

THE COMMAND, ACCORDING TO PHILO,
PSEUDO-PHILO, AND JOSEPHUS, TO
ANNIHILATE THE SEVEN
NATIONS OF CANAAN

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Introduction: The Biblical Command

An apparent parallel to the command to exterminate Amalek is the command given by Moses in his farewell to the Israelites before his death (Deut 7:1-2) to exterminate totally the seven nations of Canaan.¹ Moses' command clearly implies that this includes men, women, and children, though there is no mention of animals as there is in the command to eliminate the Amalekites (1 Sam 15:3). The Bible, moreover, goes so far as to command that the Israelites destroy the Canaanite altars, pillars, Asherim, and graven images. The reason given (Deut 7:6) for this extreme command was, "for you are a people holy to the L-rd your G-d; the L-rd your G-d has chosen you to be a people for His own possession, out of all the peoples that are on the face of the earth." This command to destroy the Canaanites unconditionally and to refuse to offer them terms of submission is repeated in Deut 7:16: "You shall destroy all the peoples that the L-rd your G-d will give over to you; your eye shall not pity them." The command to destroy all the religious objects of the Canaanites is repeated in Deut 12:2-3: "You shall surely destroy all the places where the nations whom you shall dispossess served their gods, upon the high mountains and upon the hills and under every green tree; you shall tear down their altars, and dash in pieces their pillars, and burn their Asherim with fire; you shall hew down the graven images of their gods, and destroy their name out of that place." Yet again, Moses repeats this command and the reason for it in Deut 20:16-18: "In the cities of these peoples that the L-rd your G-d gives you for an inheritance, you shall save alive nothing that breathes, but you shall utterly destroy them, the Hittites and the Amorites, the Canaanites and the Perizzites, the Hivites

¹In Deut 20:17, the list consists of six nations, the Girgashites being omitted. As Philip D. Stern remarks, this same list, with the variation noted here, appears twenty times in the Bible, from Genesis to Chronicles (*The Biblical Herem: A Window on Israel's Religious Experience* [Atlanta: Scholars Press, 1991], 90). Deut 7:1 states that these nations will be thrust away (נִשְׁלַח), which seems to imply that they will be expelled rather than exterminated, but in Deut 7:2 we read that they are to be utterly destroyed (הִחָרֵם).

and the Jebusites, as the L-rd your G-d has commanded; that they may not teach you to do according to all their abominable practices which they have done in the service of their gods, and so to sin against the L-rd your G-d." From this statement, we can see that the objection is not to the beliefs of these tribes but rather to their practices, presumably practices such as child sacrifice (Deut 12:31), divination, soothsaying, augury, and sorcery (Deut 18:9-14).

The passage to eliminate the Canaanite nations specifically states that the Israelites were to make no agreement with them, to show them no favor, and that G-d would deliver them into their hands. The apparent purpose of this stern command is found in what follows (Deut 7:3), namely, that the Israelites are forbidden to intermarry with them. The reason for this command (Deut 7:4) is that "they would [i.e., if not destroyed] turn away your sons from following me, to serve other gods; then the anger of the L-rd would be kindled against you, and He would destroy you quickly." Indeed, it is on the basis of the exegesis of this passage that the rabbis (*Qiddushin* 68b) deduce that it is the status of the mother that determines the status of the child, since the scriptural passage (Deut 7:4) asserts that the non-Jewish son-in-law who has married a Jewess will turn away your son [i.e., grandson] from following G-d; he is called "your son" because the mother of this child is Jewish. The problem on which this article focuses, however, is the reaction of Philo, Pseudo-Philo, and Josephus to the apparent cruelty of the essentially genocidal command.

Philo

Philo (*De Vita Mosis* 1.39.214), like the later Josephus (*Ant.* 3.43), paints a picture of the Israelites' expectation of finding a life of peace and quiet as they were approaching the land in which they hoped to settle. Whereas Josephus (*Ant.* 3.40-41) mentions as the motive for going to war with Israel the Amalekites' fear that the Israelites would gain strength if they were not opposed, the most remarkable thing about Philo's account is that he does not refer to the Amalekites by name at all. This in spite of the fact that he is clearly referring to them, even though the command to eradicate Amalek is such an important commandment (the story of Amalek's attack on the Israelites being found twice in the Pentateuch (Exod 17:8-16 and Deut 25:17-19), and even though Amalek's name is connected in the rabbinic tradition with the festival of Purim. Rather, we are told (*De Vita Mosis* 1.39.214), that the country was occupied by Phoenicians, presumably a very general reference to the inhabitants of Canaan and certainly not especially to the Amalekites.

Philo (*De Vita Mosis* 1.39.218) justifies the wholesale slaughter that the

Israelites inflicted upon the Amalekites by stating that the latter justly suffered the punishment that they had sought to inflict upon the Israelites. Most significantly, Philo (*De Vita Mosis* 1.39.219) omits any mention that G-d told Moses that he would erase the memory of Amalek (Exod 17:14) or that the Israelites were to wipe out the memory of Amalek (Deut 25:19) or, as Josephus (*Ant.* 3.60) puts it, that Moses predicted that the Amalekites would be utterly annihilated. Instead, Philo, who is concerned not with political but with philosophical matters and who is not interested in the struggle to overcome the enemies of the Jews and to establish an independent Jewish state in Palestine, presents an allegorical interpretation of the struggle between the Amalekites and the Israelites (*Legum Allegoria* 3.66.186-187). He equates Israel with the mind and the army of the soul. Amalek, by way of contrast, is said to be a type of character (*De Migratione Abrahami* 26.144) who is equated with passion and who hungers after pleasure. Thus, Moses' lifting up his hands represents the victory of the mind over mortal things.

What is most remarkable in all this is that Philo has totally omitted the divine injunction to eradicate the Amalekites as a people and instead has equated them with passion or evil. He justifies the wholesale slaughter of the Amalekites in the desert, but he has avoided the problem of the justification of punishing innocent children for the sins of their ancestors. This should not surprise us in view of the long discussion (*De Specialibus Legibus* 3.29-30.153-168) in which he stresses the importance of the biblical statement that children should not suffer for the sins of their parents (Deut 24:16). This is not merely a theoretical matter for Philo, in view of his position as leader of the Jewish community of Alexandria; and he cites his outrage at an incident in which children, parents, and other relatives of debtors were beaten and tortured by a tax collector, while some spectators committed suicide in order to avoid such a plight (*De Specialibus Legibus* 3.30.159-162). He specifically stresses that "our legislator" (*De Specialibus Legibus* 3.30.167) insisted that children should not suffer for the sins of their parents and, "observing the errors current among other nations, regarded them with aversion as ruinous to the ideal commonwealth."

The Bible (Deut 2:34-35), in a passage reminiscent of the command to eliminate the Amalekites, and which reviews the history in the wilderness, mentions that the Israelites completely annihilated every populated city in the Amorite land of King Sihon after he had gone to war with the Israelites. The passage records the Israelites' extermination of his entire people, including women and children, and specifically declares that they left not a single survivor. In the first place, Philo makes no mention of women and children, presumably because he found it troublesome that the Israelites would have

annihilated utterly innocent people. In the second place, whereas the Bible speaks of the destruction of the entire population, Philo speaks of the annihilation of the army alone (*De Vita Mosis* 1.47.261) and says that the cities of Sihon were emptied of their inhabitants, but with no indication that the civilian inhabitants were killed.

The Bible (Num 21:33-35) states that King Og of Bashan likewise opposed the Israelites when they sought to go through his territory and that he led his entire people against them, but that G-d assured Moses that he would give Og's entire people and their land to the Israelites (Num 21:34), whereupon the Israelites similarly defeated him, left not a single survivor of his people, and took possession of his land. In the review of this episode (Deut 3:1-7), the Bible asserts that the Israelites destroyed all of his cities, all of which were fortified, and, as they had done with Sihon, killing the entire population, including women and children. As to Og, Philo does not mention him at all. This could be for several reasons. Perhaps the incident with Og is essentially a repetition of the incident with Sihon. Or perhaps Philo was appalled at the complete extermination of innocent women and children. He may not mention Og because the Bible portrays him as a giant (Deut 3:11).² Or if Philo was familiar with the tradition that said that Og was born before the Flood (*Niddah* 61a, *Zebahim* 113b) and that the stone that he wanted to throw at the Israelites was parasangs in length (i.e., approximately ten miles), perhaps he thought the inclusion of such details about Og might lead readers to doubt the authenticity of the whole affair.

It is striking that Philo, despite the fact that there is hardly a commandment that he does not refer to in one way or another in his numerous essays on passages of the Bible, nowhere paraphrases or refers at all to any of the several biblical passages noted above that mention the commandment to eradicate the seven nations of Canaan. Perhaps he found it inconsistent with his tolerance toward non-Jewish religions (*De Specialibus Legibus* 1.9.53). For him, rather, the supreme penalty of extermination is to be inflicted on Israelites who have abandoned religious observance (*De Specialibus Legibus* 1.9.54-55). In such cases, according to Philo, the offender is to receive no trial but is to be put to death immediately, in effect by lynching.³

²The rationalist Maimonides is likewise troubled by the biblical statement as to Og's size and emphasizes that the Bible (Deut 3:11) says that his bed was nine cubits in length "by the cubits of a man," and explains that this means by the measure of an ordinary man (*Guide for the Perplexed* 2.47).

³Erwin R. Goodenough, *The Jurisprudence of the Jewish Courts: Legal Administration by the Jews Under the Early Roman Empire as Described by Philo Judaeus* (New Haven: Yale University Press, 1929) cites twelve cases of what he considers lynching that Philo attempts

Pseudo-Philo

Pseudo-Philo (10.7) says nothing at all about Amalek's attack upon the Israelites as they were going through the wilderness, nor does he say anything in relation to this account about the divine command to eradicate the Amalekites. However, he does regard them as the embodiment of wickedness, because, according to Pseudo-Philo, it is with the Amalekites that the concubine (Judg 19:2) sinned during the period she strayed from her man. This, the author contends, justifies her terrible fate of being abused by the men of Gibeah, which G-d is said to have inflicted upon her (45.3). The author uses the illustration in his attack on intermarriage with non-Jews, and above all with the Amalekites.⁴

Pseudo-Philo, who elaborates at length about the period of the Judges and of Saul, mentions (58.1) G-d's instructions to Samuel, spoken, as he adds in an extrabiblical remark, with zeal (*sub zelo meo*), to tell Saul that he has been sent to destroy every one of the Amalekites in fulfillment of Moses' command⁵ (1 Sam 15:1-3); but he does not give any reason for this command

to justify (*De Specialibus Legibus* 1.54-57, 2.242-243, 2.252, 3.31, 3. 37-39, 3.49, 3.51, 3.52, 3.96-97, 3.117, 3.137-143, and 4.19). He, 33, concludes that Philo is expressing not rhetoric but the actual Jewish procedure of the day. He argues that the execution of Stephen and the attempts to stone Paul (Acts 6-8, 9:23-24) show that Jews sometimes did inflict capital punishment without direct permission by the Roman government. But these are not cases of lynching, since Stephen was tried by the Sanhedrin; and there is no indication that the attempts to kill Paul were approved of and justified by the Jewish authorities. Francis H. Colson asserts that it seems almost impossible that Philo should be seriously encouraging his fellow Jews in Alexandria, where we know the Jews had independent jurisdiction, to put apostates to death without the benefit of a trial. He concludes that Philo's statement must be regarded as a rhetorical way of saying that apostasy is so hateful a crime that it is not pardonable, but one has a duty to avenge it immediately (*Philo*, trans. Francis H. Colson, Loeb Classical Library, vol. 7 [London: Heinemann, 1937], 616-618). Samuel Belkin argues that the instances adduced by Goodenough were cases not of lynching but where the death penalty was imposed as a preventive measure (*Philo and the Oral Law: The Pilonic Interpretation of Biblical Law in Relation to the Palestinian Halacha* [Cambridge, MA: Harvard University Press, 1940], 9); but Belkin appears to have read the rabbinic interpretation of the crimes in question into Philo's interpretation, as Torrey Seland insists (*Establishment Violence in Philo and Luke: A Study of Non-Conformity to the Torah and Jewish Vigilante Reactions* [Leiden: Brill, 1995], 26-29). Seland, in light of the model of conflict management which he applies, concludes that the actions intended or partly carried out against Paul are to be characterized as intended or actual cases of establishment violence. But, we may remark, this is not to say that the cases are justified by the Jewish legal system as instances that may legitimately bypass that system.

⁴See Charles Perrot and Pierre-Maurice Bogaert, *Pseudo-Philon: Les Antiquités Bibliques* (Paris: Cerf, 1976), 2:45.

⁵According to the manuscripts of Pseudo-Philo, G-d tells Samuel to instruct Saul to fulfill the words that Moses spoke saying, "I shall destroy the name of Amalek from the earth." In his monumental commentary, Howard Jacobson says that there is something wrong with the text, since it seems strange to say that Saul will fulfill Moses' words, as if it

(in the Bible, the Amalekites had beset the Israelites without provocation in the wilderness), nor does he specifically indicate, as does the Bible (1 Sam 15:3), that this command includes the elimination of men, women, and children, and that the animals are also to be destroyed. Hence, the divine command of genocide, according to Pseudo-Philo, is simply divine fiat. In addition, he (18.1) devotes only one sentence to Sihon and Og, omitting the statement that the Israelites utterly destroyed all the people of both Sihon and Og, including men, women, and children.

Pseudo-Philo is constantly striving to combat idolatry and the practices associated with it.⁶ Indeed, he is unique in stating that the reason why G-d did not allow Moses to enter the Promised Land was to keep him from seeing the idols by which the Israelites would be led astray (19.7, though such a statement may be inferred from Deut 31:16).⁷ This was surely an opportunity for Pseudo-Philo to state the biblical command to eradicate the seven nations because of their idolatry, and yet he does not say a word here or elsewhere about this commandment. Apparently, he realized that the commandment had not been fulfilled when the Israelites entered the Land. Moreover, apparently being a resident of the Land himself⁸ and realizing the practical impossibility of forcibly removing the non-Jewish inhabitants and, in fact, the importance of finding a *modus vivendi* with them, he omits all reference to the commandment.

Josephus

Though aware of the biblical prohibition of intermarriage (Deut 7:3) and its contemporary danger, Josephus realized that too strenuous an objection to intermarriage would play into the hands of those opponents of the Jews who had charged them with misanthropy. In an interpretation

is Moses who said that he would destroy the Amalekites (*A Commentary on Pseudo-Philo's Liber Antiquitatum Biblicarum with Latin Text and English Translation* [Leiden: Brill, 1996], 2:1160-1161). Actually, according to Exod 17:14, it is G-d who said that he would erase the memory of Amalek. Nevertheless, we may remark, it is G-d who is speaking to Samuel; and the words that Moses spoke are a quotation of what Moses said in quoting G-d; hence, the text can be read as it is found in the manuscripts. Indeed, in Exod 17:14, G-d does say that he will erase the memory of Amalek.

⁶See Frederick J. Murphy, "Retelling the Bible: Idolatry in Pseudo-Philo," *JBL* 107 (1988): 275-287; idem, *Pseudo-Philo: Rewriting the Bible* (New York: Oxford University Press, 1993): 252-254; Jacobson, 246.

⁷So my Prolegomenon to M. R. James, *The Biblical Antiquities of Philo* (New York: Ktav, 1971), ciii.

⁸Jacobson, 215-222, has shown convincingly that Hebrew was the original language of Pseudo-Philo's work; and we know of no work composed in Hebrew during this period outside the Land of Israel.

of Exod 22:27 [28], wherein he follows the LXX, Josephus declares that Jews are forbidden to speak ill of the religion of Gentiles out of respect for the very word “god” (*Ant.* 4.207 and *Ag. Ap.* 2.237).⁹

In the case of Esau, whereas the Bible (Gen 26:35) uses very strong language in stating that Esau’s Hittite wives were “a bitterness of spirit (*morat ruah*) unto Isaac and Rebekah,” Josephus (*Ant.* 1.265-266), while carefully avoiding condoning Esau’s marriages with Canaanite women, uses restrained language in doing so. He declares that Esau contracted the marriages on his own responsibility without consulting his father, “for Isaac would never have permitted them, had his advice been sought, having no desire to form ties of affinity with the indigenous population.” But then Josephus departs from the Hebrew text, as well as from the LXX version (which describes Esau’s wives as ἐρίζουσαι, i.e., “contending,” “quarreling,” “provoking”). Totally ignoring the extent in which they made life miserable for Isaac and Rebekah (as noted in the Bible), he states that Isaac, not wishing to be at enmity with his son by ordering him to separate himself from these women, resolved to hold his peace, just as he did when he realized that Jacob had wrested the blessing from Esau. When Esau finally does reform and marries his relative Basemath (Heb. *Mahalath*), the Bible makes clear (Gen 28:9) that he does so because he realizes that the Canaanite women were evil in the eyes of his father and because he follows the example of Jacob in seeking a mate from his kin. Josephus (*Ant.* 1.277), on the contrary, specifically states that Esau had *already* married her prior to Jacob’s leaving to take a wife for himself from his kinsfolk in Mesopotamia. Whereas the Hebrew text (Gen 26:34-35) identifies Basemath as the daughter of Elon the Hittite and declares that Esau’s marriage to her caused bitterness of spirit to Isaac and Rebekah, Josephus describes her as the daughter of Ishmael, his kinsman, whom Esau, more sympathetically, married in order to gratify his parents. Josephus very diplomatically reminds the reader that Esau was the favorite of his father. But then he adds that Isaac, quite clearly the man who sincerely seeks to have peaceful relations with his neighbors as we see in his dealings with Abimelech (and in this respect the representative of the Jewish people of Josephus’s own day as well), did not wish to be at enmity with his son through opposing his marriage.

Again, in dealing with the request of Hamor for the hand of Dinah (Gen 34:6), Josephus carefully balances (*Ant.* 1.338) the fact that it is unlawful for Jacob to marry his daughter to a foreigner against the rank of the petitioner; and so, in an extrabiblical addition, he sagely asks

⁹See my *Flavius Josephus: Translation and Commentary*, vol. 3: *Judean Antiquities 1-4* (Leiden: Brill, 2000), 403-404, n. 623 on *Ant.* 4.207.

permission to hold a council on the matter.¹⁰

Moreover, Josephus has added an episode, which has no biblical basis, in which Moses (*Ant.* 2.253) marries the daughter of the king of the Ethiopians on condition of her surrendering the capital city of Ethiopia. He has no criticism of this intermarriage, nor of Moses' later marriage with the Midianite Zipporah, the daughter of Jethro. Furthermore, Josephus passes over in complete silence Moses' marriage with an Ethiopian woman (Num 12:1) and Aaron's and Miriam's criticism of Moses for doing so (Num 12:1-15).¹¹ In contrast to such peoples as the Spartans, who made a practice of expelling foreigners (*Against Apion* 2.259), Moses is said to have most liberally, most graciously, and ungrudgingly welcomed into the Jewish fold any who elected to share the ways of the Jews, basing himself on the principle that relationships should be based not only on family ties but on agreement in matters of conduct (*Against Apion* 2.209-210).

In the Bible, Joshua sternly warns the Israelites (Josh 23:12-23) that if they mix with the Canaanites "they shall be a snare and a trap for you, a scourge on your sides, and thorns in your eyes, till you are driven off this good land which the L-rd your G-d has given you." In Josephus (*Ant.* 5.98), however, the threat is much reduced in length and in intensity, Joshua stating merely that if the Israelites turn aside to imitate other nations G-d will turn away from them.

Furthermore, Josephus omits the passage in which Gideon, upon instructions from G-d, pulls down the altar of Baal and the Asherah tree that was worshiped beside it (Judg 6:25-32).

Moreover, Josephus notably modulates the severe objections of Samson's parents to his proposed intermarriage; and in place of the request, "is there never a woman among the daughters of thy brethren, or among all my people, that thou goest to take a wife of the uncircumcised Philistines?" (Judg 14:3), he has the mere declaration that "they were for

¹⁰Because he realized how unfavorably the whole circumcision incident, including the massacre of the Shechemites while they were weak and the taking of spoil from them by Simeon and Levi (Gen 34:13-29), would be viewed by his non-Jewish readers, Josephus (*Ant.* 1.338-340) omits it completely. Instead, just as Dinah had been ravished during a festival, so they are slaughtered, measure for measure, during a festival.

¹¹In particular, Aaron and Miriam would seem in this instance to be betraying their prejudice against the much-respected Ethiopians, who were renowned for their wisdom, piety, and bravery, who are termed blameless by Homer (*Iliad* 1.423), and from whom, according to one theory (Tacitus, *Histories* 5.2.2), the Jews themselves were said to be descended. See Diodorus 3.2; Pomponius Mela 3.85; Seneca, *Hercules Furens* 38-41; Lactantius Placidus on Statius, *Thebaid* 5.427). Cf. Frank M. Snowden, *Blacks in Antiquity: Ethiopians in the Greco-Roman Experience* (Cambridge, MA: Belknap Press of Harvard University, 1970), 144-147; and idem, *Before Color Prejudice: The Ancient View of Blacks* (Cambridge, MA: Harvard University Press, 1983), 46 and *passim*.

refusing because she was not of their race" (*Ant.* 5.286). He leaves without qualification the statement that G-d designed the marriage in the interests of the Hebrews and thus omits any castigation of Samson at that point because of this incident, realizing presumably that to criticize Samson would be to criticize G-d, since, after all, according to the Bible, Samson's marriage with the Timnite woman was part of a divine plan (Judg 14:4). In his final estimate of Samson, Josephus excuses his behavior in allowing himself to be ensnared by a woman by imputing this to human nature, "which succumbs to sins." He is quick to add that "testimony is due to him for his surpassing excellence (ἀρετῆς) in all the rest" (*Ant.* 5.317). Moreover, Josephus omits the biblical statement (Judg 14:10) that in making a wedding feast, Samson did as the young men of the Philistines did; he thus avoids the charge that Samson had succumbed to imitation of Philistine practice.¹²

Significantly, on a number of occasions when the Bible mentions that Ruth was a Moabitess, Josephus omits such references, just as he omits mention of Moabitesses in his reference to the foreign wives whom Solomon married (*Ant.* 8.191; cf. 1 Kgs 11:1). It is remarkable that Josephus does not mention marriage with Moabites in his list of prohibited marriages (*Ant.* 3.274-275, 4.244-245), presumably because he wanted to avoid the issue as to how Boaz could have married a Moabite when this is prohibited in the Pentateuch (Deut 23:4).¹³ In the last analysis, Josephus based his opposition to intermarriage, as in the cases of the Israelites with the Midianite women and of Samson, not so much on opposition to taking foreign wives as to yielding to passion.

Inasmuch as mystery cults were held in such high regard by many non-Jews, it is not surprising that Josephus altogether omits the statement in the LXX that King Asa ended the mystery cults (1 Kgs 15:12). Furthermore, he omits the statement that Jehoshaphat removed the pagan high places and Asherim (2 Chron 17:6 vs. *Ant.* 9:1).

In the case of Ezra, though his breaking up of intermarriages is central to his activities, in Josephus he does not take the lead in doing so. In an extrabiblical addition, Josephus stresses that the initiative to enforce the

¹²The Midrash often uses the Samson episode to reinforce religious lessons. Thus the lesson that one must fear an oath is stressed by citing (*Leviticus Rabbah* 20.1; *Midrash Psalms* 18.6) the case of Samson, who entrusted himself to the Judahites after he had received their oath (Judg 15:12), thus proving that he feared that oath. It is this incident that likewise leads the Midrash (*Genesis Rabbah* 98.14) to apply to Samson the verse, "Dan shall be a serpent in the way" (Gen 49:17); for just as a serpent is bound by an oath, i.e., the incantation of a charmer, so was Samson bound by an oath.

¹³See my "Reflections on John R. Levison's 'Josephus's Version of Ruth,'" *Journal for the Study of the Pseudepigrapha* 8 (1991): 49-50.

law regarding intermarriage came from others who, in turn, besought Ezra to take action (*Ant.* 11.141 vs. *1 Esd* 8:68-70). It is one of the Jews named Shecaniah (Jechonias) who boldly calls out and asks Ezra to take strong action to dissolve the intermarriages (*1 Esd* 8:92-95); but in Josephus this is watered down, so that Achonios (=Shecaniah) tried to persuade (ἐπειθε) Ezra to adjure the Jews to put away their foreign wives and the children born of them (*Ant.* 11.145). The use of the imperfect tense of the verb "to persuade" indicates that he had to attempt repeatedly to convince Ezra. When the biblical Ezra is told about the intermarriages, he sits appalled, full of heaviness, unable to act, but we are not told why (*1 Esd* 8:72). Josephus is explicit in telling his readers that the reason why Ezra is immobilized is that he reasons that the intermarried Jews will not listen to him in any case if he commands them to put away their wives and children (*Ant.* 11.142). In the biblical text, when Ezra is approached by Jechonias he does take action and does assume responsibility, forcing all the Jews to swear that they will do as he dictates (*1 Esd* 8:96). Josephus's Ezra stresses that he does so because he has been persuaded (πεισθείς) by the counsel of Achonios (κατὰ τὴν Ἀχονίου συμβουλίαν) (*Ant.* 11.146).

Ezra's particular concern, in another addition to the Bible, is not with intermarriages generally but rather with mixture in the strain of priestly families such as his own (*1 Esd* 8:70 vs. *Ant.* 11.140). Moreover, a careful comparison of the language of the Bible with Josephus will show that whereas in the former (*1 Esd* 9:8-9) Ezra orders the Jews to send away their foreign wives, in the latter (*Ant.* 11.149) he diplomatically suggests merely that they will do what is pleasing to God and beneficial to themselves if they send away their wives. When the Jews finally do separate themselves from their foreign wives, it is not, as in the biblical text (*1 Esd* 9:16-17), Ezra who takes the initiative, but rather the other leaders (*Ant.* 11.151). Josephus omits the long list of names of sixteen priests, six Levites, four temple-singers and door-keepers, and seventy-five Israelites who had taken foreign wives, offering no excuse for this omission other than that he thought it unnecessary to give their names (*Ant.* 11.152). But aside from the embarrassment that this would have caused their descendants, the omission also serves to further diminish the emphasis on the vast number of intermarriages recorded in the Bible.

The closely connected theme, that one must not, as did Samson, submit to one's passionate instincts, is frequent in Josephus. Thus, Joseph tries to turn Potiphar's wife from passion (ὄρμη) to reason (λογισμόν) (*Ant.* 2.53). The Egyptians are attacked as a voluptuous (τρυφεροῖς) people and slack to labor, slaves to pleasures (ἡδονῶν) in general and to a love of

gain in particular (*Ant.* 2.201). Moses, in a speech to the people at the time of the seduction of the Israelite youths by the Midianite women, asserts, in a Josephan addition, that courage consists not in violating the laws but in resisting the passions (ἐπιθυμίας) (*Ant.* 4.143). The Israelites in time of peace became corrupt through abandoning the order of their constitution and living lives of luxury (τρυφή) and voluptuousness (ἡδονή) (*Ant.* 5.132). Josephus asserts that the degeneracy of the Israelites under the Canaanites was caused by their drifting from their ordered constitution into living in accordance with their own pleasure (ἡδονήν) and caprice (βούλησιν), and that they thus became contaminated with the vices current among the Canaanites (*Ant.* 5.179). Likewise, in his dying charge to Solomon, David exhorts him to yield neither to favor, flattery, lust (ἐπιθυμία), nor any other passion (πάθει) (*Ant.* 5.384). Amnon is described as goaded (μυωπιζόμενος) by the spurs (κέντροις) of passion (πάθους) (*Ant.* 7.169); and Solomon's excesses of passion (ἄκρασία ἀφροδισίων, *Ant.* 8.191) and thoughtless pleasure (ἡδονή ἀλόγιστος, *Ant.* 8.193) are likewise condemned.

Thus, it would seem, Josephus's negative attitude to intermarriage is based on his opposition to yielding to passion—grounds that would appeal especially to the Stoics in his audience—and on his conviction that intermarriage violated the constitution (πολιτεία) and broke the laws of the country; consequently, when the Jews do dismiss their foreign wives, he, in an extrabiblical comment, remarks that in doing so they had more regard for the observance of the laws than for the objects of their affection (φίλτρων, "love potions") (*1 Esd* 9:20 vs. *Ant.* 11.152). Here, too, we see the emphasis on obedience to law that was so important to the Persian government and that would be so impressive to his Roman readers. Ezra's achievement, in an addition to the biblical text, is viewed not so much as resolving the immediate matter of mixed marriages but rather as setting a standard of obedience to law "so that it remained fixed for the future" (*1 Esd* 9:36 vs. *Ant.* 11.153).¹⁴ Once the matter of mixed marriages is formulated, as it is by Josephus, in political terms, namely the necessity for the state to preserve the homogenous character of its population, the reader might well have thought of the parallel to the citizenship law of 451/450 attributed to the much-admired Pericles, which restricted citizenship to those who could prove that both their parents were citizens of Athens.¹⁵

¹⁴See my "Josephus' Portrait of Ezra," *VT* 43 (1993): 204-207.

¹⁵See Martin Ostwald, *From Popular Sovereignty to the Sovereignty of Law: Law, Society, and Politics in Fifth-Century Athens* (Berkeley: University of California Press, 1986), 182-183, and literature cited there. Ostwald, 507-508, notes that after the restoration of democracy upon the conclusion of the Peloponnesian War this restrictive provision of the citizenship law was revived.

Above all, this would defuse the charge that Jews hate strangers.

That Josephus, however, was well aware of the dangers of assimilation and intermarriage we may see from the fact that he dwells on the Israelites' sin with the Midianite women, expanding it from nine verses (Num 25:1-9) to twenty-five paragraphs (*Ant.* 4.131-155).¹⁶ Indeed, the speech of Zambrias (Zimri) seems to reflect the arguments of assimilated Jews of Josephus's own day (*Ant.* 4.145-149). According to the biblical account, as a result of the harlotry of the Israelites with the Moabite women, the Israelites were attracted to the worship of the Moabite god Baal-peor. G-d, consequently, became angry, and Moses instructed the Israelite judges to tell the Israelites that everyone should kill those who were attached to Baal-peor. We hear (Num 25:9) that a plague afflicted the Israelites, in which twenty-four thousand died. During this period a man named Zimri consorted with a Midianite woman, Cozbi, in the very sight of Moses and of the Israelite assembly. Thereupon Phinehas, the grandson of Aaron the priest, without asking for permission and without consulting anyone, took a spear in his hand, followed Zimri into his tent (the LXX reads κάμινον, which is the usual word for a furnace or oven), and pierced him and his consort, whereupon the plague was halted.

G-d then spoke to Moses saying (Num 25:10-13) that because Phinehas had turned away G-d's wrath from the Israelites, as a reward he was giving Phinehas his "covenant of peace," and that this was to be for him and his offspring a covenant of eternal priesthood. There is no word in the Bible expressing reservations as to the fact that Phinehas had not proceeded through judicial channels, but rather had taken the law into his own hands. On the contrary, Phinehas is rewarded with the greatest reward that a person may receive, that of peace, and, since he was a priest, with an eternal priesthood.

The same concern may also be seen in the moral which Josephus points out in his treatment of the Samson narrative, namely that one must not debase (παρεχάρασσειν, used of coins) one's rule of life (δίαίτην) by imitating foreign ways (*Ant.* 5.306). There is a similar lesson drawn in his account of Anilaeus and Asinaeus, the two Jewish brothers who established an independent state in Mesopotamia in the first century only to lose it when, at the very peak of their success, Anilaeus had an affair with a Parthian general's wife (*Ant.* 18.340).

After the statement of the defeat of Amalek by Joshua, the Bible

¹⁶Willem C. Van Unnik, "Josephus' Account of the Story of Israel's Sin with Alien Women in the Country of Midian (Num. 25:1ff.)," in *Travels in the World of the Old Testament: Studies Presented to Professor M. A. Beek*, Studia Semitica Neerlandica, 16 (Assen: Van Gorcum, 1974), 241-261.

(Exod 17:14) continues with G-d's directive to Moses: "Write this as a memorial in a book and recite it in the ears of Joshua, that I will utterly blot out (מחה אמהק) the remembrance of Amalek from under heaven." This clearly indicates that it is G-d, rather than the Israelites, who has undertaken the responsibility to wipe out Amalek and his descendants. The final statement of this in the narrative of Exod 17:16 is that "the L-rd will have war with Amalek from generation to generation," implying that the wars of the Israelites with the Amalekites will continue without end. In Deuteronomy (25:17-19), when Moses reviews the history of the Israelites during their forty years of wandering in the wilderness, he recalls in particular what Amalek had done to them, and in particular to those who were faint and weary in the rear lines. He thereupon promulgates as a commandment, "You shall blot out (תמחה) the remembrance of Amalek from under heaven; you shall not forget." Here it is the Israelites who have the responsibility to wipe out Amalek and his descendants. We might reconcile this apparent contradiction by saying that the command is G-d's, but that it is to be carried out by the Israelites, just as in the Utuhegal inscription the command is Enlil's, but it is to be carried out by Utuhegal.¹⁷ Josephus (*Ant.* 3.60) resolves the contradiction by speaking neither of G-d's nor of the Israelites' responsibility to wipe out Amalek. Rather (*ibid.*) he uses Moses' *prediction* that the Amalekites would perish with utter annihilation and that not one of them would be left hereafter. He gives as the reason for this dire judgment on the Amalekites the one cited in Deuteronomy (25:17-19), namely because the Amalekites had attacked the Israelites while they were in the desert and exhausted.

In Josephus (*Ant.* 6.132-133), as in the Hebrew (1 Sam 15:2-3), we read that the prophet Samuel reminded King Saul that in view of what Amalek had done to the Israelites in the wilderness, it was G-d's command that he now avenge this action in war by destroying everything that he had, "dealing death to all of every age"—men, women, and infants, and sparing neither beasts of burden nor any cattle, thus blotting out (ἐξάλειψαι) the name of Amalek. Surely, in our own age, even if one might understand a command to wipe out men of military age, one would almost surely wonder at a command to eliminate women and especially innocent children. Whereas the biblical statement commands killing men, women, infant, and suckling in that order, without indicating their age, Josephus goes further in specifically stating that the Israelites are to kill all of every age; moreover, the massacre is actually to begin with women and infants. Furthermore, whereas the biblical statement specifies that they are to kill

¹⁷See Samuel N. Kramer, *The Sumerians* (Chicago: University of Chicago Press, 1963), 325; W. H. P. Römer, "Zur Siegesinschrift des Königs Utuhegal von Urug," *Orientalia* N. S. 54 (1985): 274-288; and Stern, 70-72.

oxen, sheep, camels, and donkeys, Josephus adds specifically that they are to spare neither beasts of burden nor any cattle at all for private possession or profit. In addition, whereas the passage in Samuel quotes G-d as giving the command without specifically recalling the passages in Exodus and Deuteronomy, Josephus has G-d remind Saul that this is to be done in compliance with the behests of Moses (cf. *Ant.* 4.304). Whereas the Hebrew commands that he strike down Amalek, Josephus goes even beyond the passages in Exodus and Deuteronomy, which declare that they are to wipe out the memory of Amalek, and states that they are to eliminate his very name.

Josephus adds one further element to this command, namely that he is to devote (ἀναθεῖναι) everything to G-d. We find a similar statement in connection with the sword of Goliath that David dedicated (ἀνέθηκε) to G-d (*Ant.* 6.192, 244) and in connection with the objects, including the gold and silver that he had taken from the conquered cities and nations, sent by David's ally, Thainos, and which David carried away and dedicated (ἀνατίθησι) to G-d (*Ant.* 7.108). Such a concept as devoting everything to G-d might have reminded Josephus's Roman readers of the tradition of a famous event in their history in which, beset by the Gauls (Livy 5.41), the pontifex maxiumus, Marcus Folius, led the curule magistrates in a recital of a vow by which they devoted (*devovisse*) themselves to death on behalf of their country. Similarly, in the tremendous battle against the Latins, when the Roman front line gave way, the consul Decius asked the pontifex maximus to dictate to him the words by which he could devote himself in the army's behalf. Then, donning his armor he leaped upon his horse and rode headlong into the midst of the enemy, thus throwing the front line of the Latins into disorder (Livy 8.9).¹⁸

In Josephus's version of Moses' exhortation of the Israelites before his death (*Ant.* 4.191), he says that they should leave not one of the enemy after conquering them, "but you should judge that it is advantageous to destroy them all," though he does not add the biblical statement that the Israelites are to refuse to negotiate a treaty with them, to show them any favor (Deut 7:2) or pity (Deut 7:16). He makes it clear (*Ant.* 4.300) that when the Israelites prevail in battle they are to kill only those who are ranged against them, but that they are to save the others and allow them to pay tribute, "except for the race of the Canaanites, for it is necessary to

¹⁸Cf. *se diis* or simply *se*, to devote one's self to death, Cicero *De Natura Deorum* 2.3, *De Finibus* 2.19.61, *Philippics* 11.6.13; *se pro patria Quiritibusque Romanis*, Livy 5.41.3, 9.4; Virgil, *Aeneid* 12.234; Livy 9.17, 10.39; Horace, *Odes* 4.14.18; Lucretius 4.533; Valerius Maximus 6.2.2 and often; to devote to the infernal gods, i.e., to curse, execrate; Nepos, *Alcibiades* 4.5; Ovid, *Fasti* 6.738; Quintilian 5.6.2; Ovid, *Metamorphoses* 5.102, 8.234; Horace, *Odes* 3.4.27, *Epodes* 16.9 and often.

obliterate them utterly.” Again, immediately after reminding the Israelites (*Ant.* 4.304) that after conquering the land of Israel and settling there they are to avenge the wrong committed against them by the Amalekites, they should destroy all the populace in the land of the Canaanites (*Ant.* 4.305).

In view of Josephus’s close acquaintance with and admiration for Thucydides,¹⁹ we may assume that he was well acquainted with the famous Melian Dialogue in Thucydides (5.84-116), in which the Athenians, arguing that the strong do what they can and that the weak suffer what they must, took advantage of their superior power, and gave the Melians a choice of submission or annihilation. When the Melians refused to submit, the Athenians besieged them, put to death the grown men, and sold the women and children into slavery.

Josephus is clearly aware (*Ant.* 4.191) that the attitude of the Israelites to the seven nations seems to contradict his highlighting elsewhere of Moses’ mercy (*Ant.* 4.300); hence, it is not surprising that he mentions and attempts to justify this injunction, namely that it is necessary for the sheer survival of the Israelites as a people, since if they allowed the Canaanite tribes to survive, they might destroy their ancestral constitution, “having had a taste of their manner of life” (*Ant.* 4.191). The statement that if some Israelites undertake to abolish the constitution based upon the laws, the other Israelites should utterly destroy the rebellious city down to its very foundations, clearly shows that in Josephus’s eyes (*Ant.* 4.310) as in the Bible, the objection is not to the Canaanites as such but to their practices. Any admirer of the Spartan constitution or of Plato’s ideal in the *Republic* and of the care that these documents take to preserve the *status quo* would appreciate such counsel.

One concession that Josephus does make to those of his readers who might criticize the harshness of a command to destroy other people’s religious objects is that Moses says (*Ant.* 4.192) that he advises the Israelites to tear down as many altars and groves and temples as the Canaanites have and to consume with fire their race and their memory. Here again he gives a reason: “For only thus would the security of your own goods be assured.” It is significant that Josephus uses the word *παραίνω* (“exhort,” “recommend,” “advise”) rather than the word *κελεύω* (“order”), this despite the definitive statement of the command in Deut 7:5, which is repeated in 12:2-3: “You shall surely destroy all the places where the nations whom you shall dispossess served their gods.” However, in answer to this charge of misanthropy, Josephus’s King Solomon, in dedicating the Temple in Jerusalem, asks that G-d grant the

¹⁹See my *Josephus’s Interpretation of the Bible* (Berkeley: University of California Press, 1998), 177-178.

prayers not only of Hebrews, but also of foreigners, so that it may be realized that "we are not inhuman (ἀπάνθρωποι) by nature nor unfriendly to those who are not of our country but wish that all men equally should receive aid from Thee and enjoy Thy blessings" (*Ant.* 8.116-117).

Inasmuch as Josephus, as we have noted,²⁰ does omit from his rewriting of the Bible a number of embarrassing episodes, we may wonder why he chooses to include so many references to commands to wipe out whole peoples. Apparently, he felt that the reason that he has given, namely to maintain the integrity of the Jewish people and their constitution, was one that Roman readers would appreciate.²¹ Surely, this was also important to him personally, in view of the numerous accusations against him that had been made by Jews who envied him his good fortune (*Life* 424-428); and he consequently made every effort, it would seem, to prove his loyalty to the Jewish people. Moreover, as we suspect, he was concerned not only to avoid offending his Roman hosts, but he was also responsive to his Jewish readers, who were perhaps more numerous, at least in the Diaspora. This may explain the fact that he chooses, as we have noted, to include his ambiguous statement about Balaam's prophecies, where Josephus speaks in the vaguest terms of the calamities that will befall cities of the highest celebrity, some of which (presumably the vague reference is to Rome) had not yet been founded (*Num* 24:17-18; *Ant.* 4.125).²² This is also perhaps the reason why he chooses to include the ambiguous reference to the stone (*Dan* 2:44-45; *Ant.* 10.210) that, in Nebuchadnezzar's dream, destroys the kingdom of iron and would imply the overthrow of Rome.²³

Conclusion

The biblical command to exterminate the seven nations of Canaan, which is, in effect, genocide, is based on the objection to their practices and is intended to prevent the Israelites from intermarrying with them. It is similar to the command to eliminate the Amalekites and the nations of Sihon and Og. Philo and Josephus were clearly troubled by what appears to be an unusually cruel command.

Philo was particularly concerned that innocent people should not pay for the sins of others. He omits mention of G-d's statement that he would

²⁰Ibid., 37-38.

²¹On Josephus's appeal to his Roman readers, see my *Studies in Josephus' Rewritten Bible* (Leiden: Brill, 1998), 556-560.

²²See my "Josephus' Portrait of Balaam," *Studia Philonica Annual* 5 (1993): 59-61.

²³See my *Josephus's Interpretation of the Bible*, 649-651.

erase the memory of Amalek or that the Israelites were to wipe out the memory of Amalek. Rather, he equates the Amalekites with passion and evil. As to Sihon, Philo restricts the annihilation to his army alone, and he totally omits mention of Og. Most significantly, despite the fact that he refers to so many passages of the Bible, he nowhere cites any of those concerning the eradication of the seven nations of Canaan.

Pseudo-Philo does not say anything about the Amalekite attack upon the Israelites in the wilderness, nor does he mention there the divine attack to eradicate the Amalekites. However, he does regard them as the height of wickedness and attacks, above all, intermarriage with them. He mentions G-d's instructions to Samuel to have Saul destroy every one of the Amalekites, but he gives no reason for this command, nor does he indicate precisely who is included in the eradication. He omits mention of the utter destruction of Sihon and Og. Though he is particularly concerned with the elimination of idolatry, he does not mention the biblical command to eradicate the seven nations because of their idolatry.

Josephus uses restrained language in discussing intermarriage in connection with Esau, Dinah, and the Israelites at the time of Joshua. He likewise is not critical of Moses' intermarriage with Zipporah nor of Moses' supposed marriages to an Ethiopian princess and an additional Ethiopian woman. Josephus omits mention of Moabites in his list of prohibited marriages. He lessens Ezra's role in combating intermarriage. His chief opposition is to yielding to passion. He is concerned that intermarriage violates the constitution of the country. On the other hand, Josephus is well aware of the danger of intermarriage, as we see in the attention that he gives to Zimri and to the Israelite youths who sinned with the Midianite women.

As to Amalek, Josephus mentions that Moses *predicted* that the Amalekites would utterly perish. To be sure, he does mention that Samuel reminded Saul to destroy the men, women, infants, and animals, devoting everything to G-d. This seems to contradict his emphasis on Moses' mercy. His explanation of the command to exterminate the seven nations is that this is necessary for the survival of the Israelites as a people, since the Canaanites would destroy the ancestral constitution. His Roman readers would appreciate this, and it would also show his loyalty to the Jewish people in his audience. However, he says that Moses advises rather than commands the destruction of the Canaanite idols.