⁰⁵ Tribble, *Texts of Terror*, p. 24.

¹⁰⁶ Tribble, *Texts of Terror*, p. 25.

¹⁰⁷ For a study of Josephus' interpretation of the terms Ishmaelites/Arabs throughout his writings see, Fergus Millar, "Hagar, Ishmael, Josephus and the Origins of Islam", *JJS* 44-45 (1993-4), pp. 23-45.

¹⁰⁸ For a general assessment of the form and structure of Galatians see, Charles H. Cosgrove "The Law Has Given Sarah no Children", *NT* 29 (1987), pp. 219-235. See Further, Donald Guthrie, *Galatians*, (London: Thomas Nelson & Sons LTD, 1969), pp. 129-134.

¹⁰⁹ For a concise summary of the philosophical influences in Paul's writings see, Garnsey, *Ideas of Slavery from Aristotle to Augustine* (Cambridge University Press, 1999), pp. 173-188. See also Scott S. Bartchy, *First-Century Slavery and 1 Corinthians 7: 21*, SBL Dissertation Series 11 (Atlanta: Scholars Press, 1973). For a useful summary of the attitude to slaves and slavery in early Christianity see, Dimitris J. Kyrtatas, *The Social Structure of the Early Christian Societies* (London, New York: Verso, 1987), pp. 29-74, on a variety of topics from the success of Christian conversion among slaves (pp. 42 f.) to Christian attitudes to manumission (pp. 55 f.).

¹¹⁰ Claims that the authors of Paul's allegorical treatment of Hagar and Sarah were influenced by Philo are refuted by David Runia who asserts that, although there are similarities, Galatians' allegory "does not try to exploit difficulties in understanding the literal text of scripture as Philo's does. The allegory, though involving non-literal or symbolical interpretation, does remain tied to a historical, or perhaps a 'salvation historical' conception". See David T. Runia, *Philo in Early Christian Literature: A Survey* (Minneapolis: Fortress Press, 1993), p. 86.

¹¹¹ F. F. Bruce, *The Epistle of Paul to the Galatians: A Commentary on the Greek Text* (The Paternoster Press: Exeter, 1982), p. 215.

¹¹² E. De Witt Burton, *A Critical & Exegetical Commentary on the Epistle to the Galatians*, (T. & T. Clarke: Edinburgh, 1921), p. 251; Guthrie, *Galatians*, p. 130.

¹¹³ Guthrie, *Galatians*, pp. 131-133.

¹¹⁴ Bruce, *Galatians*, p. 215.

¹¹⁵ Burton, *A Critical & Exegetical Commentary on the Epistle to the Galatians*, p. 252.

¹¹⁶ John. M. G. Barclay, *Jews in the Mediterranean Diaspora*, p. 159

¹¹⁷ Peder Borgen, "Philo of Alexandria: Reviewing and Rewriting Biblical Material", *Studia Philonica* 9 (1997), pp. 37-53 (37). For a survey of Philo's references to himself as an exegete see, David M. Hay, "Philo's View of Himself as an Exegete: Inspired but not Authoritative", *Studia Philonica* 8 (1991), pp. 40-52.

¹¹⁸ The story of Hagar's relationship to Abraham and Sarah is told and allegorized in *De Cong.* as above and in *Questiones in Genesin*. Hagar is recalled also in *LA* 3. 244; *Cher.* 3, 6, 8; *Post.* 130, 132, 137; *Sob.* 8; *Fug.* 1, 5 f., 202 f., 211 f.; *Mut.* 255; *Som.* 1. 240 and *Abr.* 247-254.

¹¹⁹ F. H. Coleson and G. H. Whittaker (trans.), *Philo of Alexandria, vol. 4*, Loeb Classical Library (London: Hienemann, 1932). Both here and at *De Abrahamo* 252 Philo does not mention that Sarah's plan was to relieve herself of childlessness. Instead he, like Josephus emphasises that the child will enhance Abraham's character. Also in this account he does not refer to Abraham's obedience as recorded in Gen. 16: 2 and 21: 12. Rather than inferring any dependence by Josephus on Philo it is likely that these similarities derive from the desire of both authors to make Sarah appear more self-effacing than she appears in the Pentateuch. See, Dorothy Sly, *Philo's Perception of Women*, Brown Judaic Series 209 (Atlanta: Scholars Press, 1990), p149-150. For a summary of Philo's subversion of Sarah's characteristics see Sly, *Philo's Perception of Women*, pp. 1147-154.

¹²⁰ For Philo's view on slaves and slavery see Garnsey's chapter, *Ideas of Slavery*, pp. 157-172.

¹²¹ This is not the place for a discussion about Stoic philosophy, however, on the Stoic view of slavery see Peter Garnsey's chapter, Stoics, in, *Ideas of Slavery*, pp. 128-152. Garnsey also detects significant Aristotelian influences in Philo but cannot reconcile the contradictions inherent in this juxtaposition where Philo's views of slavery are concerned.

¹²² Sly, *Philo's Perception of Women*, p. 126.

¹²³ LSJ s. v. *δέσποινα*, feminine form of *δεσπότης*, mistress, lady of the house, mistress of a slave, princess, queen.

¹²⁴ Diogenes II 79-80. See H. A. Wolfson, *Philo: Book II* (Cambridge Massachusetts: Harvard University Press, 1948), p. 248.

¹²⁵ D. Runia, *Philo in Early Christian Literature: A Survey* (Assen: Van Gorcum; Minneapolis: Fortress Press, 1993).

¹²⁶ L. H. Feldman, *Studies in Hellenistic Judaism* (Leiden, New York, Köln: E. J. Brill, 1996), p. 20. See also Borgen, who cites other examples of agreements between Philo's *Hypothetica* and Josephus' *Contra Apionem*, "Philo of Alexandria", pp. 48-49.

¹²⁷ *A. J.* XVIII: 259-260.

¹²⁸ Parallels between Jubilees and the Dead Sea Scrolls have made the dating of this document more precise. See O. S. Wintermute, "Jubilees: A New Translation and Introduction", in J. H. Charlesworth (ed.), *The Old Testament Pseudepigrapha*, vol. 2, The Anchor Bible Reference Library (New York, London, Toronto, Sydney, Auckland: Doubleday, 1985), pp. 43-44. The standard edition of the Ethiopic version remains R. H. Charles', *Mashafa Kufale or the Ethiopic Version of the Hebrew Book of Jubilees* (Oxford, 1895).

¹²⁹ Wintermute, "Jubilees: A New Translation and Introduction", pp. 35-51.

¹³⁰ For a critical edition of Pseudo-Philo see D. J. Harrington and J. Cazeaux, *Pseudo-Philon: Les Antiquités Bibliques*, vol. 1, *Introduction et Text Critiques*, Sources Crétiennes 229-230 (Paris, 1976).

¹³¹ Pseudo-Philo's work is also often referred to by its Latin title, *Liber Antiquitatum Biblicarum*.

¹³² See D. J. Harrington, "Pseudo-Philo: A New Translation and Introduction", in J. H. Charlesworth (ed.), *The Old Testament Pseudepigrapha*, vol 2 (New York, London, Toronto, Sydney, Auckland: The Anchor Bible Reference Library, Doubleday, 1985), pp. 297-303. See also F. J. Murphy, *Pseudo-Philo: Rewriting the Bible* (New York, Oxford: Oxford University Press, 1993), p. 3.

¹³³ Harrington, "Pseudo-Philo: A New Translation and Introduction", p. 300.

¹³⁴ B. H. Amaru has isolated two typological models: The Heroine and the Villainess. In the heroine model the portrait of the character is constructed around a central theme or character trait that in the biblical version is, for Josephus, problematic. According to Amaru, Josephus uses three strategies to resolve the problem in his reconstruction: a, he removes the problem, b, he creates an unblemished heroine for his Hellenistic audience, and, c, in the process he transforms the flaw he perceives in the character into a virtue. See Amaru, "Portraits of Biblical Women in Josephus' *Antiquities*", *JJS* 38-39 (1987-88), pp. 143-170.

¹³⁵ See Feldman, "Abraham the Greek Philosopher in Josephus", pp. 143-46; and "Abraham the General the General in Josephus", pp. 43-49. Also Amaru's comments "Portraits of Biblical Women", p. 145.

¹³⁶ See Amaru's analysis of Josephus' recasting of Sarah and Hagar, "Portraits of Biblical Women", pp. 145-148; and Baily's, "Josephus' Portrayal of the Matriarchs", pp. 157-161 (168).

¹³⁷ For studies on Josephus' Hellenization of biblical characters see, Amaru, "Portraits of Biblical Women", pp. 143-170; Baily, "Josephus' Portrayal of the Matriarchs", p. 152; Sterling, "The Invisible Presence", pp. 104-171, especially p. 121; Feldman, "Abraham the Greek Philosopher in Josephus", pp. 143-46; and "Abraham the General the General in Josephus", pp. 43-49.

¹³⁸ Amaru, "Portraits of Biblical Women", 148;

¹³⁹ Amaru, "Portraits of Biblical Women", p. 145; Sterling, "The Invisible Presence", p. 129.

¹⁴⁰ Baily, "Josephus' Portrayal of the Matriarchs", p. 159.

¹⁴¹ Amaru, "Portraits of Biblical Women", p. 147.

¹⁴² For studies of the idealised women in Hellenistic literature see Helen P. Foley (ed.), *Reflections of Women in Antiquity* (New York, 1981), and Pomeroy, *Goddesses, Whores, Wives and Slaves*, especially chapters 7-10.

¹⁴³ Gardner, *Women in Roman Law and Society*, pp. 138-142.

¹⁴⁴ See Treggiari's, "Concubinae", pp. 59-78.

¹⁴⁵ The fact that some Roman wives tolerated such relationships is attested in the sources. We know that Aemelia Tertia, the wife of Scipio Africanus Maior (early second century CE) accepted her husband's relationship with a slave woman and remarkably she freed the slave after Scipio's death and married her off to one of her own freedmen. See, Gardner, p. 125; *Dig.* 48.5.6.pr.; Valerius Maximus 6.7.1.

¹⁴⁶ Gardner, *Women in Roman Law*, pp. 31-8. See also Evans-Grubb, "Marriage More Shameful than Adultery", pp. 126-27.

¹⁴⁷ This tendency in Josephus' representation of Abraham has already been noted in other areas of his treatment of Abraham by Feldman. See Feldman, "Abraham the Greek Philosopher in Josephus", especially pp. 143, 145, 152, and, "Hellenizations in Josephus' *Jewish Antiquities*: The Portrait of Abraham", pp. 135 f.

Chapter Four: Josephus & the Zelpha & Balla Narratives

Introduction

The Jacob story in Genesis is a complex narrative that records the life and times of this great biblical patriarch. One of the most complex episodes of Jacob's life-story is the record in Genesis of his marriages to the daughters of his maternal uncle, Laban, and his sexual relationships with their slaves at Genesis 29 and 30. The episodes that narrate the stories of Zelpha and Balla, the slave women of their mistresses Rachel and Leah, are in many respects, highly reminiscent of the relationship between Hagar and Sarah in Chapters 16 and 21 of Genesis. As was the case with the matriarch Sarah, Rachel and Leah discover that they are unable to conceive and enlist the help of their slave women, given to them by their father Laban, so that they might act as surrogate mothers. Jacob, like his grandfather Abraham, acquires part of his family from sexual encounters with these slave women.

Unlike Hagar, however, the slave women in Laban's story are not presented in the text as fully formed characters. They are, as we will see, mere adjuncts to the desperate plotting of the sisters as one sister/slave pairing contrives to outstrip the fecundity of the other in a bid to attract their shared husband's love. Despite their subordination in the narrative, the slave women's story is of great significance for the wider story of the early history of the nation of Israel as it is from them that the eponymous twelve tribes of Israel are created.

The purpose of this chapter is to examine the nature of Josephus' retelling of this portion of the Jacob story from the Pentateuch. As we will see Josephus alters the narratives in which the slave women make their most significant appearance in his retelling of Jacob's marriages and the births of his children at *Antiquities* I: 303-308. Of greatest interest to this thesis is the historian's extra-biblical comment that explicitly informs the reader, in an unqualified statement, that the slave women were *not* the sisters' slaves, but were their social inferiors. The authors of Genesis 29 and 30, however, are equally as explicit in their designation of Zelpha and Balla as slaves.

The principal question of this chapter, therefore, is this. Why is Josephus so concerned to misinform his audience in the seemingly small matter of the social status of two female slave

characters in the Pentateuch? The search to recover Josephus' agenda in this matter begins, as with my investigation of the Hagar narrative, by asking three key questions of our author and his retelling of the biblical narrative.

First, what methodology and rationale underpins Josephus' retelling of the characters of Zelpha and Balla in his wider exposition of the Jacob story? This can be discovered by conducting a comparative analysis of his retelling and that of his most likely primary version. In this case I will show that his primary version was almost certainly a version of the Hebrew or Greek bible that is very similar to that available to us. Other sources that retell the story of Zelpha and Balla will also be included in the comparative analysis to see if they can provide clues for Josephus' re-presentation of the slave woman. This type of analysis will provide a detailed picture of where Josephus appears to have followed his primary version and where he has departed from it; and where he has made omissions and additions. This leads directly to my second question. Does Josephus' retelling of the Zelpha and Balla episodes provide his audience with a careful and thorough interpretation of the Hebrew or Greek Pentateuch or a text like it? If not, has his reconstruction of the events and characters in the narrative subordinated the integrity of his source for the Pentateuch in favour of providing his non-Jewish audience with a version of events that would not challenge their cultural sensibilities? My third question arises from the preceding analyses. Is it possible to recover and reconstruct Josephus' technique and agenda from this type of comparative redaction critical approach? These questions can be answered by engaging in the following methodological processes. Firstly I will conduct a detailed analysis of Josephus' passages in which the slave women are featured. This will be followed by an analysis similarly constructed from the Genesis texts. A thorough comparison of these analyses should reveal the extent of Josephus' alteration of Genesis in his retelling in *Antiquities*.

In conclusion I will show that it is probable that Josephus was dependent entirely on primary versions of the Jacob narratives that are similar to the Hebrew or Greek translations of the Pentateuch available to us today. Moreover, what I will argue is that the innovations in his representation of the Zelpha and Balla narratives are not derived from the retellings of contemporaneous sources. Josephus' version is, I will conclude, constructed with a particular agenda in mind. Finally, this chapter will show that Josephus' alterations to the plot and his recasting of the status of the slave women is entirely consistent with his aims as a Jewish apologist - he has Hellenised the characters and the context of their interpersonal

relationships. Furthermore, I will show that Josephus' treatment of the biblical text carefully maintains the integrity of his primary version whilst providing his audience with a retelling of the events and personalities within the narratives that they could understand and identify with.

Section One: Josephus on the Zelpha & Balla Narratives: *Antiquities* I: 303-308

Josephus:

Josephus' retelling of the story of Jacob's sexual relationship with Zelpha and Balla is as follows:

The two sisters had each a handmaid given them by their father – Leah had Zelphah and Rachel Balla – in no way slaves but subordinates. Now Leah was grievously mortified by her husband's passion for her sister, and hoping to win his esteem by bearing children she made continual supplication to God. Then a boy was born and, her husband's affection being constantly drawn towards her, she called her son Rubel, because he had come to her through the mercy of God; for that is the meaning of the name. Three more sons were born to her later: Symeon, the name signifying that God had hearkened to her, then Levi(s), that is to say a "surety of fellowship," and after him Judas, which denotes "thanksgiving." Rachel, fearing that her sister's fecundity would lessen her own share of her husband's affections, now gave as concubine to Jacob her handmaid Balla. By her he had an infant, Dan, which might be rendered in Greek by Theocritus ("adjudged of God"), and after him Nephthali(s), that is to say "contrived," because his mother had outmanoeuvred her sister's fecundity. Leah responded to her sister's action by the same stratagem: she too gave her own handmaid as concubine, and of Zelpha was born a son Gad(as) – "Godsend" we may call him – and after him Aser, or as we may say "Beatific," because of the addition to the woman's fame. (*Antiquities* I: 303-308)

Ἦσαν δ' ἑκατέραις θεραπαινίδες τοῦ πατρὸς δόντος Ζελφὰ μὲν Λείας Ῥαχήλας δὲ Βάλλα, δοῦλαι μὲν οὐδαμῶς ὑποτεταγμέναι δέ. καὶ τῆς Λείας ἤππετο δεινῶς ὁ πρὸς τὴν ἀδελφὴν ἔρωσ τοῦ ἀνδρὸς προσεδόκα τε παιδῶν γενομένων ἔσεσθαι τιμία ἰκέτευέ τε τὸν θεὸν διηνεκῶς. καὶ γενομένου παιδὸς ἄρρενος καὶ διὰ τοῦτο πρὸς αὐτὴν ἐπεστραμμένου τοῦ ἀνδρὸς Ῥούβηλον ὀνομάζει τὸν υἱόν, διότι κατ' ἔλεον αὐτῇ τοῦ θεοῦ γένοιτο· τοῦτο γὰρ σημαίνει τὸ ὄνομα. τεκνοῦνται δὲ αὐτοῖς καὶ τρεῖς ἕτεροι μετὰ χρόνον· Σεμεών, ἀποσημαίνει δὲ τὸ ὄνομα τὸ ἐπήκοον αὐτῇ τὸν θεὸν γεγονέναι, εἶτα Λεῦις, κοινωνίας οἶον βεβαιωτῆς, μεθ' ὃν Ἰούδας, εὐχαριστίαν τοῦτο δηλοῖ. Ῥαχήλα δὲ φοβουμένη, μὴ διὰ τὴν εὐτεκνίαν τῆς ἀδελφῆς ἤπτονος παρὰ τὸν ἀνδρὸς μοίρας τυγχάνη, παρακατακλίνει τῷ Ἰακώβῳ τὴν αὐτῆς θεραπαινίδα Βάλλαν. ἐγένετο δὲ παιδίον ἐξ αὐτῆς Δάν, θεόκριτον ἂν τινες εἶποινεν κατὰ τὴν Ἑλλήνων γλῶτταν· καὶ μετ' αὐτὸν Νεφθάλεις, μηχανητὸς οἶον, διὰ τὸ ἀντιτεχνάσασθαι πρὸς τὴν εὐτεκνίαν τῆς ἀδελφῆς. τὸ δ' αὐτὸ καὶ Λεία ποιεῖ πρὸς τὸ τῆς ἀδελφῆς ἔργον ἀντιτεχνασαμένη·

παρακατακλίνει γάρ τήν αὐτῆς θεράπαιναν γίνεται τε καί ἐκ τῆς Ζελφῆς υἱὸς Γάδας, τυχαῖον ἂν τις καλέσειεν αὐτόν, καί μετ' αὐτόν Ἄσηρος, μακαριστῆς λέγοιτ' ἂν ἐξ ὧν πρὸς εὐκλειαν προσελάμβανε. Ῥουβήλου δὲ τοῦ πρεσβυτάτου τῶν υἱῶν Λείας μανδραγόρου μῆλα κομίζοντος τῇ μητρὶ, Ῥαχήλα θεασαμένη παρακαλεῖ μεταδοῦναι δι' ἐπιθυμίας τοῦ βρώματος γενομένη. τῆς δ' οὐ πειθομένης, ἀρκεῖσθαι δ' αὐτὴν ἀξιούσης, ὅτι τῆς τιμῆς αὐτὴν ἀφέλοιο τῆς παρὰ τοῦ ἀνδρός, Ῥαχήλα πεπαινουσα τὸν θυμὸν τῆς ἀδελφῆς παραχωρήσειν αὐτῇ τὰνδρὸς ἔλεγε κοιμησομένου παρ' αὐτῇ κατ' ἐκείνην τὴν ἐσπέραν. τῆς δὲ προσιεμένης τὴν χάριν Ἰάκωβος συγκαθεύδει τῇ Λείᾳ Ῥαχήλα χαριζόμενος. πάλιν οὖν γίνονται παῖδες αὐτῇ, Ἰσσαχάρης μὲν σημαίνων τὸν ἐκ μισθοῦ γενόμενον, Ζαβουλῶν δὲ ἠνεχυρασμένον εὐνοίᾳ τῇ πρὸς αὐτὴν, θυγάτηρ δὲ Δεῖνα. χρόνοις δ' ὕστερον καὶ Ῥαχήλα γίνεται Ἰώσηπος υἱός· προσθήκην γενησομένου τινὸς δηλοῖ.

This passage is only a small part of Josephus' retelling of the entire Jacob narrative in *Jewish Antiquities* I. In order to place the passage in its proper context I will provide a brief résumé of the narrative's action from the point when Jacob, after a disagreement with his father and brother, is sent by his mother to marry the daughter of one of her relatives in Mesopotamia at *Antiquities* I: 278.

a) Josephus' on Jacob's Journey & Laban's Deception

When Jacob arrived in Mesopotamia¹ God visited him in a dream and told him that great things were to come to him in his life, most importantly God would bless him with children in his forthcoming marriage who would multiply and inherit the land and live in prosperity. Genesis is somewhat vague in the designation of Jacob's destination, but Josephus makes this specific identifying the place as Mesopotamia. Jacob, however, would have to suffer many trials but he would overcome these with God's help (*A. J.* I: 279-283). Spurred on by this prophecy, Jacob continued to Charan² where he encountered a group of shepherds at a well. Charan is where Jacob had his dream in Genesis 28: 10. Josephus' retelling assumes that Jacob already knows the name of the place where he meets the shepherds.

Furthermore, Josephus mentions that there are both men and women gathered at the well; Genesis 29 is not specific on the gender of those gathered. Josephus also omits the biblical description of the well at Haran being covered by "a great stone", which necessitates the help of many shepherds to move to reveal the water beneath (Gen: 29: 2-3; 8). Genesis has Jacob ask the shepherds where they are from, to which they reply "from Haran." Jacob asked the shepherds if they knew of the whereabouts of his mother's relative, Laban. Josephus,

omitting the question of the shepherds' place of origin (Gen. 29: 4), has Jacob ask the shepherds if Laban was still alive, rather than if his uncle was "well" (Gen. 29: 6). Those at the well respond that they did indeed know Laban and that he was the type of man that everyone would know. The latter statement is absent from the biblical account.

At this juncture Josephus introduces into his narrative Laban's daughter, Rachel, who was about to water her flock at the well (*A. J. I*: 285-287). In Josephus the shepherds wonder why Rachel has not arrived to water her sheep and in direct speech to Jacob they tell him that it is from her that he would learn about Laban. In Genesis, Rachel's arrival is noted by the shepherds (Gen: 29: 6). Josephus also omits Jacob's question to the shepherds and their answer (Gen: 29: 7-8), so it is while the shepherds are still speaking to Jacob that Rachel and other herds people arrive at the well.

Jacob and Rachel meet and, on the realisation of their close relationship to one another, Rachel reacts with joy. Jacob, acknowledging Rachel's rare beauty, immediately falls in love with her (*A. J. I*: 288). There then follows a description of how their respective families are connected (*A. J. I*: 289-291). In Genesis Jacob describes himself as Laban's kinsman and Rebekah's son (Gen. 29: 12). In Josephus this becomes the first statement of a long expansion of the biblical text. Rachel, overcome with emotion, excitedly embraces Jacob and tells him that his coming was the dearest wish of her parents. Josephus' account of this meeting is significantly altered by Josephus. In Genesis, Jacob sees Rachel and her flock, removes the stone from the well, he then kisses Rachel and weeps inexplicably. *Antiquities* recasts this scene so that the shepherds tell Rachel that Jacob had asked of her father, while Rachel with childish joy asks about Jacob's identity, his family, his purpose in coming and tells him of her hope that her family can fulfil his wishes. Josephus, in order to emphasise the romantic element of the meeting, leaves Jacob unmoved by his kinship with Rachel as in the Genesis account, instead he is impressed with her exceptional beauty, as compared to that of her contemporaries.

Rachel then brings Jacob to meet Laban (*A. J. I*: 292). Here is another substantial alteration by Josephus. Genesis 29: 13 has Rachel call out to her father, who comes out to meet, embrace, and kiss Jacob. In *Antiquities* Rachel remembers her father speaking affectionately of Rebekah and longing to have word of her. This becomes too much for her and she is reduced to another display of emotion as she embraces Jacob. Laban asks Jacob why he has

made the journey and Jacob gives his reply (*A. J. I: 293-4*). Laban assures Jacob that he will be afforded every kindness and that he would make Jacob the master of his flocks. Should Jacob wish to return to his parents he would return with gifts from Laban. Jacob agrees to stay with his uncle, not in return for wages, but for the hand of his daughter, Rachel. The period of service is set at seven years. The conversation between Jacob and Laban is considerably lengthened in Josephus and our author omits the content of two of Genesis' verses in this context (*Gen. 29: 15-19*). When Jacob's seven years of service had been completed, Laban prepared for the wedding as he had promised (*A. J. I: 294-300*).

Josephus now narrates Laban's deception. When Jacob was intoxicated and asleep during the pre-wedding feast, Laban brought Leah to Jacob's bed and he had sex with her. By daylight Laban's trickery in substituting his daughters was uncovered. Josephus' excuse that Laban's deception worked because it was dark and Jacob was drunk is not stated in Genesis. Laban claimed that this was not a malicious act but that there was a more powerful motive. Josephus has Laban apologise for his deception, claiming that it was done for good reason; he does not elaborate on this comment. In Genesis, however, Laban's does not apologise but excuses his actions by claiming that his people do not give the younger daughter in marriage before the older (*Gen. 29: 26*). This would, however, not prevent Jacob's marriage to Rachel – provided Jacob lived with Laban for a further seven years. Being in love with Rachel, Jacob agreed to this plan (*A. J. I: 300-302*).

b) Josephus' Retelling of Jacob's Sexual Relations with Zelpha & Balla

We now arrive at the passages that are the focus of this chapter. In this passage Josephus tells his audience that Rachel and Leah's father, Laban, gave each of his daughters a handmaid (*θεράπαινις*); Leah was given Zelphah and Rachel was given Balla. These handmaids, we are assured, are not slaves but were in some unspecified way the women's 'subordinates' (*υποτάσσω* (*A. J. I: 303*)).³ Josephus goes on to say that Leah was jealous of Jacob's love for her sister and in an attempt to win some of his affection for herself prayed to God for children by him (*A. J. I: 303*). Her prayers were answered when she gave birth to a son. It is at this point that the narrative proceeds to catalogue Leah's children by Jacob and describe the meaning of each child's name, Rubel, Simeon, Levi and Judas (*A. J. I: 304*).

Josephus' narrative now turns its attention to Rachel. She, being dismayed at her sister's ability to provide her beloved husband with children and fearing that this may lessen his love for her, gave Balla to Jacob as a concubine so that children would come to her through her handmaid's surrogacy. This was apparently successful and Balla's children are also listed; Dan and Nephthali(s) (*A. J. I: 305*). Leah, we are told, countered her sister's action with the same strategy. She too gave her handmaid, Zelpha, to Jacob as his concubine and the children from this union are listed as Gad and Aser (*A. J. I: 306*).

In his conclusion to this section of his narrative relating the birth of Jacob's children, Josephus tells us of the disagreement between Leah and Rachel over some mandrakes that Rubel had given his mother. Rachel tried to persuade Leah to let her eat them. Leah refuses telling her sister that she should be content with robbing her of her husband's esteem. Rachel, seeking to make peace with her sister, lets Leah sleep with Jacob that night. Jacob, to comply with Rachel's wishes, spends the night with Leah. The result of Jacob's renewed sexual relationship with Leah was two more sons, Issachar and Zabulon, and a daughter, Dinah. Later, Josephus tells us Rachel bore Jacob's eleventh son, Joseph (*A. J. I: 307-308*).⁴

Genesis in MT and LXX:

Let us look at how Josephus' likely primary version for his retelling of this part of the narrative presents the story of the birth of Jacob's children. For texts see Source Appendix. The Hebrew and Greek versions of Genesis 29 and 30 vary very little. In this analysis my comments will compare Josephus with the Hebrew and Greek versions of the Pentateuch noting any variations between them.⁵

Genesis 29: 29-35 and 30: 1-24 narrates the birth and naming of Jacob's children⁶ and is generally thought to be constructed from a conflation of parallel stories from Jahwist and Elohist sources.⁷ In their current form, it is difficult to distinguish between the original texts. However, it is generally supposed that one text recorded the genealogical material whilst the other told the story of Rachel and Leah's rivalry (Gen. 29: 31-32; 30: 1-6, 14-18, 22-24).⁸ The essence of the narrative is to list the eponymous ancestors of the Israelite tribes, that is, the different peoples who came together to make up what later became known as the nation of Israel.⁹

At verses 23-29 Genesis reports that Laban brought Leah to Jacob's bed and Jacob slept with her. Laban gave Leah one of his slave girls, Zelpha, to be his daughter's personal slave. Jacob, on realising Laban's deception is told by his father-in-law that local tradition forbids the giving of the youngest daughter in marriage before the eldest. Jacob then labours for Laban for another seven years. After this time Rachel was given to Jacob and, like his gift of a slave to Leah, gave to Rachel, Balla, another of his slave girls. Verses 30 and 32 make two connections - Jacob's love for Rachel with the couple's joint hatred of Leah¹⁰ and God's alleviation of Leah's unhappiness making her fecund in contrast to making Rachel barren. The narrative which follows reports Leah's bearing of four sons to Jacob: Ruben, Simeon, Levi and Juda¹¹ after which she "ceased from bearing" (Genesis 29: 32-35).¹²

Genesis 30 turns its attention to Rachel's childlessness and her strategy for overcoming it. Jealous of her sister, she demands that Jacob gives her children. If he does not do this she tells him that she will "die" (v. 1). Jacob angrily admonishes her, saying that it is not within his power to grant her wish, but God's (v. 2).¹³ Rachel decides to give her husband Balla as a secondary wife so that she can acquire children through her slave's surrogacy (v. 3). Jacob appears to acquiesce as he sleeps with Balla. The plan works. Balla falls pregnant and bears two sons, Dan and Nephthalim (vs. 4-8). Leah, at verse 9, realises that she too has become incapable of bearing children and copies Rachel's strategy. She gives her slave, Zelpha, to Jacob as his wife so that children could be born from their sexual relationship. The slave woman Zelpha bore Jacob two sons, Gad and Aser. These names reflect the happiness and blessings bestowed upon Leah through their births (vs. 10-13).

The narrative continues by telling us that, at the time of the harvest, Ruben, Leah's first-born son, brought mandrakes to his mother (v.14). This event incites an exchange between the women during which Rachel strikes a bargain with her sister: Leah will give the mandrakes to Rachel to increase her fertility and, in return, Rachel allows her sister to sleep with Jacob. Issachar, Zabulon and Jacob's only daughter, Dinah, were born because of this bargain (vs. 15-20).¹⁴ God, however, had not forgotten Rachel. She was made fertile by God and bore Jacob his eleventh son, Joseph (vs. 23-24).¹⁵

We turn next to compare Josephus' retelling of the story of the birth of Jacob's children in the Book of Genesis.

Josephus & Genesis: a Comparison

We have already noted Josephus' omissions and alterations to Genesis' account of Jacob's travels to Charan and his initial encounter with Rachel and Laban. It is evident just by comparing the length of his subsequent account with the Genesis episodes that the Zelpha and Balla stories have been subject to significant and substantial redaction at the hands of our author. Let us look at how Josephus has achieved this.

The authors of Genesis 29: 24 and 29 introduced the characters of Zelpha and Balla, the respective slaves of Rachel and Leah, at each of Jacob's marriages to the sisters. Josephus, however, delays introducing the slaves until he begins his retelling of the birth of Jacob's children. It is here that our author adds his crucial statement that these women are "in no way slaves but subordinates (*ὑποτραγμέναι*)" in *A. J. I*: 303.¹⁶ This is in direct contradistinction to the way in which the status of the slave women Zelpha and Balla are depicted in Genesis. The MT designates them as *שפחה*¹⁷ and *אמה*¹⁸ whereas the LXX renders these as *παιδίσκη* in all cases, and as I have said in my discussion of these slave terms in the Hagar chapter previously, all of these terms denote the status of chattel slave.

Next, in a somewhat over-dramatised departure from the Genesis depiction of events, Josephus tells us that Leah was so distressed by Jacob's obvious love for her sister Rachel that she prayed continually to God for a share in her husband's esteem. In Genesis Jacob's preference for Rachel is clearly stated at 29: 30. Leah's discomfort can only be ascertained from the various statements made of her at the places in the text where she names her children. Josephus' addition of her prayers to the deity replaces the Genesis depiction in God's initiative to grant the woman children.¹⁹ Furthermore, the narrator of Genesis tells us that Leah was hated and that Rachel was sterile (Gen. 29: 31): Josephus chooses to omit these statements in his retelling preferring to accentuate Jacob's passion (*ἔρωσ*) for Rachel.²⁰ After the births of Leah's sons Rachel is fearful that her sister's fecundity would undermine her own relationship with her husband. To counter this she gives her slave, Balla, to Jacob and in so doing Josephus omits the entire argument scene between Rachel and Jacob at Genesis 30: 1-3. Thus Rachel's envy of her sister is changed in Josephus retelling to a fear of Jacob's alienation from her.²¹

At *Antiquities* I: 307 Josephus follows the chronology of Genesis' narrative when he begins his retelling of the story of the births of Leah's last three children with the discovery of the mandrakes (μανδραγόρου μήλα).²² However, unlike Genesis 30: 14, Josephus does not indicate that this took place at harvest-time. This omission was possibly made to circumvent addressing the problem of the dual terms in the Hebrew and Greek primary versions. Although the fruit of the mandrake ripens at the same time as the wheat harvest it may also have been omitted simply because our author thought such detail was irrelevant for his audience's understanding of the narrative. Josephus calls the mandrakes "apples of the mandrakes" in line with the description of the Septuagint.²³ Josephus then recasts part of the argument and bargaining of Rachel and Leah (Gen. 30:15). Rachel is said by Josephus to have made the proposal in order to placate Leah's anger and Jacob's consent to the plan was given expressly to please his favoured wife.²⁴ Josephus concludes his retelling of the births of Jacob's children by speaking of the birth of Joseph to Rachel, omitting, however, God's part in helping her to become pregnant (Gen. 30: 22).

So what can we make of this comparative analysis of Josephus' retelling of his primary version? Our author's alterations to Genesis can be arranged into two categories: firstly, his rearrangement of the Pentateuchal material; secondly, his recasting of the Genesis characterizations of the main protagonists of the narrative. Let us engage with the first of these issues.

Category One: Josephus' Modifications: Omissions

- By introducing Zelpha and Balla into his text simultaneously Josephus has cut out Genesis' repetition of this event at 29: 24 and 29.
- Similarly, his omission of both Rachel's and Leah's anguish, jealousy and exaltations that Genesis narrates after the birth of each of their children at Genesis 29: 32, 33, 34, 35, and 30: 6, 7, 11, 13, 18, 20, 23 and 24.
- Josephus has omitted almost all of Genesis 30: 1- 5, the somewhat heated discussion between Rachel and her husband, replacing it with a single sentence that simply states that Rachel gave Bilhah to Jacob. As we will see in my discussion in the following category, there is an additional motive behind this omission.
- Josephus has also greatly reduced the scene (Gen. 30: 14-16) where Rachel and Leah argue over possession of the mandrakes. Genesis' reference to the harvest has been

omitted, as has all of verse 16 where Leah encounters Jacob returning from the fields. This, we can presume, was irrelevant to Josephus. He does, however, selectively and purposefully add material to this particular episode as we will see in the following category.

- Finally, Genesis 29: 29-35 and 30: 1-24 contains variations of the phrases “And he went into....”, and “And she conceived and bore a son....” approximately eighteen times collectively. Josephus has avoided this repetition preferring instead to state the quantity and names of the children.

Category Two: Josephus’ Recasting of the Characters: Additions

Josephus’ treatment of the characters in Genesis 29 and 30 differs markedly from his primary version. Let us look at each characterization individually.

a) The Husband and Father:

If we observe his retelling of the character of Jacob it would appear that Josephus is intent on minimising Jacob’s participation in the scene but at the same time his imperative is to portray him in a positive light.

- Firstly he removes Jacob’s only direct speech made in dialogue with Rachel at Genesis 30: 2. It is a general principle of biblical narrative that direct speech is an empowering factor in the characterisation of a biblical personality and its use normally establishes the dominance of an individual character in the narrative.²⁵ Josephus employs the tactic of removing direct speech as a method of disempowering and marginalizing female characters in his retelling of the biblical narrative. We have already seen examples of this in our author’s treatment of Sarah and Hagar in the previous chapter and it is significant that he has applied this approach to Jacob.
- A second point, allied to the previous observation, is Josephus’ avoidance of the portrayal of Jacob’s anger towards Rachel after her aggressive demand that he provide her with sons (Gen. 30: 1-2). Unlike Abraham’s acquiescent response to Sarah’s demands at Genesis 16: 5-6 that marked him as a passive character in the scene, Jacob’s retaliation emphasises his importance in the text. Josephus’ omission of Jacob’s hatred of Leah (Gen. 29: 31) and his loss of temper (30: 2) is a vehicle by which Josephus could imply that Jacob was a character of great moderation and self-

discipline. This was also a concern of Philo as he explicitly states at *De Congressu* 6.24.²⁶ The narrator of Genesis, however, does not allow Jacob complete dominance over his wives. At Genesis 30: 3 -4 Jacob, like Abraham and Sarah before him, obeys Rachel's command that he should have sexual relations with her slave in order that she should have children. He also sleeps with Zelpha at Leah's behest and the resulting offspring we may presume were also to be Leah's.

- Thirdly, a character's importance in the biblical texts is emphasised by the direct use of the individual's name. In Genesis 29: 29-35 and in chapter 30 the name 'Jacob' is used eleven times and he is referred to by the less important secondary term 'husband' (MT *וְרֵא;*²⁷ LXX *ἀνὴρ*)²⁸ five times. In Josephus' retelling of this narrative the character of Jacob is referred to only five times in total, four times as 'husband' and on one occasion as 'Jacob'. In this single instance, however, his name is only used to narrate the character's thoughts and not in connection with his interaction with the women.
- A final peculiarity of Josephus' representation of Jacob is the author's apparent reticence with regard to his directly stated involvement in sexual activity with his wives and their slave women. Prior to some of the births in the Genesis story the narrator informs the reader that Jacob "went in" to his wife or slave. At other birth references Jacob's participation is acknowledged immediately after the event. In Josephus, Jacob's character is distanced from direct association with the sexual act with either his wives or their slaves.

It is clear then that the high degree of dominance of Jacob in Genesis 29: 29-35 and chapter 30 with respect to his interaction with the women in the narrative is not reflected in Josephus' retelling of this episode of the wider Jacob narrative. This is peculiar when we consider that Josephus is at pains to re-present Jacob in a manner more suited to his apologetic agenda elsewhere in his depiction of the patriarch.²⁹

b) The Wives:

Let us now look at Josephus' portrayal of Jacob's wives, Rachel and Leah. These characters in Genesis are presented in a similar manner to the matriarch Sarah at Genesis 16, although Leah's character is less well developed than that of her sister, Rachel.

In the Pentateuch both women are portrayed as slave owners whose primary concern, once they discover their infertility, is to build up their own families by the use of their respective slave women's wombs. The children born from this arrangement, as was the case for Sarah and Hagar, are considered to be the adopted children of the mistresses. This is clarified at Genesis 30: 3 where it is stated "...give birth on my knees, so that I, too, shall be built up through her".³⁰ Like Sarah, however, Rachel and Leah's sterility is alleviated on the initiative of God. Furthermore, although the sisters are forced into their bigamous marriage because of the deceit of their father, both women take the opportunity to compete for the esteem of their shared husband. This competition lends Genesis 29 and 30 its drama and pathos.

As I have stated previously, direct speech is an indicator of the significance of a character in the biblical narratives, moreover, a character's first recorded speech has a particular defining force as a characterisation.³¹ Josephus' omission of Rachel's first speech at Genesis 30: 1 marks her character as submissive in relation to that of her husband.³² Based on this principle, however, it is clear that for the authors of Genesis, Rachel and Leah are of central importance in the episodes relating to the births of Jacob's children. Compared with most female characters in the Pentateuch, or indeed the rest of the bible, they are positively chatty as both women converse with their shared husband and also with each other. The majority of this speech occurs as each woman names her newborn child according to the circumstances of its conception.³³ However, both Rachel and Leah also have something of substance to say in the narrative. It is through the medium of direct conversational speech that the narrator has imbued each of Jacob's wives with three-dimensional personalities that demonstrate great depth and strength.

Through the medium of direct speech the younger of the sisters is portrayed in Genesis as the more forceful and cunning of the female characters. Rachel, jealous of her sister and devastated by her own barrenness, demands that her husband rectify the situation. Jacob's anger in his reply does not perturb her. She commands that he sleep with Bilhah and he obeys.³⁴ Next, in order to rectify her sterility, Rachel asks her sister for the mandrakes that her son gave to her. Leah's reply implies that she believes that Rachel would take everything that is important to her; her husband and the mandrakes. Rachel bargains with Leah - continue sexual relations with Jacob in return for the item that would ensure her fertility. Leah capitulates with Rachel's demand as had Jacob previously.

The tenor of the speeches made by the elder and less beautiful sister, Leah, attracts the reader's sympathy. Unloved and less attractive than her sister she monopolises her fecundity in an attempt to secure the love of their shared husband. When this fails she attempts to buy his love in exchange for the mandrakes. Her dialogue with Jacob when he returned from the fields excites the pity of the observer as she tells him that she has bought his sexual attention.

If we compare the above with Josephus' retelling of the role of Rachel we notice that her participation in the scenes is sharply limited whilst our author shows virtually no interest in Leah at all.³⁵ He robs Rachel of God's unsolicited intervention in curing her sterility, whereas Leah retains the help of the deity but is made to pray continually before divine assistance is forthcoming. As is common in his writings Josephus strips the women of their direct speech and its associated prestige and pathos. Without direct speech it is impossible for the reader to get a sense of the individual personalities of Jacob's wives. Thus, in Josephus, the thoughts and actions of the women are conveyed solely through the conduit of his substantially redacted narration of the scenes.

Josephus' retelling of the Zelpha and Balla story smoothes out the Genesis portrayal of Rachel and Leah's distinctive personality traits simply by omitting the Pentateuch's description of these traits from his account. Jacob's emotional preference for Rachel and his ambiguous relationship with Leah, as characterised in Genesis, is likewise minimised. Josephus' Leah is not hated, in fact, at *Antiquities* I: 304 we are told that, as a consequence of the birth of her son, Jacob held her in affection. In contrast to Genesis where Rachel is jealous of Leah's fertility rather than fearful that Jacob may not love her, Josephus' Rachel fears that she is losing her husband's love because of her infertility. This, according to Josephus, is the justification for her giving her slave as Jacob's concubine (*A. J.* I: 305).

c) The Slave Women:

In terms of status, the Genesis depiction of the characters of Zelpha and Balla is very similar to that of Hagar in Genesis 16 and 21. They are, like Sarah's slave, שפחה and אמה, the Hebrew terms for female chattel slaves, and as such they are the property of their mistresses and can be used by their owners to provide children for them in the event that they are unable to conceive themselves.³⁶ Unlike Hagar, however, their personalities are not developed in the narrative. There is no description of any form of interaction with any other character except for their perfunctory and mechanical sexual contact with their mistresses' shared husband.

However, despite the relative anonymity of Zelpha and Balla, the authors of Genesis do accord the slave women some status in the narrative. As with Sarah's giving of Hagar to Abraham as a secondary wife, Genesis 30: 4 and 9 also designates the slave women as Jacob's secondary wives.

Josephus' treatment of Zelpha and Balla is very different to that of Genesis 29 and 30. He appears concerned to portray them and their relationship with the other characters, particularly Jacob, in a very different context. Firstly, he tells us that they are *not* slaves: instead he defines their status as "subordinates", which implies that they are free women but of a lower social status than Rachel and Leah. Josephus' retelling, therefore, omits Laban's transference of the slave women from his ownership to that of his daughters, thus completely reordering the nature of the women's relationship with Rachel and Leah. Secondly, Josephus designates Zelpha and Balla as Jacob's concubines and not as secondary wives as they are depicted in the Pentateuch.³⁷

This summary of Josephus' method of recasting of the characters in Genesis 29 and 30, especially Jacob and Rachel, sits in stark contrast to his treatment of them at Genesis 29: 9-14. Josephus shows little interest in Leah's character, despite bearing five of Jacob's sons and his only daughter and he marginalises her character from the outset. At the scene of Laban's deception of Jacob, Josephus introduces her as character as being "older and devoid of beauty" (*A. J. I*: 301). Genesis however, only tells us that Leah's eyes were "weak" (Gen. 29: 17) and not that she was unattractive.³⁸

Thus, Josephus appears intent on drawing his audience's interest and sympathy away from Leah at her initial appearance in his retelling. The only concession that Josephus makes to her character is to imply that Jacob, to a limited extent, holds her in his affection (*A. J. I*: 304), but does not hate her as Genesis would have it (Gen. 29: 31). This change was effected, I suspect, not for the benefit of the reader's perception of Leah but to portray Jacob in a favourable light.

Josephus' treatment of Jacob and Rachel in the birth narrative is also very different from the scene in which the couple first meet at Genesis 29: 9-14. At the earlier scene our author recasts both characters and their actions in a Hellenistic literary-type hero/heroine mould. Rachel is beautiful, submissive and silent; Jacob is strong, stoic and unemotional.³⁹ In so

doing, Josephus alters the dynamic of the relationships as compared to the representation in his primary version.⁴⁰ Jacob and Rachel are recast by our author as the male and female principals in a romantic drama.

Josephus' Rachel, in contrast to the independent actions ascribed to her in the biblical characterisation, is portrayed through the eyes of the man who will eventually marry her as impetuous and overtly affectionate. Before ascertaining who Jacob is she greets him with a "childish delight" (*A. J. I.*: 284) that soon makes her burst into tears and embrace him (*A. J. I.*: 291). This is markedly different from Genesis' Rachel who is the quiet observer of Jacob as he rolls back the stone at the mouth of the well and waters her flock (*Gen.* 29: 10). In Genesis, it is Jacob and not his future wife who, on the discovery of their blood relationship, takes the initiative to kiss Rachel and it is he who inexplicably weeps with emotion.

Genesis' depiction of the scene was clearly was not satisfactory for Josephus so he re-presents the scene by transferring its overt emotional content from the male character to the female.⁴¹ Hence in *Antiquities* I: 291, the weeping characterises the over-excited happiness of a youthful heroine and not the unexplained, perhaps sorrowful remorse of an inadequate hero-figure.⁴²

Summary of Section One

The preceding analysis has isolated where Josephus had made omissions from and additions to his most likely primary version, resembling the Masoretic Text and/or the Septuagint. I have shown that Josephus has removed sections of the narrative that he considered to be repetitive or irrelevant and that the dialogue between the characters has either been deleted completely or significantly edited. Furthermore, I have shown that our author has comprehensively recast Genesis' characterisations of the individuals.

I have noted above that Josephus' careful hero/heroine alterations to the characters in his account of Genesis 29: 9-16 seem to have been temporarily abandoned in his retelling of the birth narratives. My previous analysis of Josephus' treatment of them shows that he has minimised Jacob's participation in the vitally important birth scenes of the progenitors of the twelve tribes of Israel; his wives do not name the children, they only bicker and compete with one another. Their slave women are not slaves or his co-wives but his concubines.

It is within the context of Josephus' redaction of the Pentateuchal text and his non-biblical approach to the characters in the narrative that we must judge his recasting of the status and roles of the slave women, Zelpha and Balla. However, before addressing the specific issue of Josephus' portrayal of Jacob's sexual relationships with the slave women, the central theme of this thesis, it is necessary to ask the following fundamental questions of his *Vorlage(n)*.

Firstly, given that our author's retelling of the marriages of Jacob and the birth of his children is so very different from Genesis 29 and 30, is it possible that his alterations were inspired by the retellings of secondary versions? Secondly, if not directly influenced by these sources, is it possible that Josephus and the other authors shared an otherwise unknown non-biblical interpretative tradition?

Section Two: Possible Secondary Sources for Josephus' Zelpha & Balla Narratives

I have shown in my introduction that the slave terminology in the MT and the LXX is unambiguous in their representations of Zelpha and Balla as chattel slaves. Where the Masoretic text uses *אמה* or *אמה* to describe the women, the writers of the Greek Genesis have consistently substituted for both the Hebrew terms the Greek *παιδίσκη*, a term that they considered to be the appropriate slave term when making references to Zelpha and Balla.⁴³ For a full discussion of these terms see my Hagar chapter.

The following section compares Josephus' retelling of the birth of Jacob's children by Zelpha and Balla with extant secondary versions of the biblical story to see if these accounts may have provided source material for *Antiquities* I: 303-308. The main interest of this section will be the nature of the various authors' representation of the sexual relationship between Jacob and Zelpha and Balla and whether these authors designate the women as Rachel and Leah's slaves or Jacob's secondary wives or concubines. If these sources present the relationship between Jacob and the slave women in the same manner as the Pentateuch and use similar slave vocabulary to denote the status of the characters it will show that, based on the evidence of extant sources only, Josephus has made unique innovations in his retelling of the narrative. If these comparisons show that he has innovated, the next question will be to ask why he has done so.

a) Zelpha & Balla in Philo⁴⁴

Philo uses the characters of Zelpha and Balla to illustrate particular philosophical points of view in several of his works.⁴⁵ The subject of the slave women and the text we shall engage with here appear in *De Congressu Quaerendae Eruditionis Gratia (Congr.)*: 29-33.⁴⁶ For text, see Source Appendix. *De Congressu* takes its starting point from the story of Hagar and Abraham. Here Philo interprets their sexual union, or “mating”, as a symbol of Abraham’s journey towards wisdom through the “preliminary studies” represented by Hagar (*Congr.* 22-24). Philo envisages the Hagar/Abraham/ coupling as parallel to the Jacob/Zelpha/Balla scenario and tells us that the individual “whose mind is set on enduring to the end of the weary contest in which virtue is the prize, who practises continually for that end, and is unflagging in self-discipline, will take to him two lawful wives and as handmaids to them two concubines” (*Congr.* 24).

Thus at *Congr.* 24 f., Philo juxtaposes and contrasts two pairs of women - Leah and Rachel, the legitimate wives ἀστῆ)⁴⁷ of Jacob, and Zelpha and Balla, Jacob’s slaves and concubines (παλλακαί). From this juxtaposition Philo exploits the illegitimacy of the slave women’s offspring, as he does in *Congr.* 22-23, where he treats the relation of Sarah (virtue) to Hagar (education) in the same terms – the mistress (δέσποινα) to the servant (θεραπαίνα), lawful wife (γυνῆ ἀστῆ) to the concubine (παλλακῆ) (23). The point, in context, is actually to show the relationship between the lower education – likened to a sojourner (i.e. without citizen rights, but not wholly foreign and outside), and knowledge, wisdom and virtue – native-born, indigenous, citizens (22).

Philo’s style of writing and his appropriation of scripture for his specific allegorical purposes differs greatly from Josephus’ *modus operandi*. There is no obvious evidence that the Alexandrian’s works can be counted as a secondary version for his retelling of the birth of Jacob’s children. A reading of Philo’s text, however, is certainly rewarding with regard to his perception of the social status of Zelpha and Balla. In all of his references to Zelpha and Balla, Philo uses four words to designate the status of the slave women. Two words, παιδίσκη (*Legum Allegoria* II: 94); θεραπαινίς (*Congr.* 24, 29, 30), are translated by Colson as “handmaid(en)”. The other two designations in *Congr.* 31 and 33:

“With all the aforesaid faculties the Man of Practice mates, with one pair as free-born legitimate wives, with the other pair as slaves and concubines (ὡς δούλαις καὶ παλλακίσιν)”

Again, the context is allegorical: - with the concubines representing bodily functions which the man Jacob needs for the life of the body. Balla signifies “swallowing”, representative of life sustained by food and drink (30), whereas Zelpha signifies “a walking mouth”, or uttered speech, needed for the journey towards the thought of the mind. The context between slave and free has an important role in the symbolic interpretation of Jacobs ‘matings’ en route to the perfection of knowledge.

We have seen that Josephus only uses *θεραπεινίς* and a variant of *παλλακή*⁴⁸ to describe the status of Zelpha and Balla and tells us that the women are categorically not *δούλη*. It would seem that to Josephus the term *θεραπεινίς* signals that Zelpha and Balla are retained by their mistresses as hired help rather than as chattel slaves. Philo on the other hand uses the multiple terminologies set out above, which leaves the reader with no doubts about the status of the women particularly in his use of *δούλη*, a variant of the generic Greek term for chattel slave, *δοῦλος*. Philo’s juxtaposition of *δοῦλος* and *παλλακίς* in the context of Jacob’s symbolic ‘mating’ with Zelpha and Balla affirms that he is referring categorically to slave women who have sexual relations with their master.⁴⁹

b) Zelpha & Balla in Pseudo-Philo

As I have stated in my Hagar chapter,⁵⁰ Pseudo-Philo’s first century CE date, Palestinian provenance and authorship in Hebrew place the work as a potential secondary source for Josephus’ retelling of the story of the birth of Jacob’s children.⁵¹ As we will see, however, its representation of the birth narratives is so completely different to Josephus’ account as well as the primary version that any dependence by our author upon this text is unlikely. Pseudo-Philo relates the birth narratives as follows:

Now Jacob took for himself as wives the daughters of Laban the Syrian, Leah and Rachel, and two concubines (*concubinas*), Billah and Zilpah. And Leah bore to him Reuben, Simeon, Levi, Judah, Issachar, Zebulun, and Dinah, their sister. Now Rachel brought forth Joseph and Benjamin. Billah bore Dan and Naphtali. And Zilpah bore Gad and Asher. There are the twelve sons of Jacob and one daughter. (Pseudo-Philo 8: 6)

Pseudo-Philo’s retelling of Genesis 29 and 30 compresses the entire story of Jacob’s marriages and the births of his children to his wives and their slaves into one highly abbreviated

paragraph. The passage contains none of the narrative detail of Genesis and the children's births are recorded in the order in which each mother produced them and not according to the chronology of the canonical Pentateuch and most other sources. If we look at verse 8 in context with the chapter in which it is situated, however, the author's technique and his agenda become clear.

Chapter 8 briefly summarises biblical history from Abraham's settlement in Canaan (Gen. 12: 4 f.) to the descent of Jacob's sons into Egypt (Gen. 46: 20-22) mentioning only the people and events that served to move the narrative forward. The author's primary interest in this chapter is to catalogue the genealogies of the patriarchs rather than to retell the narrative histories of the individuals. Because Pseudo-Philo has omitted all of the content of Genesis that Josephus has altered and gives no sense of the individual characteristics of the personalities in the texts, or their interactions, we can presume that Pseudo-Philo's work is an unlikely source for Josephus' retelling of the Zelpha and Balla episodes. There is, however, one point of relevance for comparison - the designation of the status of Zelpha and Balla.

The Hebrew and Greek versions and their respective designations of the slave women are lost to us.⁵² The Latin text at 8. 6. 24, however, tells us that Jacob took two of Laban's daughters as wives and "two concubines, Billah and Zilpah", (*duas concubinas Balam et Zelpham*).⁵³ Pseudo-Philo does not mention that they were the slaves of Rachel and Leah or that they were given by their mistresses to be Jacob's co-wives. The designation "*concubina*" infers the meaning of a sexual union between a married man and a woman whose social status was subordinate to the man's.⁵⁴ This single term is supposed to convey to the reader the context of the relationship between Jacob, Rachel and Leah and the slave women. As we have shown in my introduction the terminology of the Hebrew and Greek Pentateuch confirm the women's slave and co-wife status. The Latin Genesis, which almost certainly would have been consulted by the Latin translators of Pseudo-Philo, also designates the status of Zelpha and Balla with a range of servile terms from "*ancilla*",⁵⁵ (Gen. 29: 24; 30: 9); "*servem*",⁵⁶ (Gen. 29: 29); "*familia*",⁵⁷ (Gen. 30: 9). The status of the slave women as Jacob's co-wives is indicated by the term "*conjugium*" inferring a close (sexual) union but relating to marriage.⁵⁸

Thus it seems likely that for the author of Pseudo-Philo the term "*concubinas*", that is low status women engaged in a sexual relationships with higher status men, encapsulated all the

information that was necessary to convey the nature of the relationship between Zelpha and Balla and Jacob.

c) Zelpha & Balla in the Testaments of the Twelve Patriarchs

The *Testaments of the Twelve Patriarchs*⁵⁹ were composed in Greek, probably in the second century BCE by a Hellenized Jewish author, probably from Syria.⁶⁰ The *Testaments* purport to be the final words of the twelve sons of Jacob and are similar to the model of Jacob's last utterances at Genesis 49. The texts portray a scene where each patriarch, in his last hours, gathers around him his offspring and relates his past honours and misdeeds and advises his family to avoid sin and follow the path of virtue. The texts conclude with predictions about the future of Israel and with instructions for the patriarch's burial. Each of Jacob's sons advocates that special honour to be paid to Levi and Judah, the founders of the priestly and kingly lines of the Jewish people.

Barring *The Testament of Naphtali*, none of the *Testaments* contain anything other than fleeting references to the slave women Zelpha and Balla. Of specific interest to this chapter, however, is the description of the origins of Naphtali's immediate ancestors (*Test. Naph. 1: 9-12*), as follows:

9 But my mother was Bilhah, daughter of Rotheos, Deborah's brother, nurse of Rebecca; she was born the very day on which Rachel was born. 10 Rotheos was of Abraham's tribe, a Chaldean, one who honoured God, free and well born, 11 but he was taken captive and bought by Laban, who gave him Aina, his servant girl, as a wife. She bore a daughter and called her Zelpha from the name of the village in which she had been taken captive. 12 After that she bore Bilhah, saying, "My daughter is ever eager for new things: No sooner had she been born than she hurried to start sucking," (*Test. Naph. 1: 9-12*).

Ἡ δὲ μήτηρ μου ἐστὶ Βάλλα, θυγάτηρ Ῥωθέου, ἀδελφοῦ Δεβόρρας, τῆς τροφοῦ Ῥεβέκκας· ἥτις ἐν μιᾷ ἡμέρᾳ ἐτέχθη, ἐν ᾗ καὶ ἡ Ῥαχήλ. Ὁ δὲ Ῥόθεος ἐκ τοῦ γένους ἦν Ἀβραάμ, Χαλδαῖος, θεοσεβής, ἐλεύθερος καὶ εὐγενής. Καὶ αἰχμαλωτισθεὶς ἠγοράσθη ὑπὸ Λάβαν· καὶ ἔδωκεν αὐτῷ Αἰνᾶν τὴν παιδίσκην αὐτοῦ εἰς γυναῖκα· ἥτις ἔτεκε θυγατέρα, καὶ ἐκάλεσεν αὐτὴν Ζελφάν, ἐπ' ὀνόματι τῆς κώμης, ἐν ᾗ ἠχμαλωτεύθη. Ἐξ ἧς ἔτεκε τὴν Βάλλαν, λέγων· Καινόσπουδός μου ἡ θυγάτηρ· εὐθύς γὰρ τεχθεῖσα ἔσπευδε θηλάζειν.

This passage makes many interesting additions to what Genesis has to say about the slave women. Firstly, it portrays them as sisters. Secondly, the author of the Testament seems keen

to stress that Bilhah is related to the Abraham-Isaac-Jacob clan in order that Naphtali should have a proper place in the tribe's destiny. The author traces her lineage back to the time of Abraham when he lived among the Chaldeans (Gen. 11: 27-28). It is impossible to be sure whether the author of the *Testament* was following an existing tradition with regard to the origins of parents of Zelpha and Balla, that is now lost to us, or whether he is simply creating an independently imagined context to account for the women's origins.⁶¹

Most interesting of all is the author's description of the background of Naphtali's mother, Bilhah, and his grandparents. We are told that Rotheros, Naphtali's free-born (ἐλεύθερος), high status (εὐγενής)⁶² maternal grandfather and relative of Abraham, was taken into slavery, presumably as a war captive (ἀχμαλωτισθεὶς) and was bought by Laban (ἡγοράσθη ὑπὸ Λάβαν). Laban gave him a wife, Aina, already a slave (παιδίσκη), who became Naphtali's maternal grandmother. The slave couple produced two girls, first Zelpha and second, Bilhah.

This expansion of the biblical text shows the unselfconscious way in which the author of the *Testament of Naphtali* was content to portray the characters of Zelpha and Balla in his writings. Rotheros was the purchased slave of Laban. Laban, in accordance with the slave laws of Exodus 21: 4, partnered his new slave with one of his slave girls. Zelpha and Balla, born out of this relationship, automatically become the slaves of their parent's master, Laban.

Thus the *Testament of Naphtali* unambiguously speaks of the women's social and legal status as the slave-property of Laban. This property, as we have seen, was transferred to his daughters on the occasion of their respective weddings. Under the ownership of Rachel and Leah, their sexual services could be required at the bidding of their mistresses. It is clear therefore that the author of the *Testament* does not share Josephus' conviction that Zelpha and Balla were merely 'subordinate' to the other characters in the narrative. As such, the *Testament of Naphtali* could not have influenced Josephus' retelling of the story.

d) Zelpha & Balla in Jubilees

As I have stated in my Hagar chapter⁶³ the purpose and methodology of the authors of *Jubilees* and the fact that the work was extant in Josephus' time means that it is possible that our author was aware of its existence. Thus its references to the birth of Jacob's children can be seen as a possible secondary version for Josephus in his retelling of the Zelpha and Balla stories.

Jacob's arrival in Mesopotamia, his marriages and the birth of his children are recorded in chapters 28 and 29 of *Jubilees*: the full translation of the text is in the Source Appendix.

Jubilees is very similar to the Jacob narrative as we find it in versions of the Hebrew and Greek Pentateuch, although there are some significant and less significant alterations. The author of *Jubilees* omits Genesis 29: 1-19 and leads straight in to the episode at verse Genesis 29: 20 at the point of Jacob's completion of his seven years of service to Laban and his marriage to Rachel. The details of Jacob's travels, the circumstances of his first encounter with Rachel and Laban and his bargain with Laban for Rachel's hand were of no importance to this author. The description of Rachel and Leah at Genesis 29: 16 is not given until after Jacob has discovered Laban's deception (*Jub.* 28: 5). The passing reference in Genesis to local marriage customs being behind Laban's deceit (*Gen.* 29: 26) is greatly expanded at *Jubilees* 28: 6-7 and the reference to Leah being hated is given as the reason for Rachel's sterility (*Jub.* 28: 12), whereas in Genesis Leah's compensation for being hated is her fecundity (29: 31).

Furthermore, throughout *Jubilees*' retelling of Genesis the author has omitted the Pentateuch's explanations behind the children's names. In place of this, the author has added the extra-biblical calendrical material. Moreover, in general terms the author of *Jubilees* rarely follows the biblical narrative with any degree of accuracy, whereas Josephus is often very faithful to the text.⁶⁴ So, because of the similarities between Genesis and *Jubilees* and the lack of parity between the text and Josephus with regard to the Zelpha and Balla narratives, it is unlikely that *Jubilees* was a source for Josephus' recasting of the characters of the slave women.⁶⁵ The text is useful for this study, however, because the author has transposed the context of Laban's relationships with Zelpha and Balla into their retelling without much interference. At 28: 3 and 9 Laban gives his slave women, Zelpha and Balla, to Rachel and Leah as handmaids/slaves for themselves. At 28: 17, 18 and 20 the authors of *Jubilees* have followed the context of Genesis' narration of the giving of Zelpha and Balla to Jacob for sexual purposes as his secondary wives.

e) Zelpha and Balla in Demetrius the Chronographer

Fragment 2 (Eusebius, *Praeparatio Evangelica* 9.21. 1-19)

It is generally held that Demetrius was writing in Alexandria around the last half of the third century BCE.⁶⁶ There are only six extant fragments, written in Greek and preserved in Eusebius' *Praeparatio Evangelica*, that can be ascribed to the chronographer⁶⁷ and all of them are concerned with determining the biblical chronology of the Old Testament. Fragment 2 is the longest of the collection and concentrates on patriarchal chronology, relating Jacob's career and the birth dates and ages of his children. However these are not extensive remains of the former text and in places the text is corrupt.⁶⁸ The fragment ends by briefly retelling the main events of Joseph's period in Egypt and with the chronology of Moses' ancestors.⁶⁹ (See Source Appendix for the full text.)

Demetrius' retelling of the birth of Jacob's children is a sharply abbreviated version of the Genesis narrative. In common with Jubilees, Demetrius omits all details of Jacob's journey to Mesopotamia and the emotional meetings with Rachel and Laban. He too begins his account with the issue of Jacob's marriage. Fragment 2 of *Praeparatio Evangelica*, however, merges both wedding episodes into one at the close of Jacob's first seven years of service for his uncle, Laban. The children, according to Demetrius, are all born in the second seven-year period that Jacob agrees to work for Laban (3). Furthermore, the mandrakes episode is skimmed over and Leah does not bear the twins, Zebulun and Dinah. Instead, Demetrius has them born as the result of two separate pregnancies (4-5).

Demetrius' interests in retelling the Genesis narrative were very different from those of Josephus, and his methodology and approach to the Jacob story was unlikely to have inspired our authors retelling. Important biblical material is omitted, abbreviated or mentioned only casually. Moreover, Demetrius, in direct opposition to Josephus' preoccupations, had no literary interest in the bible for religious or moralistic purposes but for its historical value in documenting birthdates, genealogies and other matters of chronological interest.⁷⁰ Demetrius does, however, have some significance for this study, for omits the Septuagint's formula "the handmaid of..." when introducing the slave women to his narrative, and instead introduces them only when they are required to carry the narrative forward. In so doing the status of one of the women is unclear in his account: he only mentions Balla by name and not by status, whereas, Zelpha is designated as *παιδίσκη* (3-4), but both women have been given to Jacob

as a concubine. The verb *παρακομίζω* means to “make to lie with”.⁷¹ The translation into “concubine” is the most convenient method of transmitting the context of the passage. However, there is no difference in the context of the women’s relationship with Jacob so there is no reason to suppose that in not designating Balla as *παιδίσκη* Demetrius was inferring an alternative status upon her. So, if we couple *παιδίσκη* with the literal meaning of Demetrius’ *παρακομίζω*, “to lie with”, or “to have sexual intercourse with” in association with his retelling of the births of Jacob’s children, we see that he is following the precise context of Genesis 30. Thus, it seems that Demetrius’ understanding of the relationships between Jacob and the slave women follows that of the biblical narrative and not of Josephus’.

Summary

I have shown above that all Josephus’ possible secondary sources emphatically designate Zelpha and Balla as both slaves and concubines either in their use of slave vocabulary in their respective languages or by their reiteration of the context of the story as it is portrayed in the Pentateuch. Josephus’ contrary designation is a lone voice among extant sources that retell the story of the birth of Jacob’s children.

Conclusions

This investigation and analysis of Josephus’ retelling of the biblical representation of the slave women, Zelpha and Balla, has yielded a significant amount of data with regard to his sources, methodology and agenda. Let us therefore, return to the questions I asked of Josephus and his retelling of the Zelpha and Balla episodes in my introduction to this chapter.

1). What was the methodology and rationale for Josephus’ retelling of Genesis 29 and 30, and what primary version(s) and/or secondary versions were likely to have been his *Vorlage(n)*?

I have shown that Josephus executed a major rewriting of his primary version and has made significant alterations to the characterisations of the main protagonists in the scenes. This is in marked contrast to his retelling of the scenes that precede and follow the birth narrative where, as Franxman and others have noted, Josephus has followed Genesis fairly closely and has added material in an attempt to emulate a Hellenistic literary style.⁷² Furthermore, in Section One, I have shown that is highly unlikely that Josephus relied upon sources other than versions of the Hebrew and/or Greek Pentateuch that are very like those available to us today.

All of the extant contenders for possible secondary versions for our author have been discounted in the analysis conducted in Section Two.

2). This leads us to engage with our second question - does Josephus' retelling provide his audience with a careful and thorough interpretation of the canonical Genesis, or something like it, or has he re-told the characters and events of this part of the Jacob narratives in a manner intended to satisfy the expectations of his anticipated Roman audience? Josephus' retelling of the story of the birth of Jacob's children has substantially undermined the integrity of the narrative that we know of from the Masoretic Text and the Septuagint. The versions from the Pentateuch offer a sensitively constructed portrait of two women whose lives and future expectations revolve around producing children by the husband they are forced to share because of their father's dishonesty. The story of the birth of Jacob's children is imbued with envy, jealousy, anger, joy, love and hatred between the three protagonists in the scene. Each woman's sterility at different points in the narrative forces Rachel and Leah into a competition. Each wife, in order to beat the other, co-opts the sexual services of their slave women from whose wombs are born more of Jacob's children.

In Josephus' diluted re-presentation of this story the tension between the characters has been omitted except for the mandrake scene. Josephus simply narrates the bare bones of the Genesis story by informing his audience which wife or slave bore Jacob's children and how their sterility was overcome. His main aim seems solely to explain how the eponymous patriarchs received their names.

3). Arising from this is my third question as to whether it is possible to recover and reconstruct Josephus' technique and agenda from the comparative redaction critical examination of his passages? Josephus' technique was to present the two main protagonists of narrative preceding the birth of Jacob's children, Jacob and Rachel, in a romantic Hellenistic hero/heroine mould. Thus the character of Leah is virtually ignored whilst aspects of the Genesis narrative that did not show Jacob in a good light is removed or transposed onto another character.⁷³ A major problem for Josephus was Genesis' designation of Zelpha and Balla as the slaves of Rachel and Leah and the secondary wives of Jacob. But why was this perfectly acceptable Pentateuchal relationship, in this particular context, an issue our author found unacceptable for his audience? After all, Josephus was content to portray Hagar's

parallel sexual relationship with Abraham in a slave-master context, albeit with the removal of her status as his secondary wife. Where did the unacceptable difference lie?

In order to answer this I suggest we need to look closely at the comparative long-term consequences of these slave-master sexual relationships. In the case of the slave woman Hagar and the patriarch Abraham, their child Ishmael becomes the progenitor of a non-Jewish people. Hagar's son carries forward the history of the Arab nations.

Hence I have shown that Josephus is content to portray the Abraham/Hagar relationship to his Roman audience as the somewhat foreign and exotic but ultimately legitimate, lawful and socially acceptable sexual relationship between a male slave owner and his female slave/concubine. However, the legitimate child, Isaac, born from Abraham's sexual relationship with his primary, legitimate wife Sarah, sires Jacob, the progenitor of the eponymous twelve tribes of Israel. Embodied in the character of Isaac is the seed of the future history of Israel. For Josephus, Isaac's background must be demonstrably impeccable. So too must be the background of the children of Jacob. But what if Josephus' retelling had incorporated the substance of Jacob's relationship with Zelpha and Balla in his retelling of the story of the birth of Jacob's sons? How would his audience have perceived it? Let us address the issues of the Genesis text from the Roman cultural, ethical, moral and legal standpoint.

How would Josephus' elite Roman audience have viewed the sexual relationship between Jacob and the slave women? Roman society would have had no moral or ethical objections to Jacob's sexual relationship with Zelpha and Balla but taking them as wives, as Genesis suggests, would have not have been acceptable or legally possible. Furthermore, children born in *contubernium* took the status of the mother, thus, children born of a mother who was still a slave were slaves themselves.⁷⁴ Bigamy was also unacceptable, so in a Roman context Jacob would have had to engage in serial marriage, divorcing one wife and marrying the next before any children were born otherwise the child would be illegitimate and have no legal rights to inheritance.⁷⁵

Josephus smoothes out this problem simply by designating the slave women in terms that his Roman audience would comprehend and find, if a little unusual, morally and legally acceptable. In designating Zelpha and Balla as concubines (*παρακατακλίνει*), and not as אמה and שפחה (MT), or παιδίσκη (LXX), Josephus has made their sexual relationships with

Jacob appear respectable to his Roman audience.⁷⁶ Aristocratic Roman men were legally restricted to marriage within their social class⁷⁷ but concubines were always the social inferiors (generally slaves) to the males to whom they were associated, and, although *concupinatus* was not covered by law, it was an openly acknowledged sexual relationship with rules of its own.⁷⁸ This is signalled by Josephus' designation of the women, not as slaves, but as Leah's and Rachel's subordinates (*δοῦλαι μὲν οὐδαμῶς ὑποτεταγμέναι δέ*).⁷⁹ Concubinage, therefore, "made marriage possible in all but name to those whom Augustus' laws forbade to marry".⁸⁰

Despite the disparity in social class, however, it was expected that a concubine would receive the respect of her partner, his family and friends. Indeed the emperor Domitian is criticised by a hostile source for his public lack of respect for his father's concubine.⁸¹ Many aristocratic Roman men, emperors among them, are known to have kept concubines; Vespasian and Marcus Aurelius are the most notable.⁸² As Abraham's grandson, Jacob represents the Bible's aristocracy, thus Josephus' designation of Zelpha and Balla as concubines of a lesser social rank to Jacob would not have caused a Roman eyebrow to be raised.

There are two aspects of this type of association that Josephus was unable to satisfactorily reconcile in his re-presentation of the relationships between Jacob and Zelpha and Balla. The first is that a Roman man who took a concubine was almost always widowed, divorced or previously unmarried,⁸³ the second, the birth of children from such relationships is generally not attested in the sources.⁸⁴ The principal reason for the avoidance of children would have been to prevent inheritance disputes between the father's legitimate heirs and the children of the concubine on the death of the children's father.⁸⁵

Despite this potential stumbling block for Josephus, many married aristocratic Romans kept concubines as mistresses or were sons of concubines themselves⁸⁶ and "...despite the fact of illegitimacy, [there was] no great stigma about being a concubine's son,"⁸⁷ moreover, children born from concubines had a recognised status as 'natural children' in Roman law.⁸⁸ Indeed, the welfare of the concubine and her children was often a cause for the concern of the concubine's partner.⁸⁹

I have demonstrated in this chapter that Josephus' technique of retelling the biblical narratives was governed by his apologetic agenda, that is, to portray the characters and contexts of the birth of Jacob's children in the best possible light to his Roman audience. Our author has achieved this by the adoption of two methodological processes. Firstly, Josephus has presented the personal characteristics of the main protagonists of the narrative as Hellenistic stereotypes whilst omitting aspects of the Genesis text that were likely to have compromised his ability to recast the characters in this manner.

Secondly, in an effort to make Jacob's relationship with the slave women, Zelfha and Balla, conform to Graeco-Roman social, moral and legal expectations, Josephus has recast the slaves as Jacob's concubines. This enables the audience to perceive Jacob's sons by the slave women as Jacob's legitimate heirs and, therefore, moral, virtuous and legitimate progenitors of the twelve tribes of Israel. Problematic elements of this relationship have been partially resolved by Josephus by his limitation of Jacob's participation in the birth narratives and his substantial abbreviation of the birth scenes in general. Our author's preoccupation in this part of his retelling was to narrate essential details of the births of Jacob's children but to gloss over aspects of the narrative that were potentially damaging to the image of the patriarch and the history of the Jews that Josephus wished to portray to his Roman audience.

¹ Franxman, *Genesis and the "Jewish Antiquities" of Flavius Josephus*, p. 188.

² (Gen. 29: 4).

³ LSJ s.v. ὑποτάσσω: to place, or arrange under.

⁴ Josephus retells the birth of Jacob's twelfth son, Benjamin, at *A. J. I*: 343.

⁵ See Appendix of Sources for the MT and LXX texts.

⁶ The last of the twelve male children is born much later at Genesis 35: 16-20.

⁷ Vawter, *On Genesis*, p. 324.

⁸ Westermann, *Genesis*, p. 209

⁹ Vawter, *On Genesis*, p. 327.

¹⁰ According to Alter, the hatred of Leah by Jacob and Rachel seems to have an emotional implication, as Leah's words at verse 33, "my husband will love me..." suggest. However, the Hebrew term is also a technical legal term for the un-favoured co-wife. The pairing of the unloved wife with a barren but much loved co-wife sets the stage for a variant of the annunciation type-scene such as that of Peninah and Hannah at I Samuel I. See Alter, *Genesis*, p. 155. See also Driver, *The Book of Genesis*, p. 272, who states that the word should be understood in a relative sense to mean that Leah was "less loved" than Rachel. Driver, *The Book of Genesis*, also cites other occurrences of this usage, Deuteronomy 21: 15 and Matthew 6: 24. Vawter, *On Genesis*, states that the Hebrew is not given to fine distinctions and the verb "hated" should be given the softer reading of "unloved", p. 327.

¹¹ The names of Jacob's sons are given popular etymologies in the biblical texts but have no correspondence with 'real' history, however, they serve as links between the twelve tribes and the only history ever written about them. See Vawter, *On Genesis*, p. 327. This process will receive no more attention in this study but see the various readings by biblical commentators: Driver, *The Book of Genesis*, pp. 159, 273-4, 275-6; Westermann, *Genesis*, pp. 209-211; Alter, *Genesis*, pp. 159-160, 162. There is no naming etymology for Dinah but this is not,

as some commentators have claimed, because Genesis 30: 21 is derived from a different source. The naming speech is omitted because she is a daughter and will not be counted as the eponymous founder of a tribe as is the case for her brothers, Alter, *Genesis*, p. 161.

¹² Leah's sudden acquired sterility may simply have been the result of a natural process. However, the later mandrake episode may suggest that Jacob had ceased to cohabit sexually with Leah for long periods. Alter, *Genesis*, p. 157.

¹³ See also 2 Kings 7.

¹⁴ According to Vawter, verses 14-16 are an unfinished fragment that once belonged to a full account of how Rachel finally overcame her infertility with the application of this mythical remedy. He claims that the story was cut short by the redactor of Genesis because the values of his society would no longer have considered this action proper or appropriate, *On Genesis*, p. 328.

¹⁵ The birth of Benjamin, Jacob's twelfth son, is narrated at Gen. 35: 16.

¹⁶ According to later traditions the slave women in the Jacob narratives are Laban's daughters from his relationship with a concubine, see Targum *Pseudo-Jonathan on Genesis* 29: 24 and *Pirque de Rabbi Eliezar* 36. Another tradition, *Midrash Genesis Rabbah* 74: 13, also has the slave women as Laban's daughters but it does not enlighten us as to their origin. For Louis Feldman these traditions account for Josephus' extra-biblical identification of Rachel and Leah's social superiority over the slave women. As there is no evidence that Josephus was acquainted with any of these traditions, and not least because Philo identifies them as slaves and concubines (*De Cong.* 6. 31), the present investigation proposes a different explanation for this comment. See Feldman's comments, *Flavius Josephus: Translation and Commentary*, p. 114, n. 871.

¹⁷ תפפ Gen. 29: 24, 30; 30: 5, 8, 10, 11, 12, 18.

¹⁸ תמא Gen. 30: 3.

¹⁹ Feldman, *Flavius Josephus: Translation and Commentary*, n. 872, p. 114.

²⁰ LSJ s.v. ἔρως: love, mostly of sexual passion. Josephus' comments explaining the naming Jacob's children and their etymologies will not be discussed here. For a detailed examination of this process see, Franxman, *Genesis and the 'Jewish Antiquities'*, pp. 192-5; Feldman, *Flavius Josephus: Translation and Commentary*, n. 875-6, 878, 880, p. 115; n. 883-4, 885-7, 888-9, 890-2, 895-6, 897-8, 899-900, p. 116; and Thackeray, *Josephus the Man and the Historian*, p. 147 (n. c-g).

²¹ Franxman, *Genesis and the 'Jewish Antiquities'*, p. 194.

²² LSJ s.v. μανδραγόρας: mandrake. The similarity between Josephus and the LXX in this identification could indicate that he was reliant upon the LXX or a LXX type text for at least this part of his retelling.

²³ The mandrake has been thought to have aphrodisiac and fertility-giving properties for many thousands of years. According to Feldman, *Flavius Josephus: Translation and Commentary*, n. 893, p. 116, Josephus equates the mandrake with "love apples" because he knew of the association between the goddess of love, Aphrodite, and Hesychius' identification of her as Μανδραγόριτις. However, the medicinal properties of the mandrake were derived from both the root of the plant and from its tomato or plum-like fruit. It is more likely that Josephus and the authors of the Septuagint, like the European settlers in America, called the fruit of the plant "love apples" to distinguish them from the medicinal root that often takes human form.

²⁴ Feldman, *Flavius Josephus: Translation and Commentary*, p. 195.

²⁵ Alter, *Genesis*, p. 158.

²⁶ Indeed Philo, *De Sacrificiis* 4: 17-18, claims that Jacob was named on the basis of his discipline as was Esau for his folly (cf. *De Cong.* 31. 175-6).

²⁷ TDOT s.v. שׂוֹן: man, husband.

²⁸ LSJ s.v. ἀνήρ: man or youth, context decides meaning; husband.

²⁹ See Amaru, "Portraits of Biblical Women", p. 44.

³⁰ Alter, *Genesis*, p. 159; Vawter acknowledges this act as surrogate childbearing, p. 328; see also Driver, *The Book of Genesis*, p. 273 who also quotes instances of this in Genesis 50: 23 and Job 3: 12.

³¹ Alter, *Genesis*, p. 158.

³² Amaru, "Portraits of Biblical Women", p. 151 states that Rachel's lack of speech is "the signature of a submissive female element". Conversely Amaru points out that Josephus allows Rachel "extensive movement and activity" and this character trait represents the "signature of an assertive, albeit not on behalf of self, female element".

³³ For Leah see Genesis 29: 33, 34, 35; 30: 11, 13, 18, 20. For Rachel see Genesis 30: 6, 8, 24.

³⁴ Genesis 30: 1-4.

³⁵ Amaru, "Portraits of Biblical Women", p. 151.

³⁶ In Genesis 29 Zelpha and Balla are designated as תפפ (MT), or παιδισκη (LXX). At chapter 30: 3 Bilhah is designated in the sole instance in this episode as תמא (MT) and both slave women are designated as תפפ in the remainder of the chapter. Genesis 30 of the Septuagint designates both as παιδισκη throughout the chapter. As

I have demonstrated in my discussion of the various designations of Hagar in the previous chapter the Hebrew and Greek terms convey the sense that Zelpha and Balla are slaves inasmuch as they are subject to the rights of ownership of their mistresses cf. John William Wevers, *Notes on the Greek Text of Genesis*, Septuagint and Cognate Studies 35 (Atlanta, Georgia: Scholars Press 1993), p. 217.

³⁷ LSJ s.v. *παρακατακλίνω*, meaning “he lies down beside”.

³⁸ Josephus may have had the same difficulty with interpreting the Hebrew term as the Septuagint translators and modern commentators. According to Alter, *Genesis*, p. 153, the precise meaning of the adjective רַחֵם in this context is unclear but רַחֵם is an antonym of “hard” and means tender, gentle, soft or in a few instances, weak. The Septuagint translates this adjective as *ἀσθενής* implying in this context the meaning weak or sickly and that Leah may have suffered from some impairment (Wevers, *Notes*, p. 465). Modern commentators variously ascribe the adjectives “lovely”, Vawter, *On Genesis*, p. 320-21; “tender”, Alter, *Genesis*, p. 153; Driver, *The Book of Genesis*, p. 270; “dull”, Westermann, *Genesis*, p. 204. See also “without lustre”, in, Claus Westermann, *Genesis 12-36: A Commentary* (London: SPCK, 1984), pp. 262-3.

³⁹ Amaru, “Portraits of Biblical Women”, p. 151,

⁴⁰ Amaru, “Portraits of Biblical Women”, p. 142.

⁴¹ Later rabbinic commentators were also troubled by Jacob’s inexplicable outburst of weeping and attribute his tears to his remorse for his presumptive attitude towards kissing Rachel (*Genesis Rabbah* 70. 12), see Amaru, “Portraits of Biblical Women”, n. 32, p. 152.

⁴² Amaru, “Portraits of Biblical Women”, p. 152.

⁴³ See Wright, “*Δοῦλος* and *Παις*”, pp. 263-277, p. 268.

⁴⁴ For a brief introduction to Philo see my Hagar chapter, p. 78.

⁴⁵ *De. Virt.* 220 ff; *Legum Allegoriae Book II*, F. H. Colson and G. H. Whittaker (trans.), *Philo of Alexandria, Vol. 1*, Loeb Classical Library London: Heinemann, 1929); *Quod Deus Immutabilis Sit*, F. H. Colson and G. H. Whittaker (trans.), *Philo of Alexandria, Vol. 3*, Loeb Classical Library (London: Heinemann, 1930).

⁴⁶ See for text and introduction F. H. Colson and G. H. Whittaker (trans.), *Philo of Alexandria, Vol. 4*, Loeb Classical Library (London: Heinemann, 1932).

⁴⁷ LSJ s. v. *ἀστή*: female citizen, feminine of *ἀστός*.

⁴⁸ LSJ s.v. *παλλακίς*.

⁴⁹ LSJ s.v. *παλλακίς*.

⁵⁰ Page 92.

⁵¹ See Daniel Harrington’s introduction to Pseudo-Philo in, D. J. Harrington, “Pseudo-Philo: A New Translation and Introduction”, in James H. Charlesworth (ed.), *The Old Testament Pseudepigrapha Vol. 2*. Anchor Bible Reference Library (New York, London, Toronto, Sydney, Auckland: Doubleday, 1985) pp. 297-303.

⁵² Harrington, *Pseudo-Philo*, p. 298-99.

⁵³ These terms have been taken from the best critical edition of the works of Pseudo-Philo. See, Daniel J. Harrington and Jaques Cazeaux, *Pseudo-Philon: Les Antiques Bibliques, Vol. 1, Introduction et Text Critiques*, Sources Chrétiennes 229-30 (Paris, 1976).

⁵⁴ See, *concupinatus* in, C. T. Lewis and C. Short, *Latin Dictionary* (Oxford: Clarendon Press, 1951).

⁵⁵ LS s.v. *ancilla*: handmaid, maidservant, female slave; commonly used as the feminine of *serva* (male slave) instead of *servus*.

⁵⁶ LS s.v. *servus*: female slave.

⁵⁷ LS s.v. *familia*: a household or domestic slave.

⁵⁸ LS s.v. *conjugium*: a close sexual union related to marriage.

⁵⁹ According to H. C. Kee, “Testaments of the Twelve Patriarchs: A New Translation and Introduction”, in James H. Charlesworth (ed.), *The Old Testament Pseudepigrapha, Vol. 1*, Anchor Bible Reference Library (New York, London, Toronto, Sydney, Auckland: Doubleday, 1985), pp. 775-781. The first and the most valuable critical text, based primarily on the α MSS tradition is R. H. Charles, *The Greek Versions of the Testaments of the Twelve Patriarchs* (Oxford, 1908; Hildesheim, 1960). There is considerable debate as to whether the Testaments of the Twelve Patriarchs are Jewish or Christian in origin. A similar genealogy can be found in 4Q215, which suggests that an older tradition is in evidence. It has been demonstrated that the author of the Greek Testament of Naphtali revised an earlier Hebrew version, thus, although some scholars conclude that a significant portion of the Testament is of Christian origin, it is generally concluded the genealogy of Bilhah is part of the earlier tradition. See, Th. Kortweg, “The Meaning of Naphtali’s Visions”, in M. de Jong (ed.), *Studies on the Testaments of the Twelve Patriarchs* (Leiden: E. J. Brill, 1975), pp. 261-290. For a study of the debate surrounding the origins of the Testaments and a discussion of the genealogies see, Robert A. Kugler, *The Testaments of the Twelve Patriarchs*. Guides to the Apocrypha and Pseudepigrapha, Michael A. Knibb (ed.), (Sheffield Academic Press, 2001), pp. 25-39, 71-72.

⁶⁰ See Kee’s introduction to the translations of the Testaments in, “Testaments of the Twelve Patriarchs”, pp. 775-781.

- ⁶¹ According to *Targum Pseudo-Jonathan* on Genesis 29: 24 and 29 and *Pirque de-Rabbi Eliezar* 36, the slave women were born to Laban from his relationship with a concubine. According to *Midrash Genesis Rabbah* 74. 13 they were Laban's daughters from an unacknowledged relationship.
- ⁶² LSJ s.v. ἐυγενής: well-born.
- ⁶³ Page 89 f.
- ⁶⁴ Feldman, *Josephus' Interpretation of the Bible*, p. 15.
- ⁶⁵ Feldman, *Josephus' Interpretation of the Bible*, p. 15.
- ⁶⁶ Carl R. Holladay, *Fragments from Hellenistic Jewish Historians*, vol. 1 (Chico, California: Scholars Press, 1983), p. 52.
- ⁶⁷ There is some doubt among scholars as to the authorship of fragments 1, but especially fr. 5. Both, however, are generally thought to be compatible in matters of language, style and interests with the fragments that can be ascribed to Demetrius.
- ⁶⁸ Holladay, *Fragments from Hellenistic Jewish Historians*, p. 51.
- ⁶⁹ For a full excursus on these texts see, J. Hanson, "Demetrius the Chronographer: A New Translation and Introduction", in J. H. Charlesworth (rd.), *The Old Testament Pseudepigrapha Vol. 2*, The Anchor Bible Reference Library (New York, London, Toronto, Sydney, Auckland: Doubleday, 1985), pp. 843-847.
- ⁷⁰ Holladay, *Fragments from Hellenistic Jewish Historians*, p. 52.
- ⁷¹ LSJ s.v. παρακομίζω.
- ⁷² Franxman, *Genesis and the 'Jewish Antiquities'*, pp. 188-284; Amaru, "Portraits of Biblical Women", pp. 151-2.
- ⁷³ Amaru, "Portraits of Biblical Women", p. 151.
- ⁷⁴ S. B. Pomeroy, *Goddesses, Whores, Wives, & Slaves: Women in Classical Antiquity* (London: Pimlico, 1994), p. 197. See also Dixon, *The Roman Family*, pp. 193-4.
- ⁷⁵ See Gardner, *Women in Roman Law*, pp. 91-3 (138-9).
- ⁷⁶ The term *concubina* denoted a woman living with a man and fulfilling the duties of a wife, Dixon, *The Roman Family*, p. 93.
- ⁷⁷ Pomeroy, *Goddesses, Whores, Wives, & Slaves*, p. 196.
- ⁷⁸ S. Treggiari, "Concubinae", *Papers of the British School at Rome* 49 (1981), pp. 59-81 (60). Treggiari has shown that the evidence of Italian epitaphs shows that not one single concubina was freeborn.
- ⁷⁹ See Balsdon, *Roman Women*, p. 233. See also Arjava, *Women and Law*, p. 205; Dixon, *The Roman Family*, p. 93.
- ⁸⁰ Balsdon, *Roman Women*, p. 231.
- ⁸¹ Suet. *Dom.* 12. 3. Cf. *Dig.* 25. 4. 1 *pr.*
- ⁸² Dixon, *The Roman Family*, p. 93; Balsdon, *Roman Women*, p. 232;
- ⁸³ In fact, according to Balsdon, *Roman Women*, "It seems unlikely that a married man ever kept a concubine; nor is it certain that in the early days of the empire a man ever lived in concubinage with more than one women at a time," p. 232. See also Dixon, *The Roman Family*, p. 93.
- ⁸⁴ Dixon, *The Roman Family*, p. 93.
- ⁸⁵ Pomeroy, *Goddesses, Whores, Wives, & Slaves*, p. 197; Dixon, *The Roman Family*, p. 93-4.
- ⁸⁶ The sexual nature of the relationship between a man and his concubine, combined with ineffective contraception makes it highly likely that pregnancies were commonplace in such relationships. For example, the rhythm method was advocated but it recommended sexual intercourse took place during what is now acknowledged as the most fertile time of the menstrual cycle. See Dixon, *The Roman Family*, p. 122 and Pomeroy's comprehensive summary of the methods of contraception in the Graeco-Roman period, *Goddesses, Whores, Wives, & Slaves*, pp. 166-68.
- ⁸⁷ Balsdon, *Roman Women*, p. 233.
- ⁸⁸ *RE* iv, 837 f.
- ⁸⁹ Balsdon, *Roman Women*, p. 233.

Chapter Five

Concluding Remarks

The purpose of this thesis was to investigate how, Josephus deals with the Pentateuchal laws and narratives that engage with the relationships between slave women and their Jewish masters noting where Josephus agrees with the canonical versions of the Pentateuch and where he presents considerable variations. As we have seen, much of the analysis of these topics has been concerned with thorough critical comparisons between Josephus' version of the legal and narrative material of the Pentateuch. This analysis has shown the extent to which Josephus rearranges, modifies, combines and omits material from the text of the Pentateuch, and the extent to which he, in common with other Second Temple Period writers, engage with the retelling of scripture. The subject of Josephus' rewriting of the Pentateuchal material on female slaves has been addressed by attending to the following significant issues. Firstly, Josephus' modifications to the characterisations of the principle and secondary characters in the Genesis stories, secondly, his attitude to slaves and slavery, thirdly, Josephus' general attitude towards women in his rewriting of the laws and narratives in question. Furthermore, I have looked more broadly at the wider context of Josephus' *Antiquities* paying special attention to questions of why Josephus wrote as he did and whether his work on female slaves gives us an indication of the identity of his readership, particularly to an elite Roman audience.

This study presents a substantial comparative analysis of Josephus' treatment of the Pentateuchal laws and narratives that refer to female slavery, and establishes where Josephus deviates from his biblical source, where he omits material, where he expands his source and where he rearranges and modifies the narratives. These comparisons reveal the extent of Josephus' recasting of events and characters, his attitude towards slaves and slavery, as well as his views on social class and gender. I also present a comparison of Josephus' retellings with those of other Second Temple Period sources that engage with the slave laws and narratives in order to establish whether these sources informed Josephus' interpretations. I have shown that it is unlikely that Josephus was influenced by sources other than the Pentateuch of the MT

or LXX. In the absence of any similarities between Josephus and the non-biblical sources I have argued that Josephus made his modifications to the slave laws and narratives to suit an elite Roman audience.

The discussion of Josephus' treatment of the laws of the Pentateuch that governed marriage and sexual relationships between slave women and free Jewish men asked two main questions of Josephus: firstly, the nature of the relationship between Josephus and the biblical texts, and secondly, the extent to which his views were influenced by non-Jewish traditions. It is clear from the examples of Josephus' legal interpretation studied in Chapter Two that his comments on slave law represent a combination of Josephus' own invention and a considerable amount of modification. In my first example I examined Josephus' statement in *Antiquities* IV: 244-245 in which he tells his audience that Jewish men of marriageable age are forbidden in Mosaic law to marry divorcees, female slaves and prostitutes, and that the preferred brides of Jewish men are the virgin daughters of the elite. As we have seen, this has no parallel in the Pentateuch of the MT, LXX or any other extant source that he may have been familiar with. Thus, in this instance, Josephus is not representative of any written Jewish tradition, but, he may represent contemporary Jewish practice. By comparing the individual details of Josephus' innovative law with Roman marriage traditions a pattern emerged that showed that in almost every respect his recommendations (marriageable age, desirability of virgin brides, the rejection of slave women and prostitutes as wives) comply with contemporaneous Roman, rather than traditional Jewish, practices. Moreover, that his statements were meant to impress the Roman social elite is evident in the fact that Josephus framed his 'laws' within a context that this group would have readily understood as seen in such details as: firstly, the family of the ideal prospective bride should be of the elite class as should the groom; and secondly, I argue that this 'law' contains many features which are resonant of Stoic philosophy. By setting his 'law' in this context it is likely that Josephus is placing the supposed traditions of the Jewish social elite on a par with those of their Roman counterparts.

My investigations of Josephus' interpretation of two laws of the Pentateuch which govern: a) priestly marriage, and b) the treatment of the 'beautiful captive', began with detailed comparisons between Josephus' statements and the corresponding

guidelines in the Pentateuch of the MT and LXX. The analysis demonstrated the extent to which Josephus had supplemented, modified and clarified the Pentateuch in a manner not represented in any other extant Second Temple Period source. Josephus' treatment of the Levitical text is primarily interpretative, and his modifications reflect the Jewish priestly social conventions of his time. Moreover, I suggest that Josephus' representation of the Levitical statutes in terms of elite Roman social values reflects his apologetic aims and also was intended to promote the interests of his own elite priestly social class in the wake of the Jewish war with Rome (66-70 CE).

Similarly, I demonstrate that Josephus' representation of the law regarding the 'beautiful captive' in Deuteronomy 21: 10-14 is, to a significant extent, true to the Pentateuchal tradition but that it has nevertheless, been modified. In relation to other sources (11QT, Philo), the following points emerged: I showed that the Temple Scroll closely follows Deuteronomy of MT (and in one instance LXX) with none of Josephus' modifications and was, therefore, unlikely to have informed his retelling of the law in the *Antiquities*. However, my comparison between the *Antiquities* version of Deuteronomy 21: 10-14 and that of *De Humanitate* revealed some striking similarities: all of Josephus' additions to Deuteronomy are present in Philo's rendering. Similarities may be attributed either to a common source for Deuteronomy now lost to us, or the common purpose of both authors is portraying the philanthropy of Moses and his laws in a positive light. Furthermore, I suggest that Josephus' omissions to Deuteronomy arise, in part, from his desire not to offend his Roman audience, but also primarily to smooth out some of the inherent textual difficulties within Deuteronomy 21: 10-14 of MT and LXX, as Philo did before him.

As to Josephus' agenda in these cases the following conclusions may be suggested: 1) that his representations of these laws are, to variable degrees, aimed at convincing an elite Roman audience that in matters of marriage and sexual relationships Roman and Jewish law and practice were highly compatible; 2) that in drawing both explicit and implicit parallels between the Jewish and Roman slave practice and tradition, Josephus is conveying two overarching concerns to his readership. Firstly, that the laws of Moses were humane and compassionate, and that they, like Roman laws, were concerned with elite male and female morality and the legitimacy of children.

Secondly, that in significant aspects of social class and moral ethics, with regard to marriage and various other (female) social inferiors, the practices and expectations of the traditional Jewish priestly ruling elite were parallel to the Roman senatorial class. Josephus' agenda is presented as sub-text within the wider methodological context of an interpretation of the Pentateuch which, although at points appears to be extremely loose, retells, often accurately, the essence of biblical law.

Let us return to my initial questions with regard to Josephus' interpretation of the Hagar narratives: what is Josephus' technique and agenda for his retelling of Genesis 16: 1-16 and 21: 9-21? We have seen that Josephus substantially alters the Hagar episodes in order to present his readers with a stylistically coherent structure by modifying many of the apparent inconsistencies of MT or LXX on Genesis. To achieve this, the narratives are often highly abbreviated by Josephus, and their chronology altered. Moreover, Josephus reverses the power structures that exist in Genesis between Hagar, Sarah and Abraham, and minimises the significance of the female actions in the narratives in favour of enhancing Abraham's. I have argued that, in the instances in Genesis where these individuals and their actions stray from the social and cultural expectations of his high-status Roman audience, Josephus modifies them accordingly in his retelling. I have shown that, in direct opposition to their characterisations and the extent to which each individual participates in Genesis of MT and LXX, Josephus has recast Abraham as the morally pure and dominant head of his household, whereas Sarah's character is reduced in the *Antiquities*: she becomes a subservient, acquiescent adjunct to Josephus' portrayal of her husband. Likewise, Hagar's character, as with Sarah, is minimised and recast as a typically slave-like and insubordinate social inferior of both Abraham and Sarah. I have demonstrated that, among the wide variety of extant sources that deal with the Hagar episodes, Josephus is the only interpreter of these stories to reshape them in this manner.

Although Josephus' interpretation often presents considerable variations from MT and LXX Deuteronomy, I argue that in fact he offers his readers a carefully considered retelling of the Hagar episodes that originates from, and is constructed around, his apologetic motives as an interpreter of biblical history. My analysis of Josephus' treatment of the Hagar episodes identifies key themes in his reconstruction

of the relationships and power dynamics between the characters, and I have suggested that Josephus reinterpreted the manner in which Genesis portrays the characters according to Hellenistic typological models. Thus, Josephus provided his elite Roman audience with a representation of a ‘correct’ Hellenistic social order in a Jewish context by remodelling the characters to conform to their appropriate social status: a strong male hero, a submissive heroine and a villainess slave.

In the final chapter we saw that Josephus’ interpretation of the scenes that narrate the birth of Jacob’s children amounts to a substantial rewriting of the canonical version of Genesis, in the process of which he made significant modifications to the characterisations and status of the main protagonists as we know them from the biblical accounts. I showed that, as compared to extant sources that also engage with the birth of Jacob’s children, Josephus stands alone among the other interpreters in portraying the narratives in this manner. What precedes and follows the birth narratives in the Jacob story in the *Antiquities* is an interpretation that adheres to the content and chronology of his Genesis source, but is retold by Josephus in the form of a Hellenistic literary love story. The birth scenes themselves, however, are radically foreshortened and reshaped. This led me to ask three fundamental questions of Josephus: what has been altered, how has it been altered, and why has he altered it? The narratives in canonical Genesis offer a sensitive portrait of Rachel and Leah whose sole importance in this part of the Genesis narrative is to produce, either from themselves or via their slave women, the ancestors of the eponymous twelve tribes of Israel in circumstances that were complicated by the dishonesty of their father. The narrator of Genesis infused the story with elements of drama and pathos, which, as I have shown, has been reduced by Josephus who made substantial cuts in his retelling of the story so that only the basic outline of the chronological order of which child was born to which mother remains.

Of primary concern in this chapter was how to account for Josephus’ modification of the status of Zelpha and Balla from slave women (MT and LXX) to the “subordinates” of Rachel and Leah, and the concubines of Jacob. Josephus, by comparison with any other extant source, is unique in so designating Zelpha and Balla. Thus, I argue that this modification was made in this instance, and not in his retelling of the parallel Hagar story, because of its negative ramifications for the

continuing account of patriarchal history, and indeed the history of the Jews. I suggested that Hagar's status remained unchanged by Josephus because it is Abraham's 'legitimate' son, and not his son by a slave woman, that advanced the Abraham narratives. In the case of Jacob's children, all of his sons, whether the issue of his wives or their slave women, go on to found the twelve tribes of Israel. So, how did Josephus prevent his elite Roman audience from perceiving that a large proportion of Jews are descended from the bastard children of slaves? I demonstrate that Josephus circumvents this problem by simply recasting the status of Zelpha and Balla in terms that would appear, although somewhat unorthodox, morally and legally acceptable. I argue that this explanation also demonstrates Josephus' agenda, that is, to provide an interpretation of the birth of Jacob's children which portrays the characters and contexts of the Genesis narratives in the best possible light to his Roman audience. This he achieved by recasting the actors in the narrative as Hellenistic literary and social stereotypes and by excising material that may have compromised the social, moral and legal sensibilities of his Roman audience. If we are to judge from the extent of Josephus' editing, the quantity of unsatisfactory material in the Zelpha and Balla stories, as compared to the Hagar episodes, was considerable.

Beyond that which has so far been revealed with respect to Josephus' method and reasons for his rewriting of the Pentateuch in this study, a considerable amount of supplementary data has come to light that demonstrates his techniques of biblical interpretation, his agenda, as well as his attitude to a number of issues that he either directly, or indirectly, addresses in his accounts of the Pentateuchal slave laws and narratives.

Firstly, it is evident that Josephus' interpretations of the Pentateuchal laws and narratives discussed in this thesis constitute a sensitive and reflective reading and rewriting of the Pentateuch of MT and LXX. Josephus' retellings, in almost all cases, accommodate the integrity of the structure, events and chronology of his source. This demonstrates that, although his interpretations of Pentateuchal slave laws and narratives in *Antiquities* I-IV are not simply translated from the Hebrew scriptures as he claims, his methodological processes show his concern to rewrite the Bible as authentically as possible within the parameters of his apologetic agenda. Moreover,

Josephus' meticulous care and attention in his re-presentation of the slave laws that govern free/slave relationships, and his recasting of the events, individual characters, and their personal interactions shows how important Josephus perceived the Pentateuchal stories to be, and how seriously he wished his elite Roman audience to regard them.

Secondly, if we view the extent of Josephus' reworking of the male and female subjects of the laws and narratives under discussion in this study in the light of his apologetic motivations we are faced with a potential problem. Given that I argue that one of the primary reasons behind the creation of the *Antiquities* was to show elite Roman men that Jewish and Roman ethics, morals and social discriminations were comparable in most respects, are Josephus' writings on the subject of gender roles a reflection of his own views, or have they been constructed solely to appeal to his audience? Certainly the scant amount of scholarly attention paid to Josephus' attitude towards women, to which this thesis makes a small contribution, goes some way to affirming that his views were misogynistic, but, until a full survey of his statements with regard to women is conducted we are not in possession of the full picture. However, the majority of Second Temple Period literature which pertains to women suggests that Jews, like their Graeco-Roman contemporaries, viewed women as subordinate to men in practically all aspects of life. Thus, it is reasonable to conjecture that Josephus' comments on women in his interpretation of the slave laws and narratives examined in this study, presupposes that his view of women generally reflects the androcentric values of wider Hellenistic society.

Finally, my investigations in this thesis represent the first steps towards a proper understanding of Josephus' view of slaves and slavery, albeit limited to the question of female slaves in the Pentateuch. On this topic, it could be that we are faced with the same potential problems as in the preceding discussion: is Josephus expressing personal views; those of wider Jewish tradition and practice; or those of elite Roman law and society? However, the merits or disadvantages of slaves, slave ownership or slavery as a social or philosophical construct are not engaged with by Josephus anywhere in his writings as an independent argument or discussion, something that is a feature of other Hellenistic Jewish writers such as Paul and Philo, and non-Jewish

literature in antiquity. Josephus' references to slaves and slavery, other than in his interpretation of the Pentateuchal slave laws, are purely incidental. He refers in passing to slaves who appear in his sources for his retelling of biblical narratives, when they have been of use to a character in his historical narrative, where they are complicit in murderous or criminal activity, or when he refers to, in particular, the enslavement of Jews by foreign armies. That slaves are otherwise unremarkable to Josephus demonstrates that the concept of slavery is unquestioned and accepted by him, and, moreover, that the existence of slaves in his social setting is normal, natural and inevitable. In the context of the Graeco-Roman world of the First Century CE, it would appear that elite Jews such as Josephus had fully embraced Hellenistic slave traditions and practices.

Appendix of Biblical and Other Texts

Chapter Two: Slave Law in the Pentateuch

MT of Deuteronomy 21: 10-14:

10 When you go out to battle against your enemies, and Jehovah your God has given them into your hands and you have taken them captive; 11 and you have seen in the captivity a woman of beautiful face, and you desire her, even to take her to you as a wife, 12 then you shall bring her into the midst of your household. And she shall shave her head, and prepare her nails, 13 and shall remove the clothing of her captivity from her, and shall live in your house, and shall bewail her father and her mother a month of days. Then afterwards you shall go in to her, and shall marry her; and she shall be a wife to you. 14 And it shall be, if you do not delight in her, you shall send her away at her desire; and you shall not at all sell her for silver; you shall not treat her as a slave, because you have humbled her.

10 כִּי־תֵצֵא לְמִלְחָמָה עַל־אֹיְבֶיךָ וַנִּתְּנוּ יְהוָה אֱלֹהֶיךָ בְיָדְךָ וּשְׁבִיּוֹת שְׁבוּיֹת
11 וּרְאִיתָ בַשְּׁבוּיָה אִשָּׁת יְפֹת־תָאֵר וַחֲשַׁקְתָּ בָּהּ וּלְקַחְתָּ לָּךְ לְאִשָּׁה:
12 וְהִבֵּאתָהּ אֶל־תּוֹךְ בֵּיתְךָ וְגִלַּחְתָּהּ אֶת־רֹאשָׁהּ וְעִשְׂתָּהּ אֶת־צַפְרֵינֶיהָ:
13 וְהִסִּירָהּ אֶת־שִׁמְלַת שְׁבוּיָהּ מֵעָלֶיהָ וַיֵּשְׁבָהּ בְּבֵיתְךָ וּבִכְתָּהּ
אֶת־אָבִיהָ וְאֶת־אִמָּהּ יָרַח יָמִים וְאַחַר כֵּן תָּבוֹא אֵלֶיהָ וּבִעֲלֹתָהּ וְהָיְתָה לָּךְ לְאִשָּׁה:
14 וְהָיָה אִם־לֹא חָפְצָתָּ בָּהּ וּשְׁלַחְתָּהּ לְנַפְשָׁהּ וּמָכַר לְאֶת־מַכְרָנָהּ בַּכֶּסֶף
לְאֶת־תַּעֲמֹר בָּהּ תַּחַת אֲשֶׁר עָנִיתָהּ: ם

LXX of Deuteronomy 21: 10-14:

10 And if when thou goest out to war against thine enemies, the Lord thy God should deliver them into thine hands and thou shouldest take their spoil, 11 and shouldest see among the spoil a woman beautiful in countenance, and shouldest desire her, and take her to thyself for a wife, 12 and shouldest bring her within thine house: then shalt thou shave her head, and pare her nails; 13 and shalt take away her garments of captivity from off her, and she shall abide in thine house, and shall bewail her father and her mother the days of a month; and afterwards thou shalt go in to her and dwell with her, and she shall be thy wife. 14 And it shall be if thou do not delight in her, thou shalt send her out free; and she shall not by any means be sold for money, thou shalt not treat her contemptuously, because thou hast humbled her.

10. ἐὰν δὲ ἐξελθὼν εἰς πόλεμον ἐπὶ τοὺς ἐχθροὺς σου καὶ παραδῶ σοι κύριος ὁ θεός σου εἰς τὰς χεῖράς σου καὶ προνομεύσεις τὴν προνομήν αὐτῶν

11. καὶ ἴδῃς ἐν τῇ προνομῇ γυναῖκα καλὴν τῷ εἶδει καὶ ἐνθυμηθῆς αὐτῆς καὶ λάβῃς αὐτὴν σαυτῷ γυναῖκα

12. καὶ εἰσάξεις αὐτὴν ἔνδον εἰς τὴν οἰκίαν σου καὶ ξυρήσεις τὴν κεφαλὴν αὐτῆς καὶ περιουχιεῖς αὐτὴν

13. καὶ περιελεῖς τὰ ἱμάτια τῆς αἰχμαλωσίας αὐτῆς ἀπ' αὐτῆς καὶ καθίεται ἐν τῇ οἰκίᾳ σου καὶ κλαύσεται τὸν πατέρα καὶ τὴν μητέρα μηνὸς ἡμέρας καὶ μετὰ ταῦτα εἰσελεύσῃ πρὸς αὐτὴν καὶ συνοικισθήσῃ αὐτῇ καὶ ἔσται σου γυνή

14. καὶ ἔσται ἐὰν μὴ θέλῃς αὐτὴν ἔξαποστελεῖς αὐτὴν ἔλευθέραν καὶ πράσει οὐ πραθήσεται ἀργυρίου οὐκ ἀθετήσεις αὐτὴν διότι ἔταπεινώσας αὐτὴν

Chapter Three: The Hagar Chapter

The First Hagar Episode:

Genesis 16: 1-16

^{16:1} Now Sarai, Abram's wife, had borne him no children. But she had an Egyptian maidservant named Hagar; ² so she said to Abram, "The LORD has kept me from having children. Go, sleep with my maidservant; perhaps I can build a family through her."

Abram agreed to what Sarai said. ³ So after Abram had been living in Canaan ten years, Sarai his wife took her Egyptian maidservant Hagar and gave her to her husband to be his wife. ⁴ He slept with Hagar, and she conceived.

When she knew she was pregnant, she began to despise her mistress. ⁵ Then Sarai said to Abram, "You are responsible for the wrong I am suffering. I put my servant in your arms, and now that she knows she is pregnant, she despises me. May the LORD judge between you and me."

^{16:6} "Your servant is in your hands," Abram said. "Do with her whatever you think best." Then Sarai mistreated Hagar; so she fled from her.

^{16:7} The angel of the LORD found Hagar near a spring in the desert; it was the spring that is beside the road to Shur. ⁸ And he said, "Hagar, servant of Sarai, where have you come from, and where are you going?"

"I'm running away from my mistress Sarai," she answered.

^{16:9} Then the angel of the LORD told her, "Go back to your mistress and submit to her." ¹⁰ The angel added, "I will so increase your descendants that they will be too numerous to count."

^{16:11} The angel of the LORD also said to her:
"You are now with child
and you will have a son.
You shall name him Ishmael,
for the LORD has heard of your misery.

^{16:12} He will be a wild ass of a man;
his hand will be against everyone
and everyone's hand against him,
and he will live in hostility
toward all his brothers."

^{16:13} She gave this name to the LORD who spoke to her: "You are the God who sees me," for she said, "I have now seen the One who sees me." ¹⁴ That is why the well was called Beer Lahai Roi; it is still there, between Kadesh and Bered.

^{16:15} So Hagar bore Abram a son, and Abram gave the name Ishmael to the son she had borne. ¹⁶ Abram was eighty-six years old when Hagar bore him Ishmael.

Genesis 16: 1-16 of LXX

1. Σαρα δὲ ἡ γυνὴ Ἀβραμ οὐκ ἔτικτεν αὐτῷ. ἦν δὲ αὐτῇ παιδίσκη Αἰγυπτία, ἣ ὄνομα Ἀγαρ.
2. εἶπεν δὲ Σαρα πρὸς Ἀβραμ Ἰδοὺ συνέκλεισέν με κύριος τοῦ μὴ τίκτειν· εἴσελθε οὖν πρὸς τὴν παιδίσκην μου, ἵνα τεκνοποιήσῃς ἐξ αὐτῆς. ὑπήκουσεν δὲ Ἀβραμ τῆς φωνῆς Σαρᾶς.
3. καὶ λαβοῦσα Σαρα ἡ γυνὴ Ἀβραμ Ἀγαρ τὴν Αἰγυπτίαν τὴν ἑαυτῆς παιδίσκην - μετὰ δέκα ἔτη τοῦ οἰκῆσαι Ἀβραμ ἐν γῆ Χανααν - καὶ ἔδωκεν αὐτὴν Ἀβραμ τῷ ἀνδρὶ αὐτῆς αὐτῷ γυναῖκα.
4. καὶ εἰσήλθεν πρὸς Ἀγαρ, καὶ συνέλαβεν καὶ εἶδεν ὅτι ἐν γαστρὶ ἔχει, καὶ ἠτιμάσθη ἡ κυρία ἐναντίον αὐτῆς.
5. εἶπεν δὲ Σαρα πρὸς Ἀβραμ Ἄδικοῦμαι ἐκ σοῦ· ἐγὼ δέδωκα τὴν παιδίσκην μου εἰς τὸν κόλπον σου, ἰδοῦσα δὲ ὅτι ἐν γαστρὶ ἔχει, ἠτιμάσθη ἐναντίον αὐτῆς· κρίναι ὁ θεὸς ἀνὰ μέσον ἐμοῦ καὶ σοῦ.
6. εἶπεν δὲ Ἀβραμ πρὸς Σαραν Ἰδοὺ ἡ παιδίσκη σου ἐν ταῖς χερσίν σου· χρῶ αὐτῇ, ὡς ἂν σοι ἀρεστὸν ᾖ. καὶ ἐκάκωσεν αὐτὴν Σαρα, καὶ ἀπέδρα ἀπὸ προσώπου αὐτῆς.
7. Εὗρεν δὲ αὐτὴν ἄγγελος κυρίου ἐπὶ τῆς πηγῆς τοῦ ὕδατος ἐν τῇ ἐρήμῳ, ἐπὶ τῆς πηγῆς ἐν τῇ ὁδῷ Σουρ.
8. καὶ εἶπεν αὐτῇ ὁ ἄγγελος κυρίου Ἀγαρ παιδίσκη Σαρᾶς, πόθεν ἔρχη καὶ ποῦ πορεύῃ; καὶ εἶπεν Ἀπὸ προσώπου Σαρᾶς τῆς κυρίας μου ἐγὼ ἀποδιδράσκω.
9. εἶπεν δὲ αὐτῇ ὁ ἄγγελος κυρίου Ἀποστράφητι πρὸς τὴν κυρίαν σου καὶ ταπεινώθητι ὑπὸ τὰς χεῖρας αὐτῆς.
10. καὶ εἶπεν αὐτῇ ὁ ἄγγελος κυρίου Πληθύνων πληθυνῶ τὸ σπέρμα σου, καὶ οὐκ ἀριθμηθήσεται ἀπὸ τοῦ πλήθους.
11. καὶ εἶπεν αὐτῇ ὁ ἄγγελος κυρίου Ἰδοὺ σὺ ἐν γαστρὶ ἔχεις καὶ τέξῃ υἱὸν καὶ καλέσεις τὸ ὄνομα αὐτοῦ Ἰσμαηλ, ὅτι ἐπήκουσεν κύριος τῇ ταπεινώσει σου.
12. οὗτος ἔσται ἄγροικος ἄνθρωπος· αἱ χεῖρες αὐτοῦ ἐπὶ πάντας, καὶ αἱ χεῖρες πάντων ἐπ' αὐτόν, καὶ κατὰ πρόσωπον πάντων τῶν ἀδελφῶν αὐτοῦ κατοικήσει.
13. καὶ ἐκάλεσεν Ἀγαρ τὸ ὄνομα κυρίου τοῦ λαλοῦντος πρὸς αὐτὴν Σὺ ὁ θεὸς ὁ ἐπιδῶν με· ὅτι εἶπεν Καὶ γὰρ ἐνώπιον εἶδον ὀφθέντα μοι.
14. ἐνεκεν τούτου ἐκάλεσεν τὸ φρέαρ Φρέαρ οὐ ἐνώπιον εἶδον· ἰδοὺ ἀνὰ μέσον Καδης καὶ ἀνὰ μέσον Βαραδ.
15. Καὶ ἔτεκεν Ἀγαρ τῷ Ἀβραμ υἱόν, καὶ ἐκάλεσεν Ἀβραμ τὸ ὄνομα τοῦ υἱοῦ αὐτοῦ, ὃν ἔτεκεν αὐτῷ Ἀγαρ, Ἰσμαηλ.
16. Ἀβραμ δὲ ἦν ὀγδοήκοντα ἕξ ἐτῶν, ἠνίκα ἔτεκεν Ἀγαρ τὸν Ἰσμαηλ τῷ Ἀβραμ.

The Second Hagar Episode:

Genesis 21: 1-21:

And Jehovah visited as He had said. Yea, the Lord did to Sarah as he had spoken. 2 And Sarah conceived and bore a son to Abraham in his old age, at the time appointed, that which God had spoken with him. 3 And Abraham called the name of the son who was born to him, Isaac. 4 And Abraham circumcised his son Isaac, a son of eight days, as God had commanded him. 5 And Abraham was a son of a hundred years when his son Isaac was born to him. 6 And Sarah said, God has made laughter for me; and all who hear will laugh with me. 7 And she said to Abraham, Will Sarah suckle sons? For I have borne a son to his old age. 8 And the child grew and was weaned. And Abraham made a great feast on the day that Isaac was weaned. 9 And Sarah saw the son of Hagar the Egyptian, he whom she had born to Abraham, mocking. 10 And she said to Abraham, Drive away this slavegirl and her son, for the son of this slavegirl shall not inherit with my son, with Isaac. 11 And the thing was very crushing in the eyes of Abraham, on account of his son. 12 And God said to Abraham, Let it not be crushing in your eyes because of the boy, and on your slavegirl. All that Sarah says to you, listen to her voice, for in Isaac your seed shall be called. 13 And also I will make a nation of the son of the slavegirl, for he is your seed. 14 And Abraham started up early in the morning and took bread and a skin of water. And he gave to Hagar, putting them on her shoulder, and the child, and sent her away. And she left and wandered in the wilderness of Beer-sheba. 15 And the water from the skin was finished, and she put the boy under one of the shrubs. 16 and she went and sat down opposite him, about a bowshot away. For she said, Let me not see the death of the boy. And she sat opposite and raised her voice and wept. 17 And God heard the voice of the young boy. And the angel of God called to Hagar out of the heavens. And he said to her, What ails you, Hagar? Do not fear, for God has heard the voice of the boy, there where he is. 18 Rise up; lift up the boy and make your hand strong on him, for I will make of him a great nation. 19 And God opened her eyes, and she saw a well of water. And she went and filled the skin with water, and gave drink to the young boy. 20 And God was with the boy. And he grew up. And he lived in the wilderness and became an archer. 21 And he lived in the wilderness of Parah. And his mother took a wife for him out of the land of Egypt.

MT of Genesis 21: 1-21:

1 וַיְהִי וַיִּבְרַח פְּקֹד אֶת־שָׂרָה כַּאֲשֶׁר אָמַר וַיַּעַשׂ יְהוָה לְשָׂרָה כַּאֲשֶׁר דִּבֶּר׃
2 וַתֵּהָרֵי וַתֵּלֶד שָׂרָה לְאַבְרָהָם בֶּן לְזָקְנָיו לְמוֹעֵד אֲשֶׁר־דִּבֶּר אֱלֹהִים׃
3 וַיִּקְרָא אַבְרָהָם אֶת־שֵׁם־בְּנוֹ הַנּוֹלָד־לּוֹ אֲשֶׁר־יָלְדָהּ־לוֹ שָׂרָה יִצְחָק׃
4 וַיִּמַּל אַבְרָהָם אֶת־יִצְחָק בְּנוֹ בֶּן־שְׁמֹנֶת יָמִים כַּאֲשֶׁר צִוָּה אֱלֹהִים׃
5 וַאֲבְרָהָם בֶּן־מֵאָת שָׁנָה בְּהוֹלֵד לוֹ אֶת יִצְחָק בְּנוֹ׃
6 וַתֹּאמֶר שָׂרָה צִחֶק עָשָׂה לִי אֱלֹהִים כָּל־הַשְּׁמֵעַ יִצְחָק־לִי׃
7 וַתֹּאמֶר מִי מִלֵּל לְאַבְרָהָם הַיְנִיקָה בָנִים שָׂרָה כִּי־יֵלְדֵתִי בֶּן לְזָקְנָיו׃
8 וַיִּגְדַּל הַיֶּלֶד וַיִּנְמַל וַיַּעַשׂ אַבְרָהָם מִשְׁתֵּה גְדוֹל בַּיּוֹם הַנִּמְלֵ אֶת־יִצְחָק׃
9 וַתֵּרָא שָׂרָה אֶת־בֶּן־הַגֵּר הַמִּצְרִית אֲשֶׁר־יָלְדָהּ לְאַבְרָהָם מִצְחָק׃
10 וַתֹּאמֶר לְאַבְרָהָם

גִּרְשׁ הָאֵמָה הַזֹּאת וְאֶת־בְּנֶהּ כִּי לֹא יִירָשׁ בֶּן־הָאֵמָה הַזֹּאת עִם־בְּנֵי עַם־יִצְחָק׃
 11 וַיִּרַע הַדָּבָר מְאֹד בְּעֵינָי אַבְרָהָם עַל אֹדֶת בְּנֵי׃
 12 וַיֹּאמֶר אֱלֹהִים אֶל־אַבְרָהָם אַל־יִרַע בְּעֵינֶיךָ עַל־הַנְּעֹר וְעַל־אֲמֹתֶיךָ כֹּל אֲשֶׁר
 תֹּאמַר אֵלֶיךָ שָׂרָה שָׁמַע בְּקֹלָהּ כִּי בִי־צָחַק יִקְרָא לָךְ זָרַע׃
 13 וְגַם אֶת־בְּנֵי־הָאֵמָה לִגְוֵי אֲשִׁימְנֹו כִּי זָרַעְךָ הוּא׃
 14 וַיִּשְׁכֶם אַבְרָהָם בְּבִקְרַ וַיִּקְחֶלֶחַם וַחֲמַת מַיִם וַיִּתֵּן אֶל־הַגֵּר שֵׁם עַל־שְׂכֻמָּה
 וְאֶת־הַיֶּלֶד וַיִּשְׁלַחַהּ וַתֵּלֶךְ וַתִּתַּע בְּמִדְבַר בְּאֵר שֶׁבַע׃
 15 וַיִּכְלוּ הַמַּיִם מִן־הַחֲמַת וַתִּשְׁלַךְ אֶת־הַיֶּלֶד תַּחַת אֶחָד הַשִּׁיחִים׃
 16 וַתֵּלֶךְ וַתֵּשֶׁב לָהּ מִנְּגַד הַרְחֵק כַּמֶּטְחָוּ קִשְׁתָּ כִּי אָמְרָה אֶל־אֲרָאָה בְּמוֹת
 הַיֶּלֶד וַתֵּשֶׁב מִנְּגַד וַתִּשָּׂא אֶת־קִלְיָהּ וַתִּבְרַךְ׃
 17 וַיִּשְׁמַע אֱלֹהִים אֶת־קוֹל הַנְּעֹר וַיִּקְרָא מִלֶּאֱךָ אֱלֹהִים אֶל־הַגֵּר מִן־הַשָּׁמַיִם
 וַיֹּאמֶר לָהּ מַה־לָּךְ הַגֵּר אֶל־תִּירָאִי כִּי־שָׁמַע אֱלֹהִים אֶל־קוֹל הַנְּעֹר בְּאֲשֶׁר
 הוּא־שָׁם׃
 18 קִוַּמִּי שָׂאִי אֶת־הַנְּעֹר וְהַחֲזִיקִי אֶת־יָדְךָ בּוֹ כִּי־לִגְוֵי גְדוֹל אֲשִׁימְנֹו׃
 19 וַיִּפְקַח אֱלֹהִים אֶת־עֵינֶיהָ וַתֵּרָא בְּאֵר מַיִם וַתֵּלֶךְ וַתִּמְלֵא אֶת־הַחֲמַת מַיִם
 וַתִּשָּׂק אֶת־הַנְּעֹר׃
 20 וַיְהִי אֱלֹהִים אֶת־הַנְּעֹר וַיִּנְהַל וַיֵּשֶׁב בְּמִדְבַר וַיְהִי רַבָּה קִשְׁתָּ׃
 21 וַיֵּשֶׁב בְּמִדְבַר פְּאָרָן וַתִּקְחֶלֶוּ אִמּוֹ אִשָּׁה מֵאֶרֶץ מִצְרַיִם׃

Genesis 21: 1-21 of LXX:

- 1 καὶ κύριος ἐπεσκέψατο τὴν Σαρραν καθὰ εἶπεν καὶ ἐποίησεν κύριος τῇ Σαρρα καθὰ ἐλάλησεν
- 2 καὶ συλλαβοῦσα ἔτεκεν Σαρρα τῷ Αβρααμ υἷον εἰς τὸ γῆρας εἰς τὸν καιρὸν καθὰ ἐλάλησεν αὐτῷ κύριος
- 3 καὶ ἐκάλεσεν Αβρααμ τὸ ὄνομα τοῦ υἱοῦ αὐτοῦ τοῦ γενομένου αὐτῷ ὃν ἔτεκεν αὐτῷ Σαρρα Ἰσαακ
- 4 περιέτεμεν δὲ Αβρααμ τὸν Ἰσαακ τῇ ὀγδόῃ ἡμέρᾳ καθὰ ἐνετείλατο αὐτῷ ὁ θεός
- 5 Αβρααμ δὲ ἦν ἑκατὸν ἑτῶν ἠνίκα ἐγένετο αὐτῷ Ἰσαακ ὁ υἱὸς αὐτοῦ
- 6 εἶπεν δὲ Σαρρα γέλωτά μοι ἐποίησεν κύριος ὅς γὰρ ἂν ἀκούσῃ συγχαρεῖται μοι
- 7 καὶ εἶπεν τίς ἀναγγελεῖ τῷ Αβρααμ ὅτι θηλάζει παιδίον Σαρρα ὅτι ἔτεκεν υἷον ἐν τῷ γήρει μου
- 8 καὶ ἠϋξήθη τὸ παιδίον καὶ ἀπεγαλακτίσθη καὶ ἐποίησεν Αβρααμ δοχὴν μεγάλην ἢ ἡμέρα ἀπεγαλακτίσθη Ἰσαακ ὁ υἱὸς αὐτοῦ
- 9 ἰδοῦσα δὲ Σαρρα τὸν υἷον Αγαρ τῆς Αἰγυπτίας ὃς ἐγένετο τῷ Αβρααμ παίζοντα μετὰ Ἰσαακ τοῦ υἱοῦ αὐτῆς
- 10 καὶ εἶπεν τῷ Αβρααμ ἔκβαλε τὴν παιδίσκην ταύτην καὶ τὸν υἷον αὐτῆς οὐ γὰρ κληρονομήσει ὁ υἱὸς τῆς παιδίσκης ταύτης μετὰ τοῦ υἱοῦ μου Ἰσαακ
- 11 σκληρὸν δὲ ἐφάνη τὸ ῥῆμα σφόδρα ἐναντίον Αβρααμ περὶ τοῦ υἱοῦ αὐτοῦ
- 12 εἶπεν δὲ ὁ θεὸς τῷ Αβρααμ μὴ σκληρὸν ἔστω τὸ ῥῆμα ἐναντίον σου περὶ τοῦ παιδίου καὶ περὶ τῆς παιδίσκης πάντα ὅσα ἐὰν εἴπῃ σοι Σαρρα ἄκουε τῆς φωνῆς αὐτῆς ὅτι ἐν Ἰσαακ κληθήσεται σοι σπέρμα
- 13 καὶ τὸν υἷον δὲ τῆς παιδίσκης ταύτης εἰς ἔθνος μέγα ποιήσω αὐτόν ὅτι σπέρμα σόν ἐστιν

14 ἀνέστη δὲ Ἀβραὰμ τὸ πρῶν καὶ ἔλαβεν ἄρτους καὶ ἄσκον ὕδατος καὶ ἔδωκεν Ἀγὰρ καὶ ἐπέθηκεν ἐπὶ τὸν ὦμον καὶ τὸ παιδίον καὶ ἀπέστειλεν αὐτὴν ἀπελθοῦσα δὲ ἐπλανᾶτο τὴν ἔρημον κατὰ τὸ φρέαρ τοῦ ὄρκου

15 ἐξέλιπεν δὲ τὸ ὕδωρ ἐκ τοῦ ἄσκου καὶ ἔρριψεν τὸ παιδίον ὑποκάτω μιᾶς ἐλάτης

16 ἀπελθοῦσα δὲ ἐκάθητο ἀπέναντι αὐτοῦ μακρόθεν ὥσει τόξου βολὴν εἶπεν γὰρ οὐ μὴ ἴδω τὸν θάνατον τοῦ παιδίου μου καὶ ἐκάθισεν ἀπέναντι αὐτοῦ ἀναβοῶσα δὲ τὸ παιδίον ἔκλαυσε

17 εἰσήκουσεν δὲ ὁ θεὸς τῆς φωνῆς τοῦ παιδίου ἐκ τοῦ τόπου οὗ ἦν καὶ ἐκάλεσεν ἄγγελος τοῦ θεοῦ τὴν Ἀγὰρ ἐκ τοῦ οὐρανοῦ καὶ εἶπεν αὐτῇ τί ἐστὶν Ἀγὰρ μὴ φοβοῦ ἐπακήκοεν γὰρ ὁ θεὸς τῆς φωνῆς τοῦ παιδίου σου ἐκ τοῦ τόπου οὗ ἐστὶν

18 ἀνάστηθι λαβὲ τὸ παιδίον καὶ κράτησον τῇ χειρὶ σου αὐτό εἰς γὰρ ἔθνος μέγα ποιήσω αὐτόν

19 καὶ ἀνέωξεν ὁ θεὸς τοὺς ὀφθαλμοὺς αὐτῆς καὶ εἶδεν φρέαρ ὕδατος ζῶντος καὶ ἐπορεύθη καὶ ἔπλησεν τὸν ἄσκον ὕδατος καὶ ἐπότισεν τὸ παιδίον

20 καὶ ἦν ὁ θεὸς μετὰ τοῦ παιδίου καὶ ηὔξηθη καὶ κατώκησεν ἐν τῇ ἐρήμῳ ἐγένετο δὲ τοξότης

21 καὶ κατώκησεν ἐν τῇ ἐρήμῳ τῇ Φαράν καὶ ἔλαβεν αὐτῷ ἡ μήτηρ γυναῖκα ἐκ γῆς Αἰγύπτου

Paul's Epistle to the Galatians 4: 21-31

21 Tell me, you who want to be under the law, are you not aware of what the law says? 22 For it is written that Abraham had two sons, one by the slave woman and the other by the free woman. 23 His son by the slave woman was born in the ordinary way; but his son by the free woman by born as the result of a promise. 24 These things may be taken figuratively, for the woman represents two covenants. One covenant is from Mount Sinai and bears children who are to be slaves: This is Hagar. 25 Now Hagar stands for Mount Sinai in Arabia and corresponds to the present city of Jerusalem, because she is in slavery with her children. 26 But the Jerusalem that is above is free, and she is our mother. 27 For it is written:

“Be glad, O barren woman,
who bears no children;
break forth and cry aloud,
you who have no labour pains;
there are more children of the desolate woman
than of her who has a husband.”

28 Now you, brothers, like Isaac, are children of promise. 29 At that time the son born in the ordinary way persecuted the son born by the power of the spirit. It is the same now. 30 But what does the Scripture say? “Get rid of the slave woman and her son, for the slave woman’s son will never share in the inheritance with the free woman’s son.” 31 Therefore, brothers, we are not children of the slave woman, but of the free woman.

21 Λέγετέ μοι, οἱ ὑπὸ νόμον θέλοντες εἶναι, τὸν νόμον οὐκ ἀκούετε;

22 γέγραπται γὰρ, ὅτι Ἀβραὰμ δύο υἱοὺς ἔσχεν· ἓνα ἐκ τῆς παιδίσκης, καὶ ἓνα ἐκ τῆς ἐλευθέρας.

23 ἀλλ' ὁ μὲν ἐκ τῆς παιδίσκης κατὰ σάρκα γεγέννηται, ὁ δὲ ἐκ τῆς ἐλευθέρας διὰ τῆς ἐπαγγελίας.

24 ἄτινά ἐστιν ἀλληγορούμενα· αὗται γὰρ εἰσιν αἱ δύο διαθήκαι· μία μὲν ἀπὸ ὄρους Σινᾶ, εἰς δουλείαν γεννώσα, ἥτις ἐστὶν Ἀγάρ.

25 τὸ γὰρ Ἀγάρ Σινᾶ ὄρος ἐστὶν ἐν τῇ Ἀραβίᾳ, συστοιχεῖ δὲ τῇ νῦν Ἱερουσαλήμ, δουλεύει δὲ μετὰ τῶν τέκνων αὐτῆς.

26 ἡ δὲ ἄνω Ἱερουσαλήμ ἐλευθέρη ἐστίν, ἥτις ἐστὶ μήτηρ πάντων ἡμῶν·

27 γέγραπται γάρ, Εὐφράνθητι, στείρα ἢ οὐ τίκτουσα· ῥῆξον καὶ βόησον, ἢ οὐκ ὠδίνουσα· ὅτι πολλὰ τὰ τέκνα τῆς ἐρήμου μᾶλλον ἢ τῆς ἐχούσης τὸν ἄνδρα.

28 ἡμεῖς δέ, ἀδελφοί, κατὰ Ἰσαὰκ ἐπαγγελίας τέκνα ἐσμέν.

29 ἀλλ' ὥσπερ τότε ὁ κατὰ σάρκα γεννηθεὶς ἐδίωκε τὸν κατὰ Πνεῦμα, οὕτω καὶ νῦν.

30 ἀλλὰ τί λέγει ἡ γραφή; Ἔκβαλε τὴν παιδίσκη καὶ τὸν υἱὸν αὐτῆς, οὐ γὰρ μὴ κληρονομήσῃ ὁ υἱὸς τῆς παιδίσκης μετὰ τοῦ υἱοῦ τῆς ἐλευθέρως.

31 ἄρα, ἀδελφοί, οὐκ ἐσμέν παιδίσκης τέκνα, ἀλλὰ τῆς ἐλευθέρως.

Hagar in Philo's *Every Good Man is Free* 17-19:

Slavery then is applied in one sense to bodies, in another to souls; bodies have men for masters, souls their vices and passions. The same is true of freedom; one freedom produces security of the body from men of superior strength, the other sets the mind at liberty from the domination of the passions. No one makes the first kind [sc. Of slavery] the subject of investigation. For the vicissitudes of men are numberless and in many instances and at many times persons of the highest virtue have through adverse blows of fortune lost the freedom to which they were born. Our inquiry is concerned with characters which have never fallen under the yoke of desire, or fear, or pleasure, or grief; characters which have, as it were, escaped from prison and thrown off the chains which bound them so tightly. Casting aside, therefore, specious quibblings and the terms which have no basis in nature but depend upon convention, such as 'homebred', 'purchased', or 'captured in war', let us examine the veritable free man, who alone possesses independence, even though a host of people claim to be his masters.

δουλεία τοίνυν ἢ μὲν ψυχῶν, ἢ δὲ σωμάτων λέγεται· δεσπότηαι δὲ τῶν μὲν σωμάτων ἄνθρωποι, ψυχῶν δὲ κακίαι καὶ πάθη. κατὰ ταῦτά δὲ καὶ ἐλευθερία· ἢ μὲν γὰρ ἄδειαν σωμάτων ἀπ' ἀνθρώπων δυνατωτέρων, ἢ δὲ διανοίας ἐκεχειρίαν ἀπὸ τῆς τῶν παθῶν δυναστείας ἰεργάζεται. τὸ μὲν οὖν πρότερον οὐδὲ εἰς ζητεῖ· μυρία γὰρ αἱ ἀνθρώπων τύχαι, καὶ πολλοὶ πολλακίς καιροῖς ἀβουλήτοις τῶν σφόδρα ἀστείων τὴν ἐκ γένους ἀπέβαλον ἐλευθερίαν· ἀλλ' ἔστιν ἢ σκέψις περὶ τρόπων, οὐς οὔτ' ἐπιθυμία οὔτε φόβοι οὔθ' ἡδοναὶ οὔτε λῦπαι κατέζευξαν, ὥσπερ ἐξ εἰρκτῆς προεληλυθότων καὶ δεσμῶν οἷς ἐπεσφίγγοντο διαφειμένων. ἀνελόντες οὖν ἐκποδῶν τὰς προφασιστικὰς εὐρεσιλογίας καὶ τὰ φύσεως μὲν ἀλλότρια δόξης δ' ἠρημένα ὀνόματα οἰκοτρίβων ἢ ἀργυρωνήτων ἢ αἰχμαλώτων τὸν ἀψευδῶς ἐλεύθερον ἀναζητῶμεν, ὃ μόνω τὸ αὐτοκρατὲς πρόσεστι, κἂν μυριοὶ γράφωσι δεσπότης ἑαυτοῦς.

Hagar in Jubilees 14: 21-24:

And Abram rejoiced and made these things known to Sarai his wife [God's promise of progeny]; and he believed that he would have seed, but she did not bear. And Sarai advised her husband Abram, and said unto him: 'Go in unto Hagar, my Egyptian maid: it may be that I shall build up seed unto thee by her.' And Abram hearkened unto the voice of Sarai his wife, and said unto her, 'Do (so).' And Sarai took Hagar, her maid, the Egyptian, and gave her to Abram, her husband to be his wife. And he went in unto her, and she conceived and bare him a son, and he called his name Ishmael, in the fifth year of this week; and this was the eighty-sixth year of his life.

Hagar in Jubilees 17: 1-14

In the first year of the fifth week Isaac was weaned in this jubilee, and Abraham made a great banquet in the third month, on the day his son Isaac was weaned. And Ishmael, the son of Hagar, the Egyptian, was before the face of Abraham, his father, in this place, and Abraham rejoiced and blessed God because he had seen his sons and had not died childless. And he remembered the words which He had spoken to him on the day on which Lot had parted from him, and he rejoiced because the Lord had given him seed upon the earth to inherit the earth, and he blessed with all his mouth the Creator of all things. And Sarah saw Ishmael playing and dancing, and Abraham rejoiced with great joy, and she became jealous of Ishmael and said to Abraham, 'cast out this bondwoman and her son; for the son of this bondwoman will not be heir with my son, Isaac.' And the thing was grievous in Abraham's sight, because of his maidservant and because of his son, that he should drive them from him. And God said to Abraham 'Let it not be grievous in thy sight, because of the child and because of the bondwoman; in all that Sarah hath said unto thee, hearken to her words and do (them); for in Isaac shall thy name and seed be called. But as for the son of this bondwoman I will make him a great nation, because he is of thy seed.' And Abraham rose up early in the morning, and took bread and a bottle of water, and placed them on the shoulders of Hagar and the child, and sent her away. And she departed and wandered in the wilderness of Beersheba, and the water in the bottle was spent, and the child thirsted, and was not able to go on, and fell down. And his mother took him and cast him under an olive tree, and went and sat her down over against him, at the distance of a bow-shot; for she said, 'Let me not see the death of my child,' and she sat and wept. And an angel of God, one of the holy ones, said unto her, 'Why weepest thou, Hagar? Arise take the child, and hold him in thine hand; for God hath heard thy voice, and hath seen the child.' And she opened her eyes, and she saw a well of water, and she went and filled her bottle with water, and she gave her child to drink, and she arose and went towards the wilderness of Paran. And the child grew and became an archer, and God was with him, and his mother took him a wife from among the daughters of Egypt.

Chapter Four: The Zelpha and Balla Chapter

Genesis 29: 23-35:

23 And it was even, and he took his daughter Lea, and brought her in to Jacob, and Jacob went in to her. 24 And Laban gave to his daughter Lea, Zelpha his handmaid, as a handmaid for her. 25 And it was morning, and behold it was Lea; and Jacob said to Laban, What is this that thou hast done to me? Did I not serve thee for Rachel? And wherefore hast thou deceived me? 26 And Laban answered, It is not done thus in our country, to give the younger before the elder. 27 Fulfil then her sevens, and I will give to thee her also in return for thy labour, which thou labourest with me, yet seven other years. 28 And Jacob did so' and fulfilled her sevens; and Laban gave him his daughter Rachel to wife. 29 And Laban gave to his daughter his handmaid Balla, for a handmaid to her. 30 And he went in to Rachel; and he loved Rachel more than Lea; and he served him seven other years. 31 And when the Lord God saw that Lea was hated, he opened her womb; but Rachel was barren. 32 And Lea conceived and bore a son to Jacob; and she called his name Ruben; saying, Because the Lord has looked on my humiliation, and has given me a son, now then my husband will love me. 32 And she conceived again, and bore a second son to Jacob, and she said, Because the Lord has heard that I am hated, he has given to me this one also; and she called his name Simeon. 34 And she conceived yet again, and bore a son, and said, In the present time my husband will be with me, for I have born him three sons, therefore she called his name Levi. 35 And having conceived

yet again, she bore a son, and said, Now yet again this time I will give thanks to the Lord; therefore she called his name Judah; and ceased bearing.

LXX Genesis 29: 23-35

- 23 και ἐγένετο ἐσπέρα και λαβών Λαβαν Λειαν τὴν θυγατέρα αὐτοῦ εἰσήγαγεν αὐτὴν πρὸς Ἰακωβ και εἰσήλθεν πρὸς αὐτὴν Ἰακωβ
24 ἔδωκεν δὲ Λαβαν Λεια τῇ θυγατρὶ αὐτοῦ Ζελφαν τὴν παιδίσκην αὐτοῦ αὐτῇ παιδίσκην
25 ἐγένετο δὲ πρῶτῃ και ἰδοὺ ἦν Λεια εἶπεν δὲ Ἰακωβ τῷ Λαβαν τί τοῦτο ἐποίησάς μοι οὐ περι Ραχὴλ ἐδούλευσα παρὰ σοὶ και ἴνα τί παρελογίσω με
26 εἶπεν δὲ Λαβαν οὐκ ἔστιν οὕτως ἐν τῷ τόπῳ ἡμῶν δοῦναι τὴν νεωτέραν πρὶν ἢ τὴν πρεσβυτέραν
27 συντέλεσον οὖν τὰ ἑβδομα ταύτης και δώσω σοι και ταύτην ἀντὶ τῆς ἐργασίας ἧς ἐργᾶ παρ' ἐμοὶ ἔτι ἑπτὰ ἔτη ἕτερα
28 ἐποίησεν δὲ Ἰακωβ οὕτως και ἀνεπλήρωσεν τὰ ἑβδομα ταύτης και ἔδωκεν αὐτῷ Λαβαν Ραχὴλ τὴν θυγατέρα αὐτοῦ αὐτῷ γυναῖκα
29 ἔδωκεν δὲ Λαβαν Ραχὴλ τῇ θυγατρὶ αὐτοῦ Βαλλαν τὴν παιδίσκην αὐτοῦ αὐτῇ παιδίσκην
30 και εἰσήλθεν πρὸς Ραχὴλ ἠγάπησεν δὲ Ραχὴλ μᾶλλον ἢ Λειαν και ἐδούλευσεν αὐτῷ ἑπτὰ ἔτη ἕτερα
31 ἰδὼν δὲ κύριος ὅτι μισεῖται Λεια ἠνοιξεν τὴν μήτραν αὐτῆς Ραχὴλ δὲ ἦν στεῖρα
32 και συνέλαβεν Λεια και ἔτεκεν υἱὸν τῷ Ἰακωβ ἐκάλεσεν δὲ τὸ ὄνομα αὐτοῦ Ρουβην λέγουσα διότι εἶδέν μου κύριος τὴν ταπείνωσιν νῦν με ἀγαπήσει ὁ ἀνὴρ μου
33 και συνέλαβεν πάλιν Λεια και ἔτεκεν υἱὸν δεύτερον τῷ Ἰακωβ και εἶπεν ὅτι ἤκουσεν κύριος ὅτι μισοῦμαι και προσέδωκέν μοι και τοῦτον ἐκάλεσεν δὲ τὸ ὄνομα αὐτοῦ Συμεων
34 και συνέλαβεν ἔτι και ἔτεκεν υἱὸν και εἶπεν ἐν τῷ νῦν καιρῷ πρὸς ἐμοῦ ἔσται ὁ ἀνὴρ μου ἔτεκεν γὰρ αὐτῷ τρεῖς υἱούς διὰ τοῦτο ἐκάλεσεν τὸ ὄνομα αὐτοῦ Λευι
35 και συλλαβοῦσα ἔτι ἔτεκεν υἱὸν και εἶπεν νῦν ἔτι τοῦτο ἐξομολογήσομαι κυρίῳ διὰ τοῦτο ἐκάλεσεν τὸ ὄνομα αὐτοῦ Ἰουδα και ἔστη τοῦ τίκτειν

MT Genesis 29: 23-35

- 23 וַיְהִי בְעֶרְבַּב וַיִּקַּח אֶת־לֵאָה בַתּוֹ וַיָּבֵא אֹתָהּ אֵלָיו וַיָּבֵא אֵלֶיהָ:
24 וַיִּתֵּן לָבֶן לָהּ אֶת־זֹלְפָה שִׁפְחָתוֹ לְלֵאָה בַתּוֹ שִׁפְחָהּ:
25 וַיְהִי בִבְקָר וַהֲנִיחָהּוּא לֵאָה וַיֹּאמֶר אֶל־לָבֶן מַה־זֹּאת עָשִׂיתְ לִי הֲלֹא בְרַחֲלִ' עֲבַדְתִּי עִמָּךְ וְלָמָּה רַמִּיתָנִי:
26 וַיֹּאמֶר לָבֶן לֹא־יַעֲשֶׂה כֵן בְּמִקְוֹמִנִי לַתַּחַת הַצְעִירָהּ לִפְנֵי הַבְּכִירָהּ:
27 מִלֵּא שְׁבַע זֹאת וַנְתַּנָּה לָךְ גַּם־אֶת־זֹאת בְּעִבְרָהּ אֲשֶׁר תַּעֲבֹד עִמָּדִי עוֹד שְׁבַע־שָׁנִים אַחֲרוֹת:
28 וַיַּעַשׂ יַעֲקֹב כֵּן וַיִּמְלֵא שְׁבַע זֹאת וַיִּתֵּן־לוֹ אֶת־רַחֵל בַתּוֹ לוֹ לְאִשָּׁה:
29 וַיִּתֵּן לָבֶן לְרַחֵל בַתּוֹ אֶת־בִּלְהָהּ שִׁפְחָתוֹ לָהּ לְשִׁפְחָהּ:
30 וַיָּבֵא גַם אֶל־רַחֵל וַיֵּאָהֵב גַּם־אֶת־רַחֵל מִלֵּאָה וַיַּעֲבֹד עִמּוֹ עוֹד שְׁבַע־שָׁנִים אַחֲרוֹת:
31 וַיֵּרָא יְהוָה כִּי־שָׁנְאוּהָ לֵאָה וַיִּפְתַּח אֶת־רַחֲמֶיהָ וַרַחֵל עָקְרָהּ:
32 וַתְהַר לֵאָה וַתֵּלֶד בֶּן וַתִּקְרָא שְׁמוֹ רְאוּבֵן כִּי אָמְרָהּ כִּי־רָאָה יְהוָה בְּעַנְיִי כִי עָתָה יִאֲחָזֵבֵנִי אִשָּׁה:
33 וַתְהַר עוֹד וַתֵּלֶד בֶּן וַתִּאֲמַר כִּי־שָׁמַע יְהוָה כִּי־שָׁנְאוּהָ אָנֹכִי וַיִּתֵּן־לִי גַם־אֶת־זֶה וַתִּקְרָא שְׁמוֹ שִׁמְעוֹן:

34 וַתַּהַר עוֹד וַתֵּלֶד בֶּן־וַתֹּאמֶר עִתָּהּ הַפַּעַם יִלְוָה אִישִׁי אֵלַי כִּי־יִלְדֹתַי
 לוֹ שְׁלֹשָׁה בָנִים עַל־כֵּן קָרָא שְׁמוֹ לְוִי:
 35 וַתַּהַר עוֹד וַתֵּלֶד בֶּן וַתֹּאמֶר הַפַּעַם אוֹהָה אֶת־יהוָה עַל־כֵּן קָרָא שְׁמוֹ
 יְהוּדָה וַתַּעֲמֹד מִלְדוֹת:

Genesis 30: 1-24:

1 And Rachel having perceived that she bore Jacob no children, was jealous of her sister; and said to Jacob, Give me children; and if not I shall die. 2 And Jacob was angry with Rachel, and said to her, Am I in the place of God, who has deprived thee of the fruit of the womb? 3 and Rachel said to Jacob, Behold my handmaid Balla, go in to her and she shall bear upon my knees, and I also shall have children by her. 4 And she gave him Balla her maid, for a wife to him; and Jacob went in to her. 5 And Balla, Rachel's maid conceived, and bore Jacob a son. 6 And Rachel said, God has given judgement for me, and hearkened to my voice, and has given me a son, therefore she called his name Dan. 7 And Balla, Rachel's maid, conceived yet again, and bore a second son to Jacob. 8 And Rachel said, God has helped me, and I contended with my sister and prevailed; and she called his name Nephthalim. 9 And Lea saw that she ceased from bearing, and she took Zelpha, her maid, and gave her to Jacob for a wife; and he went in to her. 10 And Zelpha the maid of Lea conceived, and bore Jacob a son. 11 And Lea said, It is happily: and she called his name, Gad. 12 And Zelpha the maid of Lea conceived yet again, and bore Jacob a second son. 13 And Lea said, I am blessed; and she called his name Aser. 14 And Ruben went in the day of barley-harvest, and found apples of mandrakes in the field, and brought them to his mother Lea; and Rachel said to Lea her sister, Give me of thy son's mandrakes. 15 And Lea said, Is it not enough for thee that thou hast taken my husband, wilt thou also take my son's mandrakes? And Rachel said, Not so: let him lie with thee tonight for thy son's mandrakes. 16 And Jacob came in out of the field at even; and Lea went forth to meet him, and said, Thou shalt come in to me this day, for I have hired thee for my son's mandrakes; and he lay with her that night. 17 And God hearkened to Lea, and she conceived, and bore Jacob a fifth son. 18 And Lea said, God has given me my reward, because I gave my maid to my husband; and she called his name, Issachar, which is, Reward. 19 And Lea conceived again, and bore Jacob a sixth son. 20 And Lea said, God has given me a good gift in this time, my husband will choose me, for I have born him six sons: and she called his name Zabulon. 21 And after this she bore him a daughter; and she called her name Dinah. 22 And God remembered Rachel, and God hearkened to her, and he opened her womb. 23 And she conceived, and bore Jacob a son; and Rachel said, God has taken away my reproach. 24 And she called his name Joseph, Let God add to me another son.

LXX Genesis 30: 1-24:

1 ἰδοῦσα δὲ Ραχηλ ὅτι οὐ τέτοκεν τῷ Ἰακωβ καὶ ἐζήλωσεν Ραχηλ τὴν ἀδελφὴν αὐτῆς καὶ εἶπεν τῷ Ἰακωβ δός μοι τέκνα εἰ δὲ μὴ τελευτήσω ἐγώ
 2 ἔθυμώθη δὲ Ἰακωβ τῇ Ραχηλ καὶ εἶπεν αὐτῇ μὴ ἀντὶ θεοῦ ἐγώ εἰμι ὃς ἐστέρησέν σε καρπὸν κοιλίας
 3 εἶπεν δὲ Ραχηλ τῷ Ἰακωβ ἰδοὺ ἡ παιδίσκη μου Βαλλα εἴσελθε πρὸς αὐτήν καὶ τέξεται ἐπὶ τῶν γονάτων μου καὶ τεκνοποιήσομαι κάγώ ἐξ αὐτῆς
 4 καὶ ἔδωκεν αὐτῷ Βαλλαν τὴν παιδίσκην αὐτῆς αὐτῷ γυναῖκα εἰσῆλθεν δὲ πρὸς αὐτήν Ἰακωβ
 5 καὶ συνέλαβεν Βαλλα ἡ παιδίσκη Ραχηλ καὶ ἔτεκεν τῷ Ἰακωβ υἱόν

- 6 και εἶπεν Ραχὴλ ἔκρινέν μοι ὁ θεὸς καὶ ἐπήκουσεν τῆς φωνῆς μου καὶ ἔδωκέν μοι υἱόν διὰ τοῦτο ἐκάλεσεν τὸ ὄνομα αὐτοῦ Δαν
- 7 καὶ συνέλαβεν ἔτι Βαλλα ἡ παιδίσκη Ραχὴλ καὶ ἔτεκεν υἱὸν δεύτερον τῷ Ἰακωβ
- 8 καὶ εἶπεν Ραχὴλ συνελάβετό μοι ὁ θεός καὶ συνανεστράφην τῇ ἀδελφῇ μου καὶ ἠδυνάσθην καὶ ἐκάλεσεν τὸ ὄνομα αὐτοῦ Νεφθαλι
- 9 εἶδεν δὲ Λεια ὅτι ἔστη τοῦ τίκτειν καὶ ἔλαβεν Ζελφαν τὴν παιδίσκην αὐτῆς καὶ ἔδωκεν αὐτὴν τῷ Ἰακωβ γυναῖκα
- 10 εἰσήλθεν δὲ πρὸς αὐτὴν Ἰακωβ καὶ συνέλαβεν Ζελφα ἡ παιδίσκη Λειας καὶ ἔτεκεν τῷ Ἰακωβ υἱόν
- 11 καὶ εἶπεν Λεια ἐν τύχῃ καὶ ἐπωνόμασεν τὸ ὄνομα αὐτοῦ Γαδ
- 12 καὶ συνέλαβεν Ζελφα ἡ παιδίσκη Λειας καὶ ἔτεκεν ἔτι τῷ Ἰακωβ υἱὸν δεύτερον
- 13 καὶ εἶπεν Λεια μακαρία ἐγὼ ὅτι μακαρίζουσίν με αἱ γυναῖκες καὶ ἐκάλεσεν τὸ ὄνομα αὐτοῦ Ἀσηρ
- 14 ἐπορεύθη δὲ Ρουβην ἐν ἡμέραις θερισμοῦ πυρῶν καὶ εὗρεν μῆλα μανδραγόρου ἐν τῷ ἀγρῷ καὶ ἤνεγκεν αὐτὰ πρὸς Λειαν τὴν μητέρα αὐτοῦ εἶπεν δὲ Ραχὴλ τῇ Λεια δός μοι τῶν μανδραγορῶν τοῦ υἱοῦ σου
- 15 εἶπεν δὲ Λεια οὐχ ἱκανόν σοι ὅτι ἔλαβες τὸν ἄνδρα μου μὴ καὶ τοὺς μανδραγόρας τοῦ υἱοῦ μου λήμψῃ εἶπεν δὲ Ραχὴλ οὐχ οὕτως κοιμηθήτω μετὰ σοῦ τὴν νύκτα ταύτην ἀντὶ τῶν μανδραγορῶν τοῦ υἱοῦ σου
- 16 εἰσήλθεν δὲ Ἰακωβ ἐξ ἀγροῦ ἐσπέρας καὶ ἐξῆλθεν Λεια εἰς συνάντησιν αὐτῷ καὶ εἶπεν πρὸς με εἰσελεύσῃ σήμερον μεμίσθωμαι γάρ σε ἀντὶ τῶν μανδραγορῶν τοῦ υἱοῦ μου καὶ ἐκοιμήθη μετ' αὐτῆς τὴν νύκτα ἐκείνην
- 17 καὶ ἐπήκουσεν ὁ θεὸς Λειας καὶ συλλαβοῦσα ἔτεκεν τῷ Ἰακωβ υἱὸν πέμπτον
- 18 καὶ εἶπεν Λεια ἔδωκεν ὁ θεὸς τὸν μισθόν μου ἀνθ' οὗ ἔδωκα τὴν παιδίσκην μου τῷ ἀνδρί μου καὶ ἐκάλεσεν τὸ ὄνομα αὐτοῦ Ἰσσαχαρ ὃ ἐστὶν Μισθός
- 19 καὶ συνέλαβεν ἔτι Λεια καὶ ἔτεκεν υἱὸν ἕκτον τῷ Ἰακωβ
- 20 καὶ εἶπεν Λεια δεδώρηταί μοι ὁ θεὸς δῶρον καλόν ἐν τῷ νῦν καιρῷ αἰρετιεῖ με ὁ ἀνὴρ μου ἔτεκεν γὰρ αὐτῷ υἱοὺς ἕξ καὶ ἐκάλεσεν τὸ ὄνομα αὐτοῦ Ζαβουλων
- 21 καὶ μετὰ τοῦτο ἔτεκεν θυγατέρα καὶ ἐκάλεσεν τὸ ὄνομα αὐτῆς Δινα
- 22 ἐμνήσθη δὲ ὁ θεὸς τῆς Ραχὴλ καὶ ἐπήκουσεν αὐτῆς ὁ θεὸς καὶ ἀνέωξεν αὐτῆς τὴν μήτραν
- 23 καὶ συλλαβοῦσα ἔτεκεν τῷ Ἰακωβ υἱόν εἶπεν δὲ Ραχὴλ ἀφείλεν ὁ θεός μου τὸ ὄνειδος
- 24 καὶ ἐκάλεσεν τὸ ὄνομα αὐτοῦ Ἰωσηφ λέγουσα προσθέτω ὁ θεός μοι υἱὸν ἕτερον

MT Genesis 30: 1-24:

- 1 וַתֵּרָא רָחֵל כִּי לֹא יֵלְדָהּ לְיַעֲקֹב וַתִּקְנֶה רָחֵל בְּאֶחָתָהּ וַתֹּאמֶר אֶל־יַעֲקֹב
הִבְהִילֵנִי בָנִים וְאִם־אֵין מִתָּה אֲנֹכִי׃
- 2 וַיִּחַר־אָף יַעֲקֹב בְּרָחֵל וַיֹּאמֶר הִתַּחַת אֱלֹהִים אֲנֹכִי אֲשֶׁר־מָנַע מִמֶּךָ פְּרִי־בִטְן׃
- 3 וַתֹּאמֶר הִנֵּה אֲמַתִּי בְלֵהָהּ בָּא אֵלֶיהָ וַחֲלַד׃ עַל־בְּרָכִי וְאִבְנָה גַם־אֲנֹכִי מִמֶּנָּה׃
- 4 וַתִּתֵּן־לוֹ אֶת־בְּלֵהָהּ שִׁפְחָתָהּ לְאִשָּׁה וַיָּבֵא אֵלֶיהָ יַעֲקֹב׃
- 5 וַתִּהְרַר בְּלֵהָהּ וַתֵּלֶד לְיַעֲקֹב בֶּן׃
- 6 וַתֹּאמֶר רָחֵל הִנְנִי אֱלֹהִים וְגַם שָׁמַע בְּקִלְיִ וַיִּתֵּן־לִי בֶן עַל־כֵּן קָרָאתָ שְׁמוֹ דָּן׃
- 7 וַתִּהְרַר עוֹד וַתֵּלֶד בְּלֵהָהּ שִׁפְחָתָהּ רָחֵל בֶּן שְׁנֵי יַעֲקֹב׃
- 8 וַתֹּאמֶר רָחֵל נִפְתּוּלִי אֱלֹהִים נִפְתַּלְתִּי עִם־אֶחָתִי גַם־יִכְלַתִּי וַתִּקְרָא שְׁמוֹ נַפְתָּלִי׃

- 9 ותרא לאה כי עמדה מלדת ותקח את-זלפה שפחתה ותתן אתה ליעקב לאשה:
- 10 ותלד זלפה שפחת לאה ליעקב בן:
- 11 ותאמר לאה (בגד) [בא] [גד] ותקרא את-שמו גד:
- 12 ותלד זלפה שפחת לאה בן שני ליעקב:
- 13 ותאמר לאה באשרי כי אשרוני בנות ותקרא את-שמו אשר:
- 14 וילד ראובן בימי קציר-חטים וימצא דודאים בשדה ויבא אתם אל-לאה אמו ותאמר רחל אל-לאה תנינא לי מודאי בגד:
- 15 ותאמר לה המעט קחתך את-אישי ולקחת גם את-דודאי בני ותאמר רחל לכן ישכב עמך הלילה תחת דודאי בגד:
- 16 ויבא יעקב מן-השדה בערב ותצא לאה לקראתו ותאמר אלי תבוא כי שכר שכרתיך בדודאי בני וישכב עמה בלילה הוא:
- 17 וישמע אלהים אל-לאה ותהר ותלד ליעקב בן חמישי:
- 18 ותאמר לאה נתן אלהים שכרי אשר-נתתי שפחתי לאישי ותקרא שמו יששכר:
- 19 ותהר עוד לאה ותלד בן-ששי ליעקב:
- 20 ותאמר לאה זבדני אלהים אתי זבד טוב הפעם וזבדני אישי כי-ילדתי לו ששה בנים ותקרא את-שמו זבלון:
- 21 ואחר ילדה בת ותקרא את-שמה דינה:
- 22 ויזכר אלהים את-רחל וישמע אליה אלהים ויפתח את-רחמה:
- 23 ותהר ותלד בן ותאמר אסף אלהים את-חרפתי:
- 24 ותקרא את-שמו יוסף לאמר יוסף יהוה לי בן אחר:

Philo: De Congressu Quarendae Eruditionis Gratia:

29 Necessarily then Leah will have for her handmaid the faculty of expression by means of the vocal organs, and on the side of thought the art of devising clever arguments whose easy persuasiveness is a means of deception, while Rachel has for her's the necessary means of sustenance, eating and drinking. 30 Moses has given us, as the names of these two handmaidens, Zilpah and Bilhah. Zilpah by interpretation is "a walking mouth," which signifies the power of expressing thought in language and directing the course of an exposition, while Bilhah is "swallowing," the first and most necessary support of mortal animals. For our bodies are anchored on swallowing, and the cables of life are fastened to it as their base. 31 With all these aforesaid faculties the Man of Practice mates, with one pair as free-born legitimate wives, with the other pair as slaves and concubines. For he desires the smooth, the Leah movement, which will produce health in the body, noble living and justice in the soul. He loves Rachel when he wrestles with the passions and when he goes into training to gain self-control, and takes his stand to oppose all the objects of sense. For help may take two forms. 32 It may act by giving us enjoyment of the good, the way of peace, or by opposing and removing ill, the way of war. So it is Leah through whom it comes to pass that he reaps the higher and dominant blessings, Rachel through whom he wins what we may call the spoils of war. Such is his life with the legitimate wives. 33 But the Practiser needs also Bilhah, "swallowing," though only as the slave and concubine, for without food and the life which food sustains we cannot have the good life either, since the less good must always serve as

foundation for the better. He needs Zilpah too, the gift of languaging expression to the course of an exposition, that the elements of words and thoughts may make its twofold contribution to the perfecting process, through the fountain of thought in the mind and the outflow through the tongue and lips.

ἀναγκαίως οὖν τῆς μὲν προτέρας ἔσται θεραπαινίς ἢ διὰ τῶν φωνητηρίων ὀργάνων ἑρμηνευτικὴ δύναμις καὶ ἡ λογικὴ σοφισμάτων εὗρεσις εὐστόχῳ πιθανότητι καταγοητεύουσα, τῆς δὲ ἀναγκαίαι τροφαί, πόσις τε καὶ βρώσις. ὀνόματα δὲ ἡμῖν τῶν δεῦν θεραπαινίδων ἀνέγραψε, Ζέλφαν τε καὶ Βάλλαν (Gen. 30, 3. 9). ἡ μὲν οὖν Ζέλφα μεταληφθεῖσα πορευόμενον καλεῖται στόμα, τῆς ἑρμηνευτικῆς καὶ διεξοδικῆς σύμβολον δυνάμεως, ἡ δὲ Βάλλα κατάποσις, τὸ πρῶτον καὶ ἀναγκαιότατον θνητῶν ζῶων ἔρεισμα· καταπόσει γὰρ τὰ σώματα ἡμῶν ἐνορμεῖ, καὶ τὰ τοῦ ζῆν πείσματα ἐκ ταύτης ὡς ἀπὸ κρηπίδος ἐξήπται. πάσαις οὖν ταῖς εἰρημέναις δυνάμεσιν ὁ ἀσκητῆς ἐνομιλεῖ, ταῖς μὲν ὡς ἐλευθέραις καὶ ἀσταῖς, ταῖς δὲ ὡς δούλαις καὶ παλλακίσιν. ἐφίεται μὲν γὰρ τῆς Λείας κινήσεως - λεία δὲ κίνησις ἐν μὲν σώματι γινομένη ὑγείαν, ἐν δὲ ψυχῇ καλοκάγαθίαν καὶ δικαιοσύνην ἂν ἐργάσαιτο - , Ῥαχὴλ δὲ ἀγαπᾷ πρὸς τὰ πάθη παλαίων καὶ πρὸς ἐγκράτειαν ἀλειφόμενος καὶ τοῖς αἰσθητοῖς πᾶσιν ἀντιπατόμενος. διπτοὶ μὲν γὰρ ὠφελείας τρόποι, ἢ κατὰ ἀπόλαυσιν ἀγαθῶν ὡς ἐν εἰρήνῃ ἢ κατὰ ἀντίταξιν καὶ ὑφαίρεσιν κακῶν ὡς ἐν ἰ πολέμῳ. Λεία μὲν οὖν ἐστὶ, καθ' ἣν συμβαίνει τὰ πρεσβύτερα καὶ ἡγεμονεύοντα ἀγαθὰ καρποῦσθαι, Ῥαχὴλ δὲ, καθ' ἣν τὰ ὡς ἂν ἐκ πολέμου λάφυρα. τοιαύτη μὲν ἡ πρὸς τὰς ἀστὰς συμβίωσις. χρῆζει δὲ ὁ ἀσκητῆς Βάλλας μὲν, καταπόσεως, ἀλλὰ ὡς δούλης καὶ παλλακίδος - ἄνευ γὰρ τροφῆς καὶ ζωῆς οὐδ' ἂν τὸ εὖ ζῆν περιγένοιτο, ἐπειδὴ τὰ μέσα τῶν ἀμεινόνων ἀεὶ θεμέλιοι - , χρῆζει δὲ καὶ Ζέλφας, διεξοδικῆς ἑρμηνείας, ἵνα τὸ λογικὸν αὐτῷ διχόθεν συνεργανίζηται πρὸς τελείωσιν, ἔκ τε τῆς κατὰ διάνοιαν πηγῆς καὶ ἐκ τῆς περὶ τὸ φωνητήριον ὄργανον ἀπορροῆς.

The Book of Jubilees 28: 1-24:

Jacob is given Leah as a wife

1 And he travelled to the land of the East, to Laban, Rebecca's brother. And he was with him and served him for Rachel, his daughter, one week. 2 And in the first year of the third week, he said to him "Give me my wife for whom I have served you seven years." And Laban said to Jacob, "I will give you your wife." 3 And Laban prepared a banquet and he took Leah, his elder daughter, and he gave her to Jacob as a wife. And he gave to her Zilpah, his handmaid, as an attendant. But Jacob did not know it because he assumed that she was Rachel. 4 And he entered into her and behold, she was Leah. And Jacob was angry with Laban and said to him, "Why have you treated me thus? Was it not for Rachel that I served you, and not for Leah? Why have you offended me? Take your daughter, and I will go because you have done evil against me." 5 For Jacob loved Rachel more than Leah because the eyes of Leah were weak, but her appearance was very beautiful, and Rachel (had) good eyes and good appearance and she was very beautiful.

The rule regarding the marriage of the elder daughter first

6 And Laban said to Jacob, "It does not happen thus in our land, to give the younger woman before the elder." And it is not right to do this because thus it is ordained and written in the heavenly tablets that no one should give his younger daughter before the elder because he should first give the elder and after her the younger. And they will write it down as a sin in heaven concerning the man who acts thus. And no one who does this thing will be righteous because this deed is evil before the Lord. 7 And you command the children of Israel so that

they will not do this thing: "Let not the younger woman be taken or given without the elder one being first (given) because that is very evil." 8 And Laban said to Jacob, "Let the seven days of banquet for this woman continue and then I will give you Rachel so that you might serve me another seven years (and) pasture my sheep just as you did the previous week."

The marriage to Rachel and the birth of children

9 And on the day when the seven days of Leah's banquet passed, Laban gave Rachel to Jacob so that he might serve him another seven years. And he gave to Rachel, Bilhah, the sister of Zilpah, as an attendant. 10 And he served seven years more on account of Rachel because Leah had been given to him gratis. 11 And the Lord opened the womb of Leah and she conceived and bore him a son to Jacob, and he called him Reuben, on the fourteenth of the ninth month, in the first year of the third week. 12 But the womb of Rachel was closed and the Lord saw that Leah was hated, but Rachel was loved. 13 And Jacob again went into Leah, and she conceived and she bore another son to Jacob, and she called him Simeon, on the twenty-first of the tenth month and in the third year of this week. 14 And Jacob went in again to Leah and she conceived and she bore the third son to him and he called him Levi, on the first day of the first month, in the sixth year of this week. 15 And again Jacob went into her and she conceived and she bore the fourth son to him and he called him Judah, on the fifteenth of the third month, in the first year of the fourth week. 16 And in all of this Rachel was jealous of Leah since she was not giving birth, and she said to Jacob, "Give me sons." And Jacob said, "Have I withheld from you the fruit of your womb? Have I forsaken you?" 17 And when Rachel saw that Leah had bourn four sons to Jacob, Reuben and Simeon and Levi and Judah, she said to him, "Go into Bilhah, my maid, and she will conceive and bear a son for me." 18 And she gave Bilhah, her maid, to him so that she might be his wife. And he went into her and she conceived and she bore a son to him, and he called him Dan, on the ninth day of the sixth month in the sixth year of the third week. 19 And Jacob went to Bilhah a second time, and she conceived and bore another son to Jacob, and Rachel called him Naphtali, on the fifth of the seventh month, in the second year of the fourth week. 20 And when Leah saw that she was sterile and was not bearing children, she took and she also gave Zilpah, her attendant, to Jacob as a wife. And she conceived and bore a son to him, and Leah called him Gad, on the twelfth of the eighth month in the third year of the fourth week. 21 And he went in to her again and she conceived and bore another son to him, and Leah called him Asher, on the second of the eleventh month in the fifth year of the fourth week. 22 And Jacob went into Leah and she conceived and she bore a son and she called him Issachar, on the fourth day of the fifth month in the fourth year of the fourth week. And she gave him to a nurse. 23 And Jacob went into her again and she conceived and she bore twins, a boy and a girl, and she called the boy Zebulun and the girl's name was Dinah, in the seventh day of the seventh month in the sixth year of the fourth week. 24 And the Lord had mercy upon Rachel and opened her womb. And she conceived and bore a son and called him Joseph, on the first of the fourth month in the sixth year of that fourth week.

Demetrius the Chronographer Fragment 2 (Eusebius, *Praeparatio Evangelica* 9. 21, 2-5):

2 Jacob, then set out for Haran in Mesopotamia, Having left his father Isaac, who was then 137 years of age, while he was himself 77 years old.

3 Then after spending 7 years there, he married two daughters of Laban, his maternal uncle, Leah and Rachel, when he was 84 years old. In seven more years, 12 children were born to him. In the 10th month of the 8th year Reuben [was born]; and in the 8th month of the 9th year, Simeon; and in the 6th month of the 10th year, Levi; and in the 4th month of the 11th year, Judah. And since Rachel did not bear, she became envious of her sister, and gave her own

handmaid [Bilhah to Jacob as a concubine, who bore Dan in the 4th month of the 11th year, and in the 2nd month of the 12th year, Naphtali. And Leah gave her own handmaid] Zilpah to Jacob as a concubine, at the same time as Bilhah conceived Naphtali, in the 5th month of the 11th year, and he begot a son in the 2nd month of the 12th year, whom Leah named Gad; and of the same mother in the 12th month of the same year he begot another son, whom Leah named Asher

4 And in return for the mandrake apples which Reubel brought to Rachel, Leah again conceived, as did her handmaid Zilpah at the same time, in the 3rd month of the 12th year, and bore a son in the 12th month of the same year, and gave him the name Issachar.

5 And again Leah bore another son in the 10th month of the 13th year, whose name was Zebulun; and in the 8th month of the 14th year, the same Leah bore a [daughter] named Dinah. And at the same time as Leah [conceived] a daughter, Dinah, Rachel also conceived in her womb, and in the 8th month of the 14th year she bore a son whose name was Joseph, so that in the 7 years spent with Laban, 12 children were born.

ἀφορμήσαι οὖν τὸν Ἰακώβ εἰς Χαρρὰν τῆς Μεσοποταμίας, τὸν μὲν πατέρα καταλιπόντα Ἰσαὰκ ἐτῶν ἑκατὸν τριάκοντα ἑπτὰ, αὐτὸν δὲ ὄντα ἐτῶν ἑβδομήκοντα ἑπτὰ. διατρίψαντα οὖν αὐτὸν ἐκεῖ ἑπτὰ ἔτη Λάβαν τοῦ μητρῷου δύο θυγατέρας γῆμαι, Λεῖαν καὶ Ῥαχήλ, ὄντα ἐτῶν ὀγδοήκοντα τεσσάρων· καὶ γενέσθαι ἐν ἑπτὰ ἔτεσιν ἄλλοις αὐτῷ παιδία ἰβ#· ὀγδώ μὲν ἔτει μηνὶ δεκάτῳ Ῥουβὶν· καὶ τῷ ἔτει δὲ τῷ ἐνάτῳ μηνὶ ὀγδώ Συμεών· καὶ τῷ ἔτει δὲ τῷ δεκάτῳ μηνὶ ἕκτῳ Λεὺν· τῷ δὲ ἐνδεκάτῳ ἔτει μηνὶ τετάρτῳ Ἰούδαν. Ῥαχήλ τε μὴ τίκτουσαν ζηλώσαι τὴν ἀδελφὴν καὶ παρακοιμίσει τῷ Ἰακώβ τὴν ἑαυτῆς παιδίσκην Ζελφάν, τῷ αὐτῷ χρόνῳ ᾧ καὶ Βάλλαν συλλαβεῖν τὸν Νεφθαλεὶμ, τῷ ἐνδεκάτῳ ἔτει μηνὶ πέμπτῳ, καὶ τεκεῖν τῷ δωδεκάτῳ ἔτει μηνὶ δευτέρῳ υἱόν, ὃν ὑπὸ Λείας Γὰδ ὀνομασθῆναι· καὶ ἐκ τῆς αὐτῆς τοῦ αὐτοῦ ἔτους καὶ μηνὸς δωδεκάτου ἕτερον τεκεῖν, ὃν καὶ αὐτὸν προσαγορευθῆναι ὑπὸ Λείας Ἀσήρ. καὶ Λεῖαν πάλιν ἀντὶ τῶν μήλων τῶν μανδραγόρου, ἃ Ῥουβήλ εἰσενεγκεῖν παρὰ Ῥαχήλ, συλλαβεῖν καὶ τὴν παιδίσκην Ζελφάν τῷ αὐτῷ χρόνῳ, τῷ δωδεκάτῳ ἔτει μηνὶ τρίτῳ, καὶ τεκεῖν τοῦ αὐτοῦ ἔτους μηνὸς δωδεκάτου υἱόν καὶ ὄνομα αὐτῷ θέσθαι Ἰσσάχαρ. καὶ πάλιν Λεῖαν τῷ τρισκαιδεκάτῳ ἔτει μηνὶ δεκάτῳ υἱόν ἄλλον τεκεῖν, ᾧ ὄνομα Ζαβουλών, καὶ τὴν αὐτὴν τῷ τεσσαρεσκαιδεκάτῳ ἔτει μηνὶ ὀγδώ τεκεῖν υἱόν ὄνομα Δάν. ἐν ᾧ καὶ Ῥαχήλ λαβεῖν ἐν γαστρὶ τῷ αὐτῷ χρόνῳ, ᾧ καὶ Λεῖαν τεκεῖν θυγατέρα Δεῖναν, καὶ τεκεῖν τῷ τεσσαρεσκαιδεκάτῳ ἔτει μηνὶ ὀγδώ υἱόν, ὃν ὀνομασθῆναι Ἰωσήφ, ὥστε γεγονέναι ἐν τοῖς ἑπτὰ ἔτεσι τοῖς παρὰ Λάβαν δώδεκα παιδία.

Bibliography

Selected Texts and Translations of Josephus

H. St John Thackeray, R. Marcus, A. Wikgren, L. H. Feldman (ed. and trans.), *Josephus the Jewish Antiquities with an English Translation, I-IX*, Loeb Classical Library (London; Cambridge, MA, 1926-1965).

H. St John Thackeray (trans.), *Josephus The Life, Against Apion*, Loeb Classical Library (London; Cambridge, MA, 1926).

H. St John Thackeray (trans.), *Josephus the Jewish War, I-VII*, Loeb Classical Library (London; Cambridge, MA, 1928).

S. Mason, (ed.), *Flavius Josephus: Translation and Commentary, Volume 3, Judean Antiquities 1-4. Translation and Commentary by L. H. Feldman* (Leiden, Boston, Köln: E. J. Brill, 2000).

Selected Texts and Translations of Philo

F. H. Colson., G. Whitaker, *Philo with an English Translation*, 10 vols., Loeb Classical Library (London; Cambridge, MA, 1929-1962).

D. J. Harrington and J. Cazeaux, *Pseudo-Philon: Les Antiques Bibliques, Vol. 1, Introduction et Text Critiques*, Sources Chrétiennes 229-30 (Paris, 1976).

L. Cohen and P. Wendland, *Philonis Alexandrini Opera Quae Supersunt* (Walter de Gruyter and Co.; Berlin MCMXXVI) vols., I-VII.

Selected Biblical Texts and Translations

Biblia Hebraica Stuttgartensia, K. Elliger and W. Rudolph (eds.), (Stuttgart: Deutsche Bibelgesellschaft, 1987).

Septuaginta, A. Rahlfs (ed.), (Stuttgart: Württembergische Bibelanstalt, 1935).

The Septuagint with Apocrypha: Greek and English, Sir L. C. L. Brenton (trans.), Regency Reference Library, (Grand Rapids, Michigan: Zondervan Publishing House, 1851).

The Zondervan Parallel New Testament in Greek and English: The Interlinear Greek-English New Testament, The New International Version, The King James Version, (Grand Rapids, Michigan: Zondervan Bible Publishers, 1976).

The Holy Bible: New International Version, (London, Sydney, Auckland: Hodder and Stoughton, 1997 edition).

The Interlinear Bible: Hebrew, Greek, English with Strong's Concordance Numbers Above Each Word, J. P. Green, Sr. General Editor and Translator, (Lafayette, Indiana: Sovereign Grace Publishers, 1986).

Selected Biblical Commentaries

R. Alter, *Genesis: Translation and Commentary* (New York and London: W. W. Norton & Company, 1996).

J. Barton and J. Muddiman (eds.), *The Oxford Bible Commentary* (Oxford: Oxford University Press, 2001).

F. F. Bruce, *The Epistle of Paul to the Galatians: A Commentary on the Greek Text* (Exeter: The Paternoster Press, 1982).

P. J. Budd, *The New Century Bible Commentaries: Leviticus* (Grand Rapids: Eerdmans, 1996).

E. De Witt Burton, *A Critical & Exegetical Commentary on the Epistle to the Galatians* (Edinburgh: T. & T. Clarke, 1921).

U. Cassuto, *A Commentary on the Book of Exodus* (Jerusalem: The Magnes Press, 1967).

B. S. Childs, *Exodus: A Commentary* (London: SCM Press, 1974).

J. L. Crenshaw, *Ecclesiastes: A Commentary* (London: SCM Press, 1988).

S. R. Driver, *The Book of Genesis with Introduction and Notes* (London: Methuen & Co. LTD, 1916).

S. R. Driver, *A Critical and Exegetical Commentary on Deuteronomy* (Edinburgh: T. & T. Clark, 1951 edition).

D. Guthrie, *Galatians* (London: Thomas Nelson & Sons LTD, 1969).

H. W. Hertzberg, *I & II Samuel: A Commentary* (London: Old Testament Library, SCM Press LTD).

S. R. Hirsch, *The Pentateuch Translated and Explained: Vol. I Genesis* (London, 1959).

A. D. H. Mayes, *Deuteronomy* (London: Oliphants, 1979).

A. D. H. Mayes, *The New Century Bible Commentary: Deuteronomy* (London: Marshall, Morgan & Scott, 1981).

M. Noth, *Leviticus: A Commentary* (London: SCM Press LTD, 1965).

N. Sarna, *The JPS Commentary: Exodus* (Philadelphia: Jewish Publication Society, 1991)

B. Vawter, *On Genesis: a New Reading* (London: Geoffrey Chapman, 1977).

G. Von Rad, *Studies in Deuteronomy* (trans. David Stalker), Studies in Biblical Theology no. 9 (London: SCM Press LTD, 1953).

G. Von Rad, *Deuteronomy: A Commentary* (London: SCM Press LTD, 1964).

G. Von Rad, *Genesis*, London: SCM Press LTD, 1971).

C. Westermann, *Genesis 12-36: A Commentary* (London: SPCK, 1984).

C. Westermann, *Genesis*, D. E. Green (trans.), (Edinburgh: T. & T. Clark, 1987).

Other Ancient Texts and Translations

J. H. Charlesworth, (ed.,) *The Old Testament Pseudepigrapha 2 Volumes: Apocalyptic Literature & Testaments, Expansions of the "Old Testament" and Legends, Wisdom and Philosophical Literature, Prayers, Psalms and Odes, Fragments of Lost Judeo-Hellenistic Works*, Anchor Bible Reference Library (New York: Doubleday, 1985).

R. H. Charles et al (eds.), *The Apocrypha and Pseudepigrapha of the Old Testament in English, with Introductions and Critical Explanatory Notes to the Several Books, Edited in Conjunction with Several Scholars* (2 vols; Oxford: Clarendon Press, 1913).

R. H Charles, *The Greek Versions of the Testaments of the Twelve Patriarchs* (Oxford, 1908; Hildesheim, 1960).

J. W. Etheridge, *The Targums of Onkelos and Jonathan Ben Uzziel on the Pentateuch with Fragments of the Jerusalem Targum from the Chaldee, 2 Volumes in 1* (New York: The Ktav Publishing House, 1968).

H. Danby (ed. and trans.), *The Mishnah, Translated from the Hebrew with Introduction and Brief Explanatory Notes* (Oxford University Press, 1933).

The Talmud, Translated Into English with Notes, Glossary and Indices under the Editorship of Rabbi Dr I. Epstein, (London: Soncino Press, 1933).

The Midrash Rabbah: New Compact Edition in Five Volumes, Volume Three, Numbers and Deuteronomy, Translated into English with notes, glossary and indices under the editorship of Rabbi Dr H. Freedman and M. Simon (London, Jerusalem, New York: The Soncino Press, 1977).

A. Watson, (ed. and trans.) *Digest of Justinian Volumes I & II* (Philadelphia: University of Pennsylvania Press, 1998).

Concordances, Dictionaries, Encyclopaedia, Bibliographies, and Lexica

P. Borgen and K. Fuglseth, Skarsten, Roald. *The Philo Index: A Complete Greek Word Index to the Writings of Philo of Alexandria* (Grand Rapids, Michigan; Cambridge, U.K: William Eerdmans Publishing Company: Brill: Leiden, Boston, Köln, 2000).

R. J. Coggins and J. L. Holden (eds.), *A Dictionary of Biblical Interpretation* (London: SCM Press; Philadelphia: Trinity Press International,

Encyclopaedia Judaica (Jerusalem: Keter Publishing, 1971).

D. N. Freedman, (editor-in-chief), G. A. Herion, D. F. Graf, J. D. Pleins (associate editors), A. B. Beck (managing editor), *Anchor Bible Dictionary* (New York: Doubleday, 1992).

N. G. L. Hammond and H. H. Scullard (eds.), *The Oxford Classical Dictionary* (Oxford: Clarendon Press, 1992).

J. Hastings and J. A. Selbie (eds.), *Dictionary of the Bible Vols. I & II* (Edinburgh: T. & T. Clarke, 1905).

G. Kittel and G. Bromily (trans. and eds.), *The Theological Dictionary of the New Testament* (Grand Rapids, Michigan: William Eerdmans's Publishing Company, 1964-1976).

C. T. Lewis and C. Short, *Latin Dictionary* (Oxford: Clarendon Press, 1951).

H. G. Liddell and R. Scott, *A Greek-English Lexicon* (Oxford: Clarendon Press, 1901).

K. Rengsdorf, *A Complete Concordance to Flavius Josephus*, vols. 1-4 and Supplement (Leiden: E. J. Brill, 1973).

R. Radice and D. T. Runia, *Philo of Alexandria: An Annotated Bibliography 1937-1986* (Leiden, New York, København, Köln: E. J. Brill, 1988).

J. Strong, *Strong's Exhaustive Concordance of the Bible* (London: Hendrickson Publishers).

Electronic and Internet Sources:

Anchor Bible Dictionary (Based on the text of D. N. Freedman *et al* (eds.), *The Anchor Bible Dictionary* (New York: Doubleday, 1992); Logos Library System, CD-Rom Version, 1994).

BibleWorks (CD-Rom Version 5: Norfolk VA: Bibleworks, 2002).

Encyclopaedia Judaica, (Orig. Jerusalem: Keter Publishing, 1972; CD-Rom Version 1.0; Judaica Multimedia Israel, 1997).

Theological Dictionary of the New Testament, (Based on the text of G. Kittel & G. Friedrich (eds.), *Theological Dictionary of the New Testament* (Michigan: Eerdmans, 1964); Logos Library System, CD-Rom Version, 2000).

The Perseus Project, by G. R. Crane (ed.), Tufts College, URL: <http://www.perseus.tufts.edu>, assessed September 2003.

TLG - *Thesaurus Linguae Graecae* (CD-Rom Version E, University of California, Irvine, 2000).

Secondary Sources:

R. Albertz, *A History of Israelite Religion in the OT Period*, ET (2 vols., London: SCM Press, 1994).

B. Albrektson, "Josefus, Rabbi Akiva och Qumran. Tre Argument I discussionen om tidpunkten för den gemmaltestamentliga konsonanttextens standardisering", *Teologinen Aikakauskirja* 73 (1968), pp. 201-215.

B. H. Amaru, 'Portraits of Biblical Women in Josephus' *Antiquities*', *JJS* 38-39 (1987-88), pp. 143-170.

A. Arjava, *Women and Law in Late Antiquity* (Oxford: Clarendon Press, 1996).

H. W. Attridge, *The Interpretation of Biblical History in the Antiquitates Judaicae of Flavius Josephus* (Missoula, Montana: Scholars Press, 1976).

H. W. Attridge, 'Josephus and His Works', in M. E. Stone (ed.), *Jewish Writings of the Second Temple Period: Apocrypha, Pseudepigrapha, Qumran Sectarian Writings, Philo, Josephus* (Philadelphia: Van Gorcum; Assen: Fortress Press, 1984), pp. 185-303.

M. M. Austin, *The Hellenistic World from Alexander the Great to the Roman Conquest: A Selection of Ancient Sources in Translation* (Cambridge, 1994).

J. L. Bailey, "Josephus' Portrayal of the Matriarchs", in L. H. Feldman and G. Hata (eds.), *Josephus, Judaism, and Christianity* (Detroit: Wayne State University Press, 1987), pp. 154-179.

J. P. V. D. Balsdon, *Roman Women: Their History and Habits* (London, Sydney and Toronto: The Bodley Head, 1977).

J. M. G. Barclay, *Jews in the Mediterranean Diaspora from Alexander to Trajan (323 BCE – 117 CE)* (Edinburgh: T & T Clark, 1996).

J. T. Barrera, *The Jewish Bible and the Christian Bible: An Introduction to the History of the Bible* (Leiden, New York, Köln: E. J. Brill; Grand Rapids, Michigan, Cambridge University Press: Eerdmans, 1998).

S. Bartchy, *First Century Slavery and 1 Corinthians 7: 2* (Atlanta: Scholars Press, 1985).

S. Bartchy, "Slavery (NT)", *ABD* 6: 65-73.

H. W. Basser, "Josephus as Exegete", *JAOS* vol. 107, no. 1 (Jan.-Mar., 1987), pp. 21-30.

- M. Beard, J. North and S. Price, (eds.), *Religions of Rome Volume. 2: A Sourcebook* (Cambridge, 1998).
- R. Bentley, 'Loving Freedom: Aristotle on Slavery and the Good Life', *Political Studies* XLVII (1999), pp. 100-113.
- P. Bilde, "The Causes of the Jewish War According to Josephus", *JSJ* 10 (1979), pp. 179-202.
- P. Bilde, *Flavius Josephus between Jerusalem and Rome: The Man, His Writings and their Importance*, Journal for the Study of the Pseudepigrapha Supplement Series 2 (Sheffield Academic Press, 1988).
- J. Blenkinsopp, *The Pentateuch: An Introduction to the First Five Books of the Bible* (London: SCM Press Ltd, 1992).
- H. Bloch, *Die Quellen des Flavius Josephus in seiner Archäologie* (Leipzig: B. G. Teubner, 1879).
- A. Borkowski, *Textbook on Roman Law*, second edition (London: Blackstone Press Limited, 1997).
- G. W. Bowerstock, *Roman Arabia* (Cambridge, Massachusetts: Harvard University Press: Cambridge, 1996).
- K. R. Bradley, *Slaves and Masters in the Roman Empire: A Study in Social Control*, (Oxford University Press, 1987).
- K. R. Bradley, 'On the Roman Slave Supply and Slave Breeding', *Slavery and Abolition* vol. 8, no. 1 (May 1987), pp. 42-64.
- K. R. Bradley, *Discovering the Roman Family: Studies in Roman Social History* (New York, Oxford: Oxford University Press, 1991).
- K. R. Bradley, *Slavery and Rebellion in the Roman World 140 B. C. – 70 B. C.* (Bloomington and Indianapolis: Indiana University Press, 1998).
- K. R. Bradley, *Slavery and Society at Rome* (Cambridge, 1999).
- M. Braun, *Griechischer Roman und hellenistische Geschichtsschreibung* (Frankfurt am Main: V. Kostermann, 1934).
- G. J. Brooke, 'The textual Tradition of the Temple Scroll and Recently Published Manuscripts of the Pentateuch', in D. Dimant and S. Rappaport (eds.), *The Dead Sea Scrolls: Forty Years of Research*, (Leiden, New York, Köln, Jerusalem: E. J. Brill, 1992), pp. 260-287.
- C. A. Brown, *No Longer be Silent: First Century Jewish Portraits of Biblical Women, Studies in Pseudo-Philo's Biblical Antiquities and Josephus' Jewish Antiquities* (Louisville, Kentucky: John Knox Press, 1992).

- P. A. Brunt, *Italian Manpower 225 B. C. – A. D. 14* (Oxford at the Clarendon Press, 1971).
- W. W. Buckland, *The Roman Law of Slavery: The Condition of the Slave in Private Law from Augustus to Justinian* (1908, reprint New York: AMS Press, 1969).
- J. Burdon, 'Slavery as a Punishment in Roman Criminal Law', in L. Archer (ed.), *Slavery and Other Forms of Unfree Labour* (London, New York: Routledge, 1988), pp. 68-85.
- A. Brenner, 'Female Social Behaviour: Two Descriptive Patterns Within the "Birth of the Hero" Paradigm,' *VT* 36 (1986), pp. 257-273.
- G. Cambiano, 'Aristotle and the Anonymous Opponents of Slavery', *Slavery and Abolition*, no. 1 (May 1987), pp. 21-41.
- A. M. Ceriani, '*Fragmenta Parvae Genesis et Assumptio Mosis ex Veteri Versione Latinae*', *Monumenta Sacra et Profana*, I (Milan: 1861).
- R. H. Charles, *Mashafa Kufale or the Ethiopic Version of the Hebrew Book of Jubilees* (Oxford: Clarendon Press, 1895).
- B. S. Childs, *Introduction to the Old Testament as Scripture* (London: SCM Press, 1979).
- G. Chirichigno, *Debt-Slavery in Israel and the Ancient Near East* (Sheffield: JSOT Press, 1993).
- B. Cohen, *Jewish and Roman Law: A Comparative Study*, 2 Vols. (New York: The Jewish Theological Seminary of America, 1966).
- N. G. Cohen, 'Josephus and Scripture: is Josephus' Treatment of Scriptural Narrative Similar Throughout *Antiquities* I-XI', *JQR* 44 (1963-4), pp. 311-332.
- S. J. D. Cohen, *Josephus in Galilee and Rome: His Vita and Development as a Historian* (Boston, Leiden: Brill Academic Publishers, 1979).
- H. Cotton, 'The Guardianship of Jesus Son of Babatha', *JRS* 83 (1993), pp. 94-108.
- J. A. Crook, *Law and Life of Rome* (London: Ithaca, 1967).
- F. M. Cross, and E. Eshel, 'Ostraca from Khirbet Qumran', *IEJ* 47 (1997), pp. 17-28.
- F. Crüsemann, *The Torah: Theology and Social History of Old Testament Law* (Edinburgh: T. & T. Clark, 1996).
- M. A. Dandamayev, "Slavery (ANE)" and "Slavery (OT)", *ABD* 6: 58-65.

- D. Daube, 'Text and Interpretation in Roman and Jewish Law', *The Jewish Journal of Sociology* III (1961), pp. 3-28.
- D. Daube, *Studies in Biblical Law* (New York: Ktav Publishing House, 1969).
- P. R. Davies, *The Damascus Covenant: an Interpretation of the 'Damascus Document'*, JSOT 25 (Sheffield: JSOT Press, 1982).
- G. E. M. de Ste. Croix, 'Early Christian Attitudes to Property and Slavery', *SCH* 12, 1975.
- G. E. M. de Ste. Croix, *The Class Struggle in the Ancient Greek World From the Archaic Age to the Arab Conquest* (London: Duckworth, 1981).
- G. E. M. de Ste. Croix, 'Slavery and Other Forms of Unfree Labour' in L. Archer (ed.), *Slavery and Other Forms of Unfree Labour* (London, New York: Routledge, 1988).
- J. von Destimon, *Die Quellen des Flavius Josephus I: Die Quellen der Archäologie Buch XII-XVII = Jüd. Krieg Buch I* (Kiel: Lipsius & Tischer, 1882).
- R. De Vaux, *Ancient Israel: Its Life and Institutions*, (London: Darton, Longman & Todd, fourth edition, 1978).
- S. Dixon, *The Roman Family*, (Baltimore, London: The John Hopkins University Press, 1992).
- L. Epszstein, *Social Justice in the Ancient Near east and the People of the Bible* (London: SCM Press, 1986).
- I. A. Ernesti, *Exercitationem Flavianarum prima de fontibus Archaeologia* (Leipzig, 1756).
- I. A. Ernesti, *Opuscula Philologica Critica* (Leiden: Lugduni Batavorum, 1776).
- J. Evans-Grubb, "'Marriage More Shameful than Adultery': Slave Mistress Relationships, 'Mixed Marriages' and Late Roman Law", *Phoenix* XLVII no. 2 (1993), pp. 125-154.
- Z. W. Falk, 'The Deeds of Manumission of Elephantine', *JJS* 5 (1954), pp. 114-117.
- Z. W. Falk, *Hebrew Law in Biblical Times: An Introduction* (Jerusalem: Wahrman Books, 1964).
- L. H. Feldman, "Abraham the Greek Philosopher in Josephus", *TAPA* vol. 99 (1968), pp. 143-156.

- L. H. Feldman, "Hellenizations in Josephus' Account of Man's Decline", in J. Neusner (ed.), *Religions in Antiquity: Essays in Memory of Erwin Ramsdell Goodenough* (Leiden: E. J. Brill, 1968), pp. 336-352.
- L. H. Feldman, "Hellenizations in Josephus' Version of Esther", *TAPA* 101 (1970), pp. 143-170.
- L. H. Feldman, "Josephus as an Apologist to the Graeco-Roman World: His Portrait of Solomon", in E. Shüssler Fiorenza, E. S. (ed.), *Aspects of Religious Propaganda in Judaism and Early Christianity* (Notre Dame: University of Notre Dame, 1976), pp. 69-98.
- L. H. Feldman, "Josephus' Commentary on Genesis", *JQR* 72 (1981-82), pp. 121-131.
- L. H. Feldman, "Josephus' Portrait of the Binding of Isaac", in K. H. Richards (ed.), *SBLSP* 21 (1982), pp. 113-128.
- L. H. Feldman, *Josephus and Modern Scholarship (1937-1980)* (Berlin, New York, 1984).
- L. H. Feldman, "Josephus as a Biblical Interpreter: The Aqeda", *JQR* 75 (1984-85), pp. 212-252.
- L. H. Feldman, "Josephus Revisited: The Man, his Writings, and his Significance", *ANRW* II, 21. 2 (1984), pp. 763-862.
- L. H. Feldman, "Abraham the General in Josephus", in F. E. Greenspan, E. Hilgert and B. L. Black (eds.), *Nourished with Peace: Studies in Hellenistic Judaism in Memory of Samuel Sandmel* (Chicago, CA: Scholars Press, 1984), pp. 43-49.
- L. H. Feldman, "Josephus' Portrait of Isaac", *RSLR* 29 (1993), pp. 3-33.
- L. H. Feldman, "Use, Authority and Exegesis of Mikra in the Writings of Josephus," in M. J. Mulder (ed.), *Mikra: Text, Translation, Reading and Interpretation of the Hebrew Bible in Ancient Judaism and Early Christianity* (CRINT 2. 1; Assen: Van Gorcum; Philadelphia: Fortress Press, 1998), pp. 455-519.
- L. H. Feldman, *Josephus' Interpretation of the Bible* (Berkeley: University of California Press, 1998).
- L. H. Feldman, *Studies in Josephus' Rewritten Bible* (Leiden: E. J. Brill, 1998).
- L. H. Feldman, 'Rearrangement of Pentateuchal Material in Josephus' *Antiquities*, Books 1-4', at: <http://josephus.yorku.ca/pdf/Feldman.pdf>. Accessed September 2003 - Paper presented at 1999 SBL Josephus Seminar.
- N. R. E Fisher, *Slavery in Classical Greece* (Bristol Classical Press, 1993).

- P. V. M. Flesher, *Oxen, Women, or Citizens? Slaves in the System of the Mishnah* (Atlanta: Scholars Press, 1988).
- H. P. Foley (ed.), *Reflections of Women in Antiquity* (New York, 1981).
- T. W. Franxman, *Genesis and the "Jewish Antiquities" of Flavius Josephus* (*Bib.Or.* 35, Biblical Institute Press: Rome, 1979).
- J. F. Gardner, *Women in Roman Law and Society* (London: Croom Helm, 1986), pp. 91-3, 138-9.
- A. K. Garilov, "Techniques of Reading in Classical Antiquity", *Classical Quarterly* 47: 1 (1997), pp. 56-73.
- Y. Garlan, 'War, Piracy and Slavery in the Greek World', *Slavery and Abolition* vol.8, no. 1 (May 1987), pp. 7-21.
- P. Garnsey, *Ideas of Slavery from Aristotle to Augustine* (Cambridge University Press, 1999).
- P. Garnsey, 'The Middle Stoics and Slavery', in P. Cartledge, P. Garnsey and E. Gruen (eds.), *Hellenistic Constructs: Essays in Culture, History, and Historiography* (Berkeley, Los Angeles, London: University of California Press, 19??), pp. 159-174.
- M. Gaster, *The Asatir* (London: Publications of the Royal Asiatic Society, 1927).
- J. G. Gibbs and L. H. Feldman, 'Josephus' Vocabulary for Slavery' in Louis H. Feldman (ed.), *Studies in Hellenistic Judaism* (Leiden, New York, Köln: E. J. Brill, 1996).
- E. L. Gibson, *The Jewish Manumission Documents of the Bosphorus Kingdom* (Tübingen: J. C. B. Mohr (Paul Siebeck), 1999).
- D. M. Goldenburg, "Antiquities IV, 277 and 288, Compared with Early Rabbinic Law", in L. H. Feldman and G. Hata (eds.), *Josephus, Judaism, and Christianity* (Detroit: Wayne State University Press, 1987), pp. 198-211.
- M. L. Gordon, 'The Nationality of Slaves Under the Early Roman Empire', *JRS* 14 (1924), pp. 93-111.
- M. Goodman, *The Ruling Class of Judaea: the Origins of the Jewish Revolt Against Rome A. D. 66-70* (Cambridge University Press, 1995).
- M. Goodman, *The Roman World 44 BC-AD 180* (London, New York: Routledge, 1997).
- M. Goodman, *State and Society in Roman Galilee, AD 132-212* (London: Valentine Mitchell, 2000).

L. Grabbe, *Judaism from Cyrus to Hadrian*, 2 vols. (Minneapolis: Fortress Press, 1992), 2, pp. 593-594.

M. P. Gray, "The Hâbirû-Hebrew Problem in the Light of the Source Material Available at Present", *HUCA* 29 (1958), pp. 135-202.

D. E. Hahn, 'Roman Nobility and the Three Major Priesthoods, 218-167 B. C.' *TAPA* 96 (XCIV), pp. 73-85.

P. Harlé and D. Pralon, *La Bible d'Alexandrie. Le Lévitique* (Paris: Cerf, 1988).

D. J. Harrington, introduction to Pseudo-Philo in James H. Charlesworth (ed.), *The Old Testament Pseudepigrapha Vol. 2*. Anchor Bible Reference Library (New York, London, Toronto, Sydney, Auckland: Doubleday, 1985) pp. 297-303.

J. A. Harrill, 'The Vice of Slave Dealers in Graeco-Roman Society. The Use of Topos in 1 Timothy – 1- 10 (Exploring Cultural Stereotypes and Scriptural References surrounding Slavery in Classical Antiquity)', *JBL*, 1999, Vol. 118, No.1, pp. 97-122.

W. V. Harris, *Ancient Literacy* (Cambridge, Massachusetts, 1989), pp. 175-284.

W. V. Harris, 'Demography, Geography and the Sources of Roman Slaves', *JRS* 79 (1999), pp. 62-75.

F. D. Harvey, 'Herodotus and the Man-Footed Creature', in L. Archer (ed.), *Slavery and Other Forms of Unfree Labour* (London, New York: Routledge, 1988), pp. 42-52.

G. Hölscher, Josephus Cols. 1934-2000 in vol. 18, *Realenzyklopädie der classischen Altertumswissenschaft*. Ed. A. F. von Pauly, G. Wissowa, et al. (Munich: A. Druckenmüller, 1916).

T. Ilan, *Jewish Women in Greco-Roman Palestine* (Massachusetts: Hendrickson Publishers, 1996).

T. Ilan, *Integrating Women into Second Temple History*, Texts and Studies in Ancient Judaism 76, (Tübingen: Mohr Siebeck, 1999).

D. Instone-Brewer, *Divorce and Remarriage in the Bible: the Social and Literary Context* (Grand Rapids, Michigan/ Cambridge UK: William B. Eerdmans Publishing Company, 2002).

T. Irwin, *Classical Thought* (Oxford University Press, 1989).

B. S. Jackson, 'Biblical Laws of Slavery: a Comparative Approach', in L. Archer (ed.), *Slavery and Other Forms of Unfree Labour* (London, New York: Routledge, 1988), pp. 86-101.

S. Japhet, "The Laws of Manumission of Slaves and the Question of the Relationship between the Collection of Laws and the Pentateuch", in Y. Avishur and J. Blau (eds.),

- Studies in Bible and the Ancient Near East* (Jerusalem: E. Rubinstein, 1978), pp. 199-200.
- A. Jepsen, "Amah und Schiphcha", *VT* 8 (1958), pp. 293-279.
D. Johnston, *Roman Law in Context* (Cambridge University Press, 1999).
- H. F. Jolwicz and B. Nicholas, *Historical Introduction to the Study of Roman Law* (Cambridge University Press, 1972).
- S. R. Joshel and S. Murnaghan (eds.), *Woman and Slaves in Greco-Roman Culture* (London and New York: Routledge, 1998).
- Z. Kahn, *L'esclavage selon la Bible et la Talmud* (Paris: L. Guérin, 1867).
- M. Kaser, *Das römische Zivilprozessrecht* (Munich, 1996).
- O. Kaiser, *Introduction to the Old Testament: A Presentation of its Results and Problems* (Oxford: Blackwell, 1975).
- H. C. Kee, introduction to the translations of the testaments in, Charlesworth (ed.), *The Old Testament Pseudepigrapha, Vol. 1*, Anchor Bible Reference Library (New York, London, Toronto, Sydney, Auckland: Doubleday, 1985), pp. 775-781.
- O. Kiefer, *Sexual Life in Ancient Rome* (London: Constable, 1994).
- H. P. Kingdon, "The Origins of the Zealots", *NTS* 19 (1972-73), pp. 74-81.
- R. S. Kraemer, *Her Share of the Blessings: Women's Religions Among the Pagan's, Jews, and Christians in the Greco-Roman World* (Oxford University Press, 1992).
- D. J. Kyrtatas, *The Social Structure of the Early Christian Communities* (London, New York: Verso, 1987).
- D. J. Ladouceur, "The Language of Josephus", *JSJ* 14 (1983), pp. 18-38.
- T. Landau, review of L. H. Feldman, *Josephus' Interpretation of the Bible* (Berkeley: University of California Press, 1998), and, *Studies in Josephus' Rewritten Bible* (Leiden: E. J. Brill, 1998), *JJS* LI (2000), pp. 158-159.
- R. Laqueur, *Der jüdische Historiker Flavius Josephus. Ein biografischer Versuch auf neuer quellenkritischer Grundlage* (Roma: Bretschneider, 1920; reprint, Darmstadt, 1970).
- M. R. Lehmann, 'The Beautiful War Bride and Other *Halakhoth* in the Temple Scroll', in G. J. Brooke (ed.), *The Temple Scroll*, JSOT Supplement Series 7 (Sheffield Academic Press, 1989, pp. 265-272).
- S. Z. Leiman, 'Josephus and the Canon of the Bible', in L. H. Feldman and G. Hata (eds.), *Josephus, the Bible and History* (Detroit: Wayne State University Press, 1987).

- N. P. Lemche, 'The Hebrew Slave: Comments on the Slave Law Ex. XXI 2-11', *VT* 25 (1975), pp. 129-144.
- N. P. Lemche, 'The Manumission of Slaves – The Fallow Year – The Sabbatical Year – The Jubel Year', *VT* 26 (1976), pp. 38-59.
- B. A. Levine, 'The Temple Scroll: Aspects of its Historical Provenance and Literary Character', *BASOR* 232 (1978).
- D. B. Levine, 'Hubris in Josephus' *Jewish Antiquities* 1-4', *HUCA* 44 (1993), pp. 51-87.
- B. M. Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation*, (Oxford University Press, 1997).
- H. Lindner, *Die Geschichtsauffassung des Flavius Josephus im Bellum Judaicum* (Leiden: E. J. Brill, 1972).
- J. Madden, 'Slavery in the Roman Empire: Numbers and Origins', *Classical Ireland* 3 (1996), pp. 1-8.
- J. Maier, *The Temple Scroll: An Introduction, Translation and Commentary*, JSOT Supplementary Series 34 (Sheffield Academic Press, 1985).
- D. B. Martin, *Slavery as Salvation: The Metaphor of Slavery in Pauline Christianity* (New Haven: Yale University Press, 1990).
- D. B. Martin, "Slavery and the Ancient Jewish Family", in S. J. D. Cohen (ed.), *The Jewish Family in Antiquity* (Atlanta: Scholars Press, 1993), pp. 113-132.
- F. G. Martinez, *The Dead Sea Scrolls Translated: the Qumran Texts Translated*, Second Edition (Leiden, New York, Köln: E. J. Brill, 1996).
- S. Mason, *Flavius Josephus on the Pharisees: A Composition-Critical Study* (Leiden, New York, København, Köln: E. J. Brill, 1991).
- S. Mason, "'Should Anyone Wish to Enquire Further' (*Ant.* 1. 25): The Aim and Audience of Josephus' Judean Antiquities/Life", in S. Mason (ed.), *Understanding Josephus: Seven Perspectives*, Journal for the Study of the Pseudepigrapha Supplement Series 32 (Sheffield Academic Press, 1998), pp. 64-103.
- R. MacMullen, *Roman Social Relations 50 B. C. to A. D. 284* (New Haven and London: Yale University Press, 1974).
- R. MacMullen, 'Late Roman Slavery', *Historia* 36 (1987), pp. 359-382.
- J. G. McConville, *Law and Theology in Deuteronomy*, Journal for the Study of the Old Testament Supplement Series 33 (Sheffield Academic Press, 1984).

- I. Mendelsohn, *Slavery in the Ancient Near East: A Comparative Study of Slavery in Babylonia, Assyria, Syria, and Palestine from the Middle of the Third Millennium to the End of the First Millennium* (Oxford University Press, 1949).
- A. Mez, *Die Bibel des Josephus, untersucht für Buch V-VII der Archaologie* (Basel: Jaeger & Kober, 1895).
- M. Mielziner, "The Institution of Slavery among the Ancient Hebrews according to the Bible and Talmud", in *Moses Mielziner, 1828-1903: A Biography with a Bibliography of his writings with a Reprint of his "Slavery amongst the Ancient Hebrews" and Other Works*, E. M. F. Mielziner (ed.), (New York, 1931).
- J. Modrzejewski, "La règle de droit dans L'Egypte romaine", *Proceedings of the XIIIth International Congress of Papyrology* (Toronto, 1979), pp. 317-377.
- A. Momigliano, *Alien Wisdom: The Limits of Hellenization* (Cambridge University Press, 1975).
- N. Montserrat. *Sex and Society in Graeco-Roman Egypt* (London, New York: Kegan Paul International, 1996).
- F. J. Murphy, *Pseudo-Philo: Rewriting the bible* (New York, Oxford: Oxford University Press, 1993).
- J. Neusner, *The Mishnah* (New York: Doubleday, 1994).
- B. Nicholas, *An Introduction to Roman Law* (Oxford: Clarendon Press, 1990 edition).
- G. W. E. Nickelsburg, *Jewish Literature Between the Bible and the Mishnah* (London: SCM Press, 1981).
- G. W. E. Nickelsburg, "The Bible Rewritten and Expanded", in M. Stone (ed.) *Jewish Writings of the Second Temple Period*, CRINT 2. 2 (Assen: Van Gorcum; Philadelphia: Fortress Press, 1984), pp. 89-156.
- M. Niehoff, "Two Examples of Josephus' Narrative Technique in his "Rewritten Bible", *JSJ* 27 (1996), pp. 31-45.
- D. Nörr, "Römisches Zivilprozessrecht nach Max Kaser", *SZ* 115 (1998), pp. 80-98.
- J. A. North, *Roman Religion: New Surveys in the Classics* 30 (Oxford: The Classical Association, 2000).
- M. Noth, *The Laws in the Pentateuch and Other Studies* (London: SCM Press, 1984).
- R. M. Ogilvie, *Roman Literature and Society* (Harmondsworth: Penguin, 1980), pp. 12-16.
- M. Olitzki, *Flavius Josephus und die Halacha* (Berlin: Druck von H. Hizkowski, 1885).

- M. Olitzki, "Der jüdische sklave nach Josephus und der Halacha", *Magazin für die Wissenschaft des Judentums* 16 (1899), pp. 73-83.
- D. Patrick, *Old Testament Law* (London: SCM Press, 1985).
- S. Pearce, "Josephus as an Interpreter of Biblical Law: The Representation of the High Court of Deut. 17: 8-12 according to *Jewish Antiquities* 4. 218", *JJS* XLVI (1995), pp. 30-42 (32).
- S. J. Pearce, "Josephus and the Witness Laws of Deuteronomy", in J. V. Kalms (Hg.), *Internationales Josephus-Kolloquium, Aarhus 1999* (Münster, Hamburg, London: Lit Verlag, 2000), pp. 122-134.
- A. Pelletier, *Flavius Josèphe adaptateur de la Lettre d'Aristée. Une réaction atticisante contre la koinè* (Études et Commentaires 45; Paris: Klincksieck, 1962).
- A. Pelletier, "The Letter of Aristeas, and the Septuagint", in L. H. Feldman and G. Hata (eds.), *Josephus, the Bible, and History* (Detroit: Wayne State University Press, 1989), pp. 97-114.
- S. Perowne, *Hadrian* (London: Hodder and Stoughton, 1960).
- S. B. Pomeroy, *Goddesses, Whores, Wives, & Slaves: Women in Classical Antiquity* (London: Pimlico, 1994 edition).
- T. Rajak, *Josephus: the Historian and his Society* (London: Duckworth, 1983).
- T. Rajak, "Josephus and the 'Archaeology' of the Jews", *JJS* 33 (1982), pp. 465-477.
- K. Rengsdorf "Doulos" *TDNT* 2: 261-280.
- S. Rappaport, *Agada und Exegese bei Flavius Josephus* (Vienna: Kohut, 1930).
- B. Rawson, 'Family Life among the Lower Classes at Rome in the First Two Centuries of the Empire', *Classical Philology* 61 (1966), pp. 71-83.
- B. Rawson, "Roman Concubinage and Other de facto Marriages", *Transactions of the American Philological Association* 104 (1974), pp. 279-305.
- B. Rawson, *The Family in Ancient Rome: New Perspectives* (New York: Ithaca, 1986).
- B. Revel, "Some Anti-Traditional Laws of Josephus", *JQR* 14 (1923-24), pp. 293-301.
- T. Rihill, 'The Origin and Establishment of Ancient Greek Slavery', in M. L. Bush (ed.), *Serfdom and Slavery: Studies in Legal Bondage* (London and New York: Longman, 1996), pp. 89-111.

- O. F. Robinson, *The Sources of Roman Law* (London: Routledge, 1997).
- C. S. Rodd, 'The Metaphor of Slavery in the Writings of the Early Church: From the New Testament to the Beginnings of the Fifth Century', *Expository Times*, 1999, Vol. 110, No.8, p. 262.
- S. Rubin, *Das Talmudisch Recht* (Vienna: Nibur, 1920).
- D. Runia, *Philo in Early Christian Literature: A Survey* (Assen: Van Gorcum; Minneapolis: Fortress Press, 1993).
- K. Sacks, *Diodorus Siculus and the First Century* (Princeton: Princeton University Press, 1990).
- E. P. Sanders, *Jewish Law from Jesus to the Mishnah: Five Studies* (London: SCM Press, 1990).
- S. Sandmel, *Philo's Place in Judaism: A Study in Conceptions of Abraham in Jewish Literature* (Cincinnati, 1956).
- M. J. Satlow, *Jewish Marriage in Antiquity* (Princeton and Oxford: Princeton University Press, 2001).
- A. Schalit, *Introduction to the Hebrew Translation of the Antiquities* (Jerusalem: Mosad Bialik, 1967).
- Scharfenburg, *De Josephi et versionis Alexandrinae consensus* (Leipzig, 1780).
- L. H. Schiffman, *Reclaiming the Dead Sea Scrolls: Their True Meaning for Judaism and Christianity* (New York, London, Toronto, Sydney, Auckland: Doubleday, 1994).
- E. Schuller, "Women in the Dead Sea Scrolls", in M. Wise (ed.), *Methods of Investigating the Dead Sea Scrolls and the Khirbet Qumran Site: Present Realities and Future Prospects* (New York: Annals of the New York Academy of Sciences, 1994).
- E. Schürer, *The History of the Jewish People in the Age of Jesus Christ*, 3 vols., revised by G. Vermes, F. Millar and M. Goodman (Edinburgh: T. & T. Clark, 1973-86).
- S. Schwartz, *Josephus and Judaeae Politics* (Leiden, New York, København, Köln: E. J. Brill, 1990).
- R. J. H. Shutt, *Studies in Josephus* (London: SPCK, 1961).
- R. J. H. Shutt, "Biblical Names and Their Meanings in Josephus, *Jewish Antiquities*, Books I and II, 1-200", *JSJ* 2 (1971), pp. 167-182.
- E. M. Smallwood, *Jewish War* (London: Penguin Books, 1981).

- N. D. Smith, 'Aristotle's Theory of Natural Slavery', *Phoenix*, vol. 37 (1983), pp. 109-122.
- J. A. Soggin, *Introduction to the Old Testament*, Third Edition (London: SCM Press, 1989).
- W. Speyer, *Die literarische Fälschung im heidnischen und christlichen Altertum: ein Versuch ihrer Deutung* (München: Beck, 1971).
- P. Spilsbury, *The Image of the Jew in Flavius Josephus' Paraphrase of the Bible* (Tübingen: Mohr Siebeck, 1988).
- L. T. Spittler, *De usu versionis Alexandrinae apud Josephum* (Göttingen: Vandenhoeckii viduam, 1779).
- C. Spique, "Le vocabulaire de l'esclavage dans le nouveau testament", *RB* 85 (1978), pp. 201-226.
- H. Stegemann, 'The Literary Composition of the Temple Scroll and its Status at Qumran', in G. J. Brooke (ed.), *Temple Scroll Studies*, JSOT Supplementary Series 7 (Sheffield Academic Press, 1989).
- G. Sterling, "The Invisible Presence: Josephus' Retelling of Ruth", in S. Mason (ed.), *Understanding Josephus: Seven Perspectives*, Journal for the Study of the Pseudepigrapha Supplement Series 32 (Sheffield Academic Press, 1998) pp. 104-171.
- G. Sterling, *Historiography and Self-definition: Josephus, Luke-Acts and Apologetic Historiography*, Novum Testamentum Supplement 64 (Leiden: E. J. Brill, 1992).
- D. Stern, "The Captive Woman: Hellenization, Greco-Roman Erotic Narrative, and Rabbinic Literature", *Poetics Today* 19: 1 (Spring 1998), pp. 91-217.
- M. Stern, *Greek and Latin Authors on Jews and Judaism I* (Jerusalem, 1974).
- E. Schürer, *The History of the Jewish People in the Age of Jesus Christ*, 3 vols., reviewed by G. Vermes, F. Millar and M. Goodman (Edinburgh: T & T Clark, 1973-86).
- P. Spilsbury, *The Image of the Jew in Josephus' Biblical Paraphrase* (Tübingen: Mohr Siebeck, 1998).
- G. Tachaur, *Das Verhältniss von Flavius Josephus zur Bibel und Tradition* (Erlangen, 1871).
- O. Tellegen-Couperus, *A Short History of Roman Law* (London, New York: Routledge, 1990).
- S. J. Teubal, *Ancient Sisterhood: The Lost Traditions of Hagar and Sarah* (Athens: Swallow Press/University of Ohio Press, 1990).

- H. St J. Thackeray, *Josephus: The Man and the Historian* (New York: Jewish Institute of Religion Press, 1929).
- W. G. Thalmann, 'Versions of Slavery in the 'Captivi' of Plautus', *Ramus-Critical Studies in Greek and Roman Literature*, 1996, Vol.25, No.2, pp. 112-145.
- K. van der Toorn, 'Goddesses in Early Israelite Religion', in L. Goodison and C. Morris (eds.), *Ancient Goddesses* (London: British Museum Press, 1998) pp. 83-97.
- S. Treggiari, "Concubinae", *Papers of the British School at Rome* 36 (1981), pp. 59-81.
- J. van Seters, "The Problems of Childlessness in Near Eastern Law and the Patriarchs of Israel", *JBL* 87 (1968), pp. 401-408.
- J. van Seters, 'Jacob's Marriages and Ancient Near East Customs', *HTR* 62:1969, pp. 377-95.
- E. Ulrich, "Josephus' Biblical Text for the book of Samuel", in L. Feldman and G. Hata (eds.), *Josephus, the Bible, and History* (Detroit: Wayne State University Press, 1989), pp. 81-96.
- E. E. Urbach, "The Laws Regarding slavery as a Source for Social History in the Period of the Second Temple, the Mishnah and the Talmud", in J. G. Weiss, (ed.), *Papers of the Institute of Jewish Studies, London. Vol. I* (Jerusalem: 1964), pp. 1-94.
- J. C. Vanderkam, *From Redaction to Canon: Studies in the Hebrew Bible and Second Temple Literature, Supplements to the Journal for the Study of Judaism, vol. 62* (Leiden, Boston, Köln: Brill, 200).
- W. C. van Unnik, "Josephus' Account of the Story of Israel's Sin with Alien Women and the Country of Midian (Num. 25: 1 ff.)", in, *Travels in the World of the Old Testament: Studies Presented to Prof. M. A. Beek* (Assen: Van Gorcum 1974), pp. 241-261.
- G. Vermes, *Scripture and Tradition in Judaism: Haggadic Studies* (Leiden: E. J. Brill, 2nd edn, 1978).
- G. Vermes, *The Dead Sea Scrolls in English: Revised and Extended Fourth Edition* (London: Penguin Books, 1995).
- J. Vogt, *Ancient Slavery and the Ideal of Man* (Oxford University Press, 1974).
- P. G. Walsh, *Livy: His Historical Aims and Methods* (Cambridge University Press, 1961).
- A. Watson, *The Law of Persons in the Later Roman Republic*, (Oxford: Clarendon Press 1968).

- A. Watson, 'Morality and Slavery and the Jurist in the Late Roman Republic', *Tulane Law Review* 42 (1967-68).
- A. Watson, *The Law of Property in The Later Roman Empire*, (Oxford: Clarendon Press 1968).
- A. Watson, *Rome of the XII Tables: Persons and Property* (New Jersey: Princeton University Press, 1975).
- A. Watson, 'Roman Slave Law and Romanist Ideology', *Phoenix*, vol. 37 (1983) 1, pp. 53-64.
- P. R. C. Weaver, 'Social Mobility in the Early Roman Empire: The Evidence of the Imperial Freedmen and Slaves' *PP* 37, 1967, repr. In M. I. Finley (ed.), *Studies in Ancient Society* (London 1974).
- M. Weinfeld, *Deuteronomy and the Deuteronomistic School* (Oxford: Clarendon Press, 1972).
- J. G. Westenholz, 'Goddesses of the Ancient Near East 3000-1000 BC', in L. Goodison and C. Morris (eds.), *Ancient Goddesses* (London: British Museum Press, 1998).pp. 63-82.
- W. L. Westermann, *Upon Slavery in Ptolemaic Egypt* (New York 1929).
- W. L. Westermann, *The Slave Systems of Greek and Roman Antiquity* (Philadelphia: The American Philological Society, 1955).
- J. W. Wevers, *Notes on the Greek Text of Genesis*, *Septuagint and Cognate Studies* 35 (Atlanta, Georgia: Scholars Press 1993).
- C. R. Whittaker, 'Circe's Pigs: From Slavery to Serfdom in the Later Roman World', *Slavery and Abolition* vol. 8, no. 1 (May 1987), pp. 88-122.
- R. N. Whybray, *The Making of the Pentateuch: A Methodological Study* (Sheffield Academic Press, 1987).
- T. Wiedemann, 'The Terms for Slavery in the Languages of Ancient Italy', *Classical Review*, 1998, Vol. 48, No.1, pp. 227-228.
- M. H. Williams, review of E. L. Gibson, *The Jewish Manumission Documents of the Bosphorus Kingdom* (Tübingen: J. C. B. Mohr (Paul Siebeck), 1999), *JJS* LI (2000), pp. 161-162.
- A. M. Wilson and L. Wills, 'Literary Sources of the *Temple Scroll*', *HTR* 75:3 (1982), pp. 275-88.
- J. Winter, *Die Stellung der Sklaven bei den Juden in rechtlicher und gesellschaftlicher Beziehung nach talmudischen Quellen* (Breslau: Schatzky, 1866).

O. S. Wintermute, introduction to the text in J. H. Charlesworth (ed.), *The Old Testament Pseudepigrapha Vol. 2*, The Anchor Bible Reference Library (New York, London, Toronto, Sydney, Auckland: Doubleday, 1985), p. 43-44.

H. J. Wolff, *Roman Law: An Historical Introduction* (Norman and London: University of Oklahoma Press, 1951).

H. A. Woolfson, *Philo: Book II* (Cambridge Massachusetts: Harvard University Press, 1948), p. 248.

H. J. Wolff, "Römisches Provinzialrecht in der Provinz Arabia", in H. Temporini (ed.), *Aufstieg und Niedergang der römischen Welt*, II 13, pp. 736-806.

B. G. Wright, 'Δουλος and Παις as Translations of עבד: Lexical Equivalences and Conceptual Transformations', in B. Taylor (ed.), *Proceedings of the IXth Congress of the IOSCS* (Cambridge, Atlanta: Scholars Press, 1997), pp. 263-277.

B. G. Wright, "Ebed/Doulos: Terms and Social Status in the Meeting of Hebrew Biblical and Hellenistic Roman Culture", in R. Horsley, A. Callahan and A. Smith (eds.), *Slavery in Text and Interpretation, Semeia 8/84* (2001), pp. 85-111.

Y. Yadin, *The Temple Scroll*, 3 vols., (Jerusalem: The Israel Exploration Society and the Shrine of the Book, 1983).

A. Yadini, "A Draft Deed on an Ostrakon from Khirbet Qumran", *IEJ* vol. 47 nos. 3-4 (1997), pp. 233-237).