

Philo as Lawgiver and Interpreter in the Case of the Egyptian Blasphemer

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The issue of the source, nature, and meaning of the Jewish law was not a mere academic question for Philo of Alexandria. Some ancient Jewish sources attributed the law to Moses alone while others insisted upon the divine authorship of the law. According to Philo, some Alexandrian Jews, had even abandoned the practice of the law altogether. Among Greco-Roman authors, some praised Moses and the law while many others condemned Moses as a charlatan and false prophet/γῶης whose legislation was full misanthropy and superstition. In Philo's *Legatio ad Gaium*, the emperor is reported to have declared to the Jewish delegation, "I desire to know what principles of justice you recognize with regard to your constitution" (*Legat.* 363). Philo's own writings are a witness to diverse accounts Moses and the law. In *Hypoth.* 6.6.9, Philo concludes that whether Moses derived the law alone through his own reasoning or through the mediation of a daemon, the Israelites attributed it all to God and had not changed a single letter of it. Philo's juxtaposition of two (non-scriptural) alternative versions of the law's origins may surprise modern scholars, but they derive from portraits of Moses and lawgivers in the Greco-Roman world. Laws which came from a daemon or divine source or from the wisdom of a lawgiver were all valued, a fact fully exploited by Philo throughout his writings. It is these two alternative accounts that Philo seeks to harmonize throughout his work. To present the law in the best way possible, Philo rationalized their existence and praised Moses as both human lawgiver and prophet of divine laws. Both discourses allow him to fully defend the Jewish law as the

written copy of the natural law, and praise both the God of Israel and the creative genius of the lawgiver Moses.¹

Philo's *De Vita Mosis*, which probably served as an introduction to his other commentaries, illustrates Philo's approach to the universal and particular nature of the Jewish law as well as its divine and human origins. This can be seen in his explanation of Moses' prophetic oracles and legislation beginning with the case of the Egyptian blasphemer in *Mos.* 2.188. I would like to comment not only on the particular way that Philo rationalizes the law on blasphemy but also the larger context of prophecy through question and answer. It is curious that Josephus, another defender of Judaism, deliberately omits this scene in which Moses and the Israelites punish the Egyptian blasphemer with stoning death whereas Philo expands upon it and develops a theory of prophecy in light of this case.² Why does Philo include the story while Josephus does not? Philo transforms a story about the creation of a new law and Moses' apparent ignorance and need for divine assistance into a defense of his wisdom and the law's eternal, divine origins. The case of the "mixed" Egyptian blasphemer leads to a new law delivered in a mixed, prophetic manner, and it allows Philo to communicate his own unique mixture of universalism and particularism. The innovation and change in the law, which New Testament authors and other Jews used to qualify the law's immortality and divine inspiration, are used here by used to bolster its exalted status. Through his reinterpretation of this account, Philo reconciles various positions from his Alexandrian tradition on Mosaic and divine authorship of the law. As

¹ On the natural law in Philo see Hindy Najman, "A Written Copy of the Law of Nature: An Unthinkable Paradox?" *SPha* 15 (2003): 54-63; John W. Martens, *One God, One Law: Philo of Alexandria on the Mosaic and Greco-Roman Law* (Boston, Brill: 2003).

² See Louis H. Feldman, "The Case of the Blasphemer (Lev. 24:10-16) according to Philo and Josephus," 213-226. Josephus omits other potentially embarrassing stories such as Jacob's deception of his father, the account of Judah and Tamar, and Moses killing of the Egyptian man. Elsewhere Josephus cites the law against blasphemy, though it is divorced from its narrative context. See *Ant.* 4.8.6 where Josephus quotes the biblical law of Lev 24.16, combining it with Deut. 21.22-34.

a result, he extols the practice of questions and answers and seeking the meaning of the law through study.

Portraits of Moses as Legislator and Prophet

First, to contextualize Philo's work I will briefly survey some of the competing portraits of Moses as human lawgiver and divinely inspired prophet.³ Two of the chief sources for these ideas stem from the Hebrew Bible as well as Greco-Roman accounts of legislation and prophecy. The biblical tradition places the law's origins in the divine rather than Moses' own creativity. Nevertheless, Deuteronomy itself appears to differentiate between the Decalogue commanded by God (Deut 4:13-14) and the "statutes and judgments" enjoined by God through Moses. In Deut 5:6-21 Moses quotes in direct discourse the "ten words" delivered by God whereas the statutes and judgments are delivered in Moses' own voice.⁴ Perhaps this potential ambiguity in the biblical account led to some of the conflicting perspectives in ancient Judaism regarding the origins of the Jewish law and Moses' agency. Although the Dead Sea Scrolls, Josephus, and rabbinic sources present Moses as the recipient of the laws dictated by God, other Jewish authors highlighted Moses' role in the law's formation. Even Josephus, in the apologetic context of the *Contra Apionem* indicates Moses' role in creating the law.⁵ The *Letter of Aristeas* denied the divine authorship of the law and instead attributed it all to the uniquely gifted Moses.⁶ Aristobulus and Artapanus presented similar accounts.⁷ Among pagan sources such as Strabo

³ See John Lierman, *The New Testament Moses*, (WUNT 2/173; Tübingen: J. C. B. Mohr, 2004), 124-26.

⁴ *Ibid.*, 126.

⁵ See for instance *C. Ap.* 2.75, 2.209-10, and 67 which indicate Moses' humanitarian approach, his state of mind and justification for framing laws, and his role as a guide for the Israelites. See Lierman, 138.

⁶ See Ian W. Scott, "Revelation and Human Artifact: The Inspiration of the Pentateuch in the *Book of Aristeas*," *JSJ* 41 (2010):1-28.

⁷ The idea that Moses authored some or all of the law may have influenced New Testament authors. It is possible that competing traditions on the law's origins are represented in New Testament traditions, however polemical they may be. Some of these authors may have tried to take advantage of traditions that attributed part or

(*Geog.* 16.2.38-39), Moses was considered a lawgiver.⁸ For some authors, the famous Spartan king and legislator Lycurgus received the laws from the Pythian oracle. Yet other traditions insisted that Lycurgus and his fellow Spartans developed the law on their own without any divine assistance.⁹ Philo's ambiguous account of the law's authorship in the *Hypothetica*, along with other Hellenistic Jewish accounts, may have been influenced by the portraits of other famous lawgivers in antiquity. Although Philo himself attributes the law to God, he nevertheless speaks of Moses' own contributions to it as well as his concern for humanity and the common good. For instance, in *Spec. Leg.* 2.104 laws governing sabbatical years were formulated because of Moses' humanity. Moses is thus both a legislator and a prophet all at the same time. Elsewhere even the Sabbath, one of the ten words, is attributed to Moses' command in *Hypoth.* 7.11.¹⁰ The two conflicting versions of the source of the law in *Hypoth.* 6.6.9, sometimes separated and diametrically opposed in previous Jewish writings, are deliberately joined by Philo. Yet Philo subsumes Moses' legislative activity under the broader and more traditional category of prophet.

Mosaic Prophecy and Legislation

Philo refers to Moses as both a prophet/προφήτης and lawgiver/νομοθέτης. His legislation is a function of his prophetic office. In much of Greek literature a prophet is someone

all of the law to Moses himself in order to justify later Christian deviations or reinterpretations of the law. According to Mark 10:5, Moses permitted divorce only on account of the hardness of people's hearts; the original plan for marriage, according to Mark's reading of the second creation story of Genesis, did not envision divorce. Mark 7:10 attributes some of the commandments to Moses whereas the Matthean parallel in Matt 15:4 attributes the commandments to God. The apostle Paul rejected the necessity of circumcision and the practice of the law for Gentiles in Gal. 3:17 because the law, he argued, came 430 years after the original promise between God and Abraham and was delivered by angels, not by God (Gal. 3:19). Paul does not argue for Mosaic authorship of the law, but he does deny its divine origins.

⁸ See Leinman, *New Testament Moses*, 130; John Gager, *Moses in Greco-Roman Paganism* (Nashville: Abingdon Press, 1972), 43.

⁹ On the parallels between Lycurgus and Moses see Louis H. Feldman, "Parallel Lives of Two Lawgivers: Josephus' Moses and Plutarch's Lycurgus 1,"

¹⁰ For other examples see Leinman, *New Testament Moses*, 132-36.

who interprets or conveys the message of the gods whereas inspired people are typically referred to as μάντις.¹¹ The latter, according to some traditions, delivered oracles during a state of frenzy, but this view has been challenged and corrected in modern scholarship.¹² The translators of the Septuagint typically do not refer to Israelite prophets as μάντις/μαντικός, preferring instead the term προφήτης. Philo himself tends to reserve the word μάντις for false prophets such as Balaam. *Mos.* 1.263-99 handles this enigmatic figure, almost as a way to establish Balaam's mantic divination as the introduction to Moses' truly inspired form of prophecy.¹³

According to Philo, "prophecy finds its way to what the mind fails to reach" (*Mos.* 2.6). Moses is the best lawgiver since his laws "are most excellent and truly come from God" (2.12), and these laws have not changed insofar as they are "stamped, as it were, with the seals of nature herself" (2.14). To showcase Moses' prophetic office in *De Vita Mosis*, he develops a theory of prophecy and the modes by which Moses delivered his oracles and legislation. Philo says that all the oracles of Moses are ultimately from God, but some are more especially Moses.' Prophecy occurs in three modes, according to Philo:

The first kind are absolutely and entirely signs of the divine excellences, graciousness and beneficence, by which He incites all men to noble conduct, and particularly the nation of His worshippers, for whom He opens up the road which leads to happiness. In the second kind we find combination and partnership (μίξις/κοινωνία): the prophet asks questions of God about matters on which he has been seeking knowledge, and God replies and instructs him. The third kind are assigned to the lawgiver himself: God has given to him of His own power of foreknowledge by this he will reveal future events. (2.189-90)

The first kind is directed to all human beings. This could refer specifically to the "ten words," but it is more likely that the special laws are intended here. Elsewhere Philo insists that

¹¹ See Christopher Forbes, *Prophecy and Inspired Speech in Early Christianity and its Hellenistic Environment* (WUNT 2/75; Tübingen: J. C. B. Mohr, 1995), 192-217 for an overview of the two terms in the classical, Hellenistic, and early Christian periods.

¹² *Ibid.*, 103-19.

¹³ Louis H. Feldman, "Philo's Version of Balaam, 301-19; Harold E. Remus, "Moses and the Thaumaturges: Philo's *De Vita Mosis* as a Rescue Operation," *LTP* 52 (1996):665-80.

the “ten words” were delivered by God to all the people without Moses’ mediation while the special laws were given through Moses as an interpreter. It is the latter two forms of prophecy that Philo will flesh out since prophecy differs from interpretation. The third kind most especially presents Moses as an inspired prophet. The second kind is characterized by union and fellowship (μῆξις/κοινωνία) through Moses’ dialogue with God.¹⁴

There are four cases in which the laws are given by oracles (χρησμοῖς νομοθετηθέντες) through question and answer which therefore have a mixed character (μικτός); for, on the one hand, the prophet asks a question under divine possession (ἐνθουσια), and on the other hand the Father, in giving the word of revelation, answers him and talks with him as a partner. The first case is one which would have enraged not only Moses, the holiest of men ever yet born, but even one who knew but a little of the flavor of godliness. *Mos.* 2.192

In the first “mixed” case, Moses’ inspired speech and dialogue with God are diametrically opposed to the impiety of the mixed (μικτός) Egyptian-Israelite (2.196) man who commits blasphemy against the true God.¹⁵ Whatever the MT actually suggests about the nature of the man’s crime,¹⁶ the Septuagint translation is certainly a case of interpretation:

καὶ ἐπονομάσας ὁ υἱὸς τῆς γυναικὸς τῆς Ἰσραηλίτιδος τὸ ὄνομα κατηράσατο. Whereas the MT and LXX refer to the man as the son of an Israelite woman, Philo shifts attention to his Egyptian heritage. Philo writes that the “Egyptians almost alone among the nations have set up earth as a power to challenge the heaven.” They honor animals and revere the Nile as the source of water rather than the heavens and the creator beyond the heavens. This impious man had a

¹⁴ Winston has argued that Moses’ question/answer form of prophecy is really an example of hermeneutical/noetic prophecy in which Moses rationally interprets the divine law. See David Winston, “Two Types of Mosaic Prophecy according to Philo,” *SBLSP* 27 (1988):442-55, 44 n. 6. This argument is weakened Philo’s own testimony that the second form of prophecy is a combination of the first and third forms.

¹⁵ For a detailed study of the impiety of the Egyptian and Philo’s rejection of Egyptian atheism within the context of the story of the Egyptian blasphemer see Sarah Pearce, *The Land of the Body: Studies in Philo’s Representation of Egypt* (WUNT 208; Tübingen: J. C. B. Mohr, 2007), 215-39. See also Maren Niehoff, *Philo on Jewish Identity and Culture* (WUNT 86; Tübingen: J. C. B. Mohr, 2001), 45-74.

¹⁶ On the various ways the Hebrew text can be translated and interpreted see Rodney R. Hutton, “The Case of the Blasphemer Revisited (Lev. XXIV 10–23),” *VT* 49 (1999): 532–41.

quarrel with an Israelite, “someone of the nation that has vision and knowledge.” For Philo, this means that two visions of divine and piety were at war. In the midst of the argument the Egyptian, on account of his atheism (rather than sheer anger during the quarrel), “extended his impiety (ἀσέβειαν) from earth to heaven, and with his soul and tongue and all the organism of speech alike accursed, foul, abominable in the superabundance of his manifold wickedness cursed (καταρασάμενος) Him (ὄν), Whom even to bless is a privilege not permitted to all...” (*Mos.* 2.196). Following the LXX, in Philo’s reading the man cursed and pronounced the name of God cursed.

Writing for both Jews and Gentiles,¹⁷ Philo had to explain the nature of the crime and why Moses had to consult with God given the other commandments regarding God’s name (Exod 20:7) and speech about the divine (Exod 22:28). As such we can see how Philo interpreted and rationalized the text within his Hellenistic cultural matrix and in light of other biblical laws. Through his retelling of the narrative Philo’s own reasoning through this situation is implied to be occurring within the mind of Moses. “Refusal to reverence God implies refusal to honor parents and country and benefactors. And, if so, what depths of depravity remain for him to reach who besides reverence dares also to revile Him? And yet even reviling is a lesser sin compared with cursing” (*Mos.* 2.198). The Egyptian man did not merely revile but rather cursed God. This new situation entails the inappropriate use of the divine name, apparently in a curse. “Does anyone curse God? Then what other god does he call on to make good the curse, or is it clear that he invokes the help of God against Himself?” (*Mos.* 2.199). It appears that Philo interprets the gravity of the situation in a way that his implied audience, presumably both Jew

¹⁷ On the audience of *De Vita Mosis* and its role as an introduction to Philo’s other treatises see A.C. Geljon, *Philonic Exegesis in Gregory of Nyssa’s De Vita Moysis* (BJS, Providence: Brown University, 2002). 11-46; David T. Runia, *On the Creation of the Cosmos According to Moses: Introduction, Translation, and Commentary* (PACS, Leiden: Brill), 1-2; Gregory E. Sterling, “‘The School of Sacred Law’: The Social Setting of Philo’s Treatises,” *VC* 53 (1999):148-164.

and Gentile alike, would appreciate. Cicero is known to have equated sacrilegious acts such as robbing temples or stealing gifts dedicated to the gods with the crime of parricide. The punishment for either crime could be exile or death (*Leg.* 2.22.5). Similarly, in *De Finibus Bonorum et Malorum* Cicero equates betrayal of one's country with violence against parents and temple robbery (III.9.32). Plato's *Laws*, which probably both Cicero and Philo, also recommends death for crimes against parents, gods, and the state (854d-e).¹⁸ If Philo's audience was already familiar with the linkage between sacrilege and crimes against the social or political order, then his argument here would help justify this biblical scene. But robbing temples or sins against the gods in the texts cited from Cicero and Plato are not necessarily equivalent to pronouncing the divine name. An intriguing parallel in Roman history is the curious and obscure case of Valerius Soranus. Known as a scholar in some sources (see Cicero *De or.* 3.43), he is also known for being executed in 82 BCE for revealing the secret name of the city of Rome or its tutelary deity.¹⁹ Varro (cited in Servius' *Aen.* 1.277) and Pliny (*Nat.* 3.5.65) equate Valerius' crime with impiety, for one can utter the name of the city or the deity only within the context of religious rites.²⁰ Plutarch (*Quaest. rom.* 61) is a witness to the tradition that pronouncing the name of the deity constitutes a threat to the welfare of the city of Rome itself. Roman *evocatio* rituals were intended to summon forth foreign deities from their temples and lure them to the Roman pantheon, thus facilitating the conquest of the city.²¹ By pronouncing and revealing the name of Rome's deity Valerius had either threatened the political order or opened the door for foreign

¹⁸ In Plato citizens alone are subject to the penalty of death. Foreigners are subject to punishments such as branding, scourging, and exile. The biblical law in Leviticus is intended for both foreigner and Israelite alike.

¹⁹ See Trevor Murphy, "Privileged Knowledge: Valerius Soranus and the Secret Name of God," 127-140.

²⁰ *Ibid.*, 128-30.

²¹ *Ibid.*, 130-31. On the *evocatio* see also John S. Kloppenborg, "*Evocatio Deorum* and the Date of Mark," *JBL* 124:3 (2005):419-50. Josephus does not indicate that the Romans performed the *evocatio* ritual, but Kloppenborg detects signs of it in Josephus' (and Titus') judgment that God had taken the side of the Romans. Alternatively, perhaps Josephus is simply narrating the siege of Jerusalem through the lens of the prophet Jeremiah's failed attempt to persuade Jerusalem that God had taken the side of the Babylonians.

enemies to use *evocatio* rituals against Rome. Regardless of the story's historicity or Philo's knowledge of the account, for our purposes it is highly relevant that the story itself existed in ancient sources both before and after Philo. One may presume that Philo himself and Gentile readers in his audience were at least familiar with the concept of secret names of cities and their deities. Not only is pronouncing the secret name of the deity an example of impiety, but within the context of an *evocatio* ritual it can also be seen as a threat to the political stability of a city or empire. Perhaps in Philo's time the memory of Augustus, the great exemplar of Roman piety, and his victory over Antony, Cleopatra, and all things Egyptian would have still resonated with his audience.²² Far from shying away from and omitting the story of the Egyptian blasphemer and capital punishment, it appears that the cultural context of the story allowed Philo to emphasize it all the more.²³ As Philo wrote in his introduction to the account, anyone with the slightest sense of piety would have recoiled at the thought of the Egyptian man's blasphemy (*Mos.* 2.192).

Having thus explained the nature of the crime, Philo then has to explain why it is that Moses implored God for assistance. Philo does not explicitly say that Moses inspired or caught up in the spirit, though in his introduction to the four cases of prophecy through question and answer he says that Moses was inspired. According to Philo, no previous law existed to settle the matter, though Moses was already on the right track with a "spirit of noble indignation" which sought the man's punishment by death (2.197). Yet Moses did not want to exact too light a punishment, "for to devise an adequate punishment for such impiety was beyond human

²² As Niehoff has noted, Octavian made abundant use of anti-Egyptian rhetoric, including their worship of animals, during his war with Antony and Cleopatra. Roman attitudes toward Egypt may have allowed Philo to include this story as an indictment of "Egyptian atheism" and political insurrection. Egypt causes civil instability and religious conflict, not the Jews. Judaism and Egypt do not mix well, but Rome and Judaism can coexist according to Philo. See Maren Niehoff, *Philo on Jewish Identity and Culture*, 49-50.

²³ Josephus, writing in a post-70 context, perhaps had a number of reasons to not mention this story.

powers” (197). Philo (and Moses) interprets this as a brand new situation, though elsewhere laws regarding speech ethics and the divine (Exod 22:28 and 20:7) have already been given. Reading the Septuagint translation of Exod 22:18, Philo assumes that blasphemous speech against foreign gods had already been prohibited. What has not been dealt with is blasphemy against the name of the God of Israel.

In his exegesis of Exodus 22:18 in *QE* 2.5, Philo urges his readers not to revile the pagan gods and rulers. The Septuagint translation of this law famously renders the plural “*elohim*” not as God/ *θεός* as is often the case for other biblical verses but rather as gods/*θεούς*.²⁴ Philo maintains it is better to praise rather than condemn. Furthermore, Philo displays a certain sense of religious tolerance: “For, behold, not only does it offer support to those of different opinion by accepting and honoring those whom they have from the beginning believed to be gods, but it also muzzles and restrains its own disciples” (*QE* 2.5). Thus, Philo argues, the law does not abolish the customs of non-Jews. By refusing to revile the gods of other peoples, Philo concludes that Gentiles will in turn have a higher view of the one who truly exists. In *Spec.* 1.53 he also warns against reviling foreign gods so as to not scandalize proselytes and cause them to blaspheme Israel’s God. Regarding the third commandment, in *Spec.* 2.1-9, Philo interprets it not as a restriction upon the use of the divine name but rather in more ethical terms. One may make an oath, but it is better to refrain from using God’s name in an oath and rely on one’s own honesty. Reverence for the word ‘God’ or the divine name does not appear to be the primary factor underlying the commandment. Thus, returning to the story of blasphemy in Leviticus, Philo concludes, “Previous to this, no such enactment would have seemed to be required. But unexpected disorders demand new laws as a check to offenses” (*Mos.* 203).

²⁴ See Robert Goldenberg, “The Septuagint Ban on Cursing the Gods,” *JSJ* 28.4 (1997):381-89; Pieter W. van der Horst, “Thou Shalt Not Revile the Gods: The LXX Translation of Ex. 22:28(27), its Background and Influence,” *SPha* 5 (1993):1-8.

Having justified Moses' need to consult God for assistance in determining the appropriate punishment, we finally learn its form: stoning (for a stony soul) so that the entire community he had offended (*Mos.* 202).²⁵ A new ordinance is drawn up: "Whoever curses god, let him bear the guilt of his sin, but he that names the name of the Lord let him die" (ὅς ἂν καταράσῃται θεόν, ἀμαρτίας ἔνοχος ἔστω, ὅς δ' ἂν ὀνομάσῃ τὸ ὄνομα κυρίου, θνησκέτω).²⁶ Philo has just announced the punishment ordained by God, but at the same time he attributes the formulation of the law to Moses.

Well have you spoke, you wisest of men, who alone have drunk deep of the untampered wine of wisdom. You have held the naming to be worse than the cursing, for you could not be treating lightly one guilty of the gravest impiety and ranking him with the milder offenders while you decreed the extreme penalty of death to one who was judged to have committed the lesser iniquity. (*Mos.* 2.203)

Philo attributes to Moses a distinction between vv. 15 and 16 of Lev 24. "Whoever curses his God shall bear his sin." This may have meant the God of Israel, but for Philo it refers to the gods of other nations. Thus it is a mere repetition of the law proclaimed in Exod 22:28:

No, clearly by 'god' he is not here alluding to the Primal God, the Begetter of the Universe, but to the gods of the different cities who are falsely so-called, being fashioned by the skill of painters and sculptors. We must refrain from speaking insultingly of these, lest any of Moses' disciples get into the habit of treating lightly the name "god" in general, for it is a title worthy of the highest respect and love.

The very concept of the term "god" must be protected. But this command does not address the unique God of Israel. Philo adds, "But if anyone, I will not say blasphemes the Lord of gods and men, but even ventures to utter His Name unseasonably, let him suffer the penalty of

²⁵ Not only did Moses seek how to punish the individual, he also sought a way to defend and cleanse those who saw and heard the blasphemous words. Philo sees this as a spiritual form of *lex talionis*. Punishment helps cleanse the soul through which the ministering senses, which are the pathways to the intellect and right reasoning regarding the divine, have been assaulted by blasphemous language (*Mos.* 199).

²⁶ The Septuagint form is as follows: ὅς ἂν καταράσῃται θεόν, ἀμαρτίαν λήμψεται ὀνομάζων δὲ τὸ ὄνομα κυρίου θανάτῳ θανατούσθω.

death” (*Mos.* 2.206). He justifies this law by appealing to the trope which links impiety and disrespect against family and society. Philo argues that children who revere their parents refrain from using their proper (κύρια) names and instead use terms such as “father” or “mother” out of respect. If such respect can be demonstrated for the proper names of parents, then surely reverence must be displayed for the divine name (*Mos.* 2.207). But what name did the Egyptian utter? Philo appears to be aware of the Tetragrammaton when he refers to the four letters that appear on the headdress of the chief priest (*Mos.* 2.114-15). Yet in *Mos.* 1.75 we learn that the name is revealed to be ἐγὼ εἰμι ὁ ὢν. The point of this name is to show that no name can be properly applied to God (οὐδὲν ὄνομα τὸ παράπαν ἐπ’ ἐμοῦ κυριολογεῖται). This echoes *Mut.* 13 where Philo writes that God uses the name Κύριος name as a form of divine condescension, but God has not truly revealed the “proper name” (ὄνομά μου τὸ κύριον οὐκ ἐδήλωσα αὐτοῖς) (*Exod* 6:3).²⁷ Whatever name Philo truly intends in the story of the blasphemer, it is an issue for the reader to resolve through Philo’s other treatises. The key point remains: the God of Israel is unique and cannot be equated with other gods. One cannot easily conflate Zeus and the Lord in Philo’s writings.

Prophecy by Question and Answer

The other three cases demonstrate both Moses’ perplexity and his wisdom. In the second case, an Israelite man gathered wood for fire on the Sabbath even though he had previously heard, or seen, the commandment issued directly by God concerning work on the seventh day. His fellow Israelites, seeking to punish him, decided to bring him to Moses for judgment. “But

²⁷ On the interpretation of *Mut.* 9-14 and Philo’s use of catachresis see David Runia, “Naming and Knowing: Themes in Philonic Theology with Special Reference to the *De Mutatione Nominum*,” 69-91. Regarding Philo’s possible knowledge of the Tetragrammaton see James R. Royse, “Philo, ‘Kyrios,’ and the Tetragrammaton,” *SPha* 3 (1991):167-83. See also Martin Rösel, “The Reading and Translation of the Divine Name in the Masoretic Tradition and the Greek Pentateuch,” *JSOT* 31 (2007): 411-28.

Moses was in doubt as to what should be done to him. He knew that the action deserved death, but what would be the proper method of punishment?" (*Mos.* 217) But Moses, in a state of doubt, decides to seek God's judgment, his own soul approaching the invisible judgment seat of God (ἀφικνεῖται πρὸς τὸ ἄορατον ἄοράτω ψυχῇ δικαστήριον). This oracle consists of Moses' soul communing with God. In the end, God decides upon the punishment of death by stoning since the man's soul had turned to stone through impiety.

In the third case (*Mos.* 221-32), a family mourning the loss of a loved one had been unable to celebrate Passover. Torn between sympathy and justice, Moses "wavered in his judgment, and oscillated as on a balance" (ἐπαμφοτερίζων δὲ τὴν γνώμην καὶ ὡσπερ ἐπὶ πλάστιγγος ἀντιρρέπων) (*Mos.* 228). Vacillating between these considerations he allowed God to decide the case and subsequently gave an edict absolving those in mourning and those living abroad who miss the Passover celebration. In the fourth and final case (*Mos.* 233-45), Moses decides on the rules of inheritance in the case of Zelophehad who died leaving behind five daughters and no sons. Ordinarily the inheritance would go to the male line of the family. This case again leads to a mixed case (μικτός) of question and answer and thus also to a new command another command (διόταγμα) regarding inheritance. Impressed by the women's wisdom in seeking to preserve their father's name and reputation (rather than seeking wealth) and also looking up to Moses as a leader and fatherly figure, he brought the case to God. Torn between sympathy for the women, yet biased in favor of the traditional custom of male inheritance for service in warfare, Moses acts as advocate and lawgiver by appealing to God. In the end, God showed mercy to orphans and widows and allows the women to receive the inheritance in this particular case. Moses' wisdom and contribution to the law consists of recognizing the women's sincerity, piety, and goodwill, thus allowing God to decide on the

matter. A good legislator is moved by a sincere and human cause. New laws are indeed given in this case, and they are rationalized by the charity and care demonstrated by God and Moses:

“Mark how the persons who seem thus lonely and unfortunate are not treated as nothing worth and negligible in the judgment of God” (*Mos.* 241).

These few instances of dialogue between Moses and God have been transformed by Philo into mixed oracles consisting of question and answer. If other lawgivers consulted oracles, so also has Moses, albeit in a far superior way.²⁸ Philo’s interpretations provide a window not only into the mind of Moses (and Philo himself) and the logic behind the law. We see Moses on the right track, perplexed and in a state of doubt, and also moved by charity and zeal. Though graced with the great power of reason, Moses does not legislate without God. Perhaps this serves as a corrective not only to those who ascribed the law to Moses alone but also those who failed to acknowledge Moses’ contribution. By rationalizing the law, Philo begins to play the role of a Moses by interpreting and defining the law for his audience.

Conclusion

Terrance Callan suggested that in these four question/answer oracles “to see Moses as partly responsible for the laws allows Philo to account for defects in the laws.”²⁹ He misses the point entirely. In reality, these examples allow Philo to praise Moses’ genius and attribute it all to God. In *Mos.* 1.27 Philo marvels at how Moses’ contemporaries wondered whether his mind was

²⁸ The question/answer form of prophecy was quite common. See David E. Aune, *Prophecy in Early Christianity and the Ancient Mediterranean World*, 30-2, 64-66. God becomes a kind of oracle in Philo’s reinterpretations. In *De Vita Mosis* Philo presents the kinds of oracles his audience might have understand best, those that come from visiting an oracle or from an inspired prophet. God and Moses replace pagan oracles. Against Winston, it is appropriate to refer to the four question/answer type cases as a mixture between prophecy from God’s voice and prophecy from an inspired Moses. See Winston, “Two Types of Prophecy,” 44 n.6. If they are only categorized as hermeneutical or noetic prophecy they begin to lose their rhetorical effect.

²⁹ Terrence Callan, “Prophecy and Ecstasy in Greco-Roman Religion and 1 Corinthians,” *NovT* 27.2 (1985):125-40, 135.

human, divine, or some mixture of the two (πότερον ἀνθρώπειος ἢ θεῖος ἢ μικτὸς ἐξ ἀμφοῖν). From a certain perspective, it is this kind of mingling that Philo approves over and against the case of the mixed Egyptian-Israelite who committed blasphemy. Moses, most especially in his role as legislator, knew how to address God properly and with piety. As a result the law delivered by Moses is perhaps something “mixed,” a written copy of the unwritten law with universal and particular significance. Through the figure of Moses, Philo interprets the law and instructs his readers about the right kind of mingling. Israel and Egypt cannot mix, and neither can the God of Israel and foreign gods be considered one and the same. The *Letter of Aristeas* and Artapanus had conceived of Moses as a human author of the law and the founder of Egyptian cults, even the worship of animals. According to *Let. Aris.* 16, one could say that Zeus and the Jewish God, though they had different names, were one and the same. If any of Philo’s Jewish readers thought that the name of the God of Israel was interchangeable with Zeus or that Moses founded animal worship cults, the case of the Egyptian blasphemer would certainly force them to reconsider their position. As much as Philo tolerates Greco-Roman views of the divine, he nevertheless portrays Egypt as contrary to Jewish identity. For Philo, true respect for other gods is rooted in the particular name of the God of Israel given to Moses (which nonetheless retains universal significance). One cannot understand the nature of the term “god” without considering the meaning of the name of God, a name which must be revered by all.

Philo’s own conception of the authority of interpretive activity has generated much scholarly attention. It is intriguing, as John Levison has observed, that Philo’s own descriptions of his prophetic state and exegesis at times parallel Moses’ own experience.³⁰ At times Philo even claims to hear a voice that guides his exegesis (*Cher.* 27). This would seem to make Philo’s

³⁰ See John R. Levison, “Philo’s Personal Experience and the Persistence of Prophecy,” 194-209.

charismatic exegesis all the more authoritative.³¹ It is important to note how Philo in *Spec. Leg.* 3.1 Philo mourns over his former life of leisure and contemplation: “There was a time when I had leisure for philosophy and for the contemplation of the universe and its contents, when I made its spirit my own in all its beauty and loveliness and true blessedness.” Nevertheless, Philo maintains his ability to rise above the torrents of daily existence, and he confidently tells his readers in *Spec. Leg.* 3.6, “So behold me daring, not only to read the sacred messages of Moses, but also in my love of knowledge to peer into each of them and unfold and reveal what is not known to the multitude.” However we describe Philo’s authority, it is certain that he feels some sort of connection with the divine and the experience or guidance of the spirit.³² If Sinai has been universalized,³³ perhaps the experience or understanding of it has been particularized in Philo’s overview of the law. Philo both universalizes the law by his rationalizations and particularizes it in his writings, within a Jewish context of paideia and study. By portraying Moses as a student of God who formulates the law through a soul to soul discourse of question and answer, he has given his readers and students a model of approaching and learning the law. As Hindy Najman suggests, Philo as an interpreter stands in for an “absent Moses” and leads them to Pharos.³⁴ Perhaps we can also say that as an interpreter Philo guides his students through the study the law so that through questions and answers they, like Moses, can begin to hear and see the voice from Sinai.

³¹ For a study of Philo’s “charismatic exegesis” see Sze-kar Wan, “Charismatic Exegesis: Philo and Paul Compared,” *SPha* 6 (1994):54-82.

³² On this point see David M. Hay, “Philo’s View of Himself as an Exegete: Inspired, but not Authoritative,” *SPha* 3 (1991): 44–50.

³³ See Trent A. Rogers, “Philo’s Universalization of Sinai in *De Decalogo* 32-49,” *SPha* 24 (2012): 85-106

³⁴ Hindy Najman, *Seconding Sinai: The Development of Mosaic Discourse in Second Temple Judaism* (SJSJ 77; Leiden: Brill, 2003), 104-107.