

Philo Judaeus and Slave Theory

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I

For a theoretical discussion of slavery in antiquity, one turns inevitably to Aristotle. Aristotle produced in the *Politics* a strong, if flawed, statement of the case for the existence of natural slaves, that is, people who because of their mental deficiencies, deserved to be slaves and benefited from being slaves. Plato had similar ideas on slavery, but he did not put them together in a systematic way. So the theory of natural slavery is usually associated with Aristotle and no one else. It is his private property, as it were, his particular eccentricity or aberration.¹

My present concern is to test this assumption, with reference to the post-Aristotelian period in classical Antiquity. As is well known to historians of ideas, natural slavery theory made a comeback in the period of the Renaissance, in consequence of both the rediscovery of Aristotle and the expansion of Europe into other continents. One of the leading spokesmen for natural slavery was a Scottish theologian and historian based in Paris in the early sixteenth century, a man with the intriguing name of Johannes Major, or Jean Mair, or John Major. For a natural slave theory to take root, for natural slaves to be anything but a purely academic category, a class of natural slaves had to exist, had to be identifiable. Aristotle's natural slaves were the allegedly culturally inferior *barbaroi*, non-Greeks; their counterpart in the age of European imperialism were the Amerindians and Africans. Writing of the inhabitants of the West Indies, John Major said: "These people live like beasts on either side of the equator; and be-

¹ On Aristotle, see e.g. N.D. Smith, "Aristotle's Theory of Natural Slavery", *Phoenix* 37 (1983), 109-122; G. Cambiano, "Aristotle and the Anonymous Opponents of Slavery", in *Classical Slavery*, ed. M.I. Finley (London 1987), 21-41; M. Schofield, "Ideology and Philosophy in Aristotle's Theory of Slavery", in *Aristoteles' "Politik"*. *Akten des XI. Symposium Aristotelicum Friedrichshafen/Bodensee 25.8-3.9.1987*, ed. G. Patzig (Göttingen 1990); P.A. Brunt, *Studies in Greek History and Thought* (Oxford 1993); on Plato, see e.g. G.R. Morrow, *Plato's Law of Slavery: In its Relation to Greek Law* (Urbana 1939); G. Vlastos, *Platonic Studies* (Princeton 1973), ch. 6, "Does Slavery exist in Plato's *Republic*", 140-146; ch. 7, "Slavery in Plato's *Thought*", 147-163. I am grateful to E.M. Atkins and C. Humfress for criticism and advice.

neath the poles there are wild men, as Ptolemy says in his *Tetrabiblos*. And this has now been demonstrated by experience, wherefore the first person to conquer them, justly rules over them because they are by nature slaves". He then cites "The Philosopher", by whom he means Aristotle, and concludes by endorsing his identification of barbarians and slaves.²

The rebirth of the natural slavery theory, then, is familiar and uncontroversial. In contrast, the fortunes of the theory in classical antiquity after the time of Plato and Aristotle is given little attention.³ Did the theory have a later history in the centuries immediately following its enunciation? Then, did it live on in the works of the early Church Fathers? Would later theorists, those who revived and sustained the natural slavery theory, have been able to draw support not just from a rediscovered Aristotle, but from authoritative early patristic texts?

An inquiry of this sort has to be carefully delimited, certainly for present purposes. I will not try to explain why abolitionist ideas did not surface in antiquity, or indeed, why the Roman Catholic Church did not officially declare slavery to be morally illegitimate until 1965.⁴ Nor, needless to say, am I concerned to make moral judgments at the expense of those who endorsed slavery through the ages. My interest is purely in exploring the history of certain ideas on the origins of slavery, particularly theories which justified or explained the institution.

Again, it is not my present concern to sketch the social, economic and legal realities of slavery through the period under survey, or to assess the changing fortunes of the slave system in practice. It is clear that slavery was a regular feature of the societies which produced the thinkers with whom we are concerned, whether pagan, Jewish or Christian; and that the treatment of slaves varied within, and to some extent between, all such societies. Finally, I cannot undertake to investigate at present whether or how far theories of slavery influenced the practice of slavery; at present I leave this question completely open.

At first sight, the quest for traces of Aristotle's ideas seems doomed to failure. It seems that there was not much theorizing about slavery after Aristotle, it was predominantly Stoic (or Stoicising) or Christian, and the Stoics and Christians are usually held to have moved right away from Aristotle in their thinking

² A. Pagden, *The Fall of Natural Man: The American Indian and the Origins of Comparative Ethnology* (Cambridge 1982), 38-39.

³ The best general survey is P.A. Milani, *La Schiavitù nel pensiero politico: dai greci al basso medioevo* (Milano 1972). See also Ch. Verlinden, *L'esclavage dans l'Europe médiévale II* (Gent 1977), 7-26; R. Klein, *Die Sklaverei in der Sicht der Bischöfe Ambrosius und Augustinus* (Stuttgart 1988) (as background to Ambrose and Augustine).

⁴ Cf. J.F. Maxwell, *Slavery and the Catholic Church: The History of Catholic Teaching Concerning the Moral Legitimacy of the Institution of Slavery* (Chichester-London 1975).

about slavery.⁵ The earliest surviving treatise on slavery and freedom of any substance was composed by Philo Judaeus (or Alexandrinus), who flourished in the first half of the first century AD. In fact, he wrote a pair of treatises on the subject, for at the beginning of the extant *Every Good Man is Free* (EGM, for short) he refers back to a lost work *Every Bad Man is a Slave*.⁶

These were not the first treatises on slavery to be composed, but very little emerges in the record. Antisthenes, an associate of Socrates, is said to have written *On Liberty and Slavery*. Aristotle's discussion, itself not in a self-contained work but occupying only a few pages of the *Politics*, presupposes the airing of criticisms of the theory of natural slavery by certain unnamed people, but not a sizeable literature devoted to the debate. There is no sign, and no likelihood, that slavery was discussed in an extended way by the Early or Middle Stoa. The Stoic fragments, which purport to contain what survives of the works and *bons mots* of Zeno and Chrysippus in particular, suggest that the natural slavery position was bypassed rather than confronted head-on. Moreover, little interest was shown in slavery as such. This is as true of the Middle Stoics Panaetius and Posidonius as of Zeno and Chrysippus.⁷ In particular, there was no debate with

⁵ For Greek Stoic texts (with useful commentary), see A.A. Long and D.N. Sedley, *The Hellenistic Philosophers I-II*. (Cambridge 1987). My reconstruction of Stoic views diverges from that of A. Erskine, *The Hellenistic Stoa: Political Thought and Action* (London 1990). See also Milani (above, n. 3), 179-92. On Roman Stoics, see, in general Milani (above, n. 3), 204-25. Most of the literature concerns Seneca. See W. Richter, "Seneca und die Sklaven", *Gymnasium* 65 (1958), 196-218; M.T. Griffin, *Seneca: A Philosopher in Politics* (Oxford 1976); K.R. Bradley, "Seneca and Slavery", *Class. et Med.* 37 (1986), 161-172; P. Veyne, *Sénèque* (Paris 1993). On Christians, see recently D.A. Martin, *Slavery as Salvation: The Metaphor of Slavery of Pauline Christianity* (New Haven 1990); I. Combes, *Doulos Theou: The Metaphor of Slavery in the Writings of the Early Church, from the New Testament to the Beginning of the Fifth Century* (Ph.D. diss., Cambridge 1991); D.J. Kyrtzakis, *The Social Structure of the Early Christian Communities* (London 1987), 25-54; G.E.M. de Ste. Croix, *The Class Struggle in the Ancient Greek World* (London 1981), 418-425; A.A. Rupprecht, "Attitudes on Slavery among the Church Fathers", in R.N. Longenecker, M.C. Tenney, edd., *New Dimensions in New Testament Study*, (Grand Rapids, Mich, 1974), 261-277. On Augustine, R.A. Markus, *Saeculum: History and Society in the Theology of St. Augustine* (Cambridge 1970); G. Corcoran, *Saint Augustine on Slavery* (Rome 1985); Klein (above, n. 3; with Ambrose).

⁶ Philo's contribution to slavery theory has been largely ignored. But see F. Geiger, *Philon von Alexandria als sozialer Denker* (Stuttgart 1932); Milani (above, n. 3), 247-53; Klein (above, n. 3), 44-49.

⁷ The more interesting fragments from the Old Stoa relating to slavery (and freedom) include: Diog. Laert. 7.33, 121-2; Philo, EGM 97; Sen., *de Ben.* 3.22. For the Middle Stoic Posidonius, see Athen., *Deip.* 6.263c-d, 266e-f; Diod.Sic. 34.2.27 (and other fragments on the Sicilian war); with J. Malitz, *Die Historien des Poseidonios*

Aristotle: indeed in general Aristotle was more or less ignored by, or unknown to, Hellenistic philosophers, at least down to the time of Aristonicus of Rhodes, who produced a corpus of Aristotelian texts in the third quarter of the first century BC. The revival of interest in Aristotle is hard to follow in detail, especially with regard to the *Politics*.⁸

The paradox that Philo addressed was as old as the founding fathers of Stoicism, but Cicero's brief discussion of it, in the fifth chapter of his *Stoic Paradoxes*, has no known predecessor. In fact no Stoic work of any substance on slavery emerges before the late Stoa; slavery is treated by Seneca, Epictetus and Dio Chrysostom, all of whom flourished in the second half of the first century; they all therefore lived later than Philo, but not by much.

Thus, Philo's two treatises come at the beginning of a period of around half a century, around 350-400 years after Aristotle, which saw the appearance of some writing on slavery, of rather modest dimensions, associated with late Stoicism. With the Church Fathers, from the second century AD onwards, we return to uncoordinated, scattered texts on slavery, rather in the tradition of the New Testament Epistles. The context of the passages in question explains their unsystematic nature. For the most part that context is exegetical; and this immediately sets up a comparison with Philo, the first surviving commentator on the Old Testament. Of course, even a mere aside on slavery can be highly revealing. The views on slavery of thinkers like Basil of Caesarea, Ambrose, Augustine and John Chrysostom are readily discernible, just as are those of Plato, or St. Paul. So we do have something to work with, even if systematic treatments of the subject are nonexistent.

II

Philo is a somewhat unexpected "first". Yet, the historical context holds out promise: for Jews resident in Egypt (even if Alexandria was regarded as apart from Egypt) slavery must have been a theme of special significance, recalling the bondage of their nation to the Pharaoh. The political context adds a certain piquancy: Philo was a member of the elite of a Jewish community struggling to maintain its freedom and autonomy within a Greek city and a key Roman province. The battle between Greeks and Jews in Alexandria was in the first in-

(München 1983). For Cicero, see *Parad. Stoic.* 5; *de Off.* 1.41 (slaves as *mercennarii*, cf. Chrysippus in Sen., *de Ben.* 3.22); Aug., *de Civ. Dei* 19.21 (justification of domination of provincials with reference to the beneficial thesis). On the relation between Panaetius and Cicero, see E.M. Atkins, *The Virtues of Cicero's De Officiis*, (PhD diss., Cambridge 1989).

⁸ F.H. Sandbach, *The Stoics* (London 1975); H.B. Gottschalk, "Aristotelian philosophy in the Roman world from the time of Cicero to the end of the second century AD", *ANRW* II 36(1) (1990), 1079-1174.

stance over citizenship, the former attempting to reserve full citizenship for Greeks and to classify Jews as an inferior nation, in company with the native Egyptians.⁹

As it happens, Philo also has interesting things to say about slavery. It might even be suggested that he was the hinge in slavery theory, linking classical Greeks and Church Fathers. It was to Philo that authoritative Christian writers, such as Clement of Alexandria, Origen, and especially Ambrose, turned when setting out their own thoughts on slavery.¹⁰ The relation between Philo and Augustine is not normally regarded as at all close; but this may be in part a function of lack of attention from scholars. Martin has recently argued that the two cities thesis of Augustine has conceptual and terminological similarities with the exposition of Philo in several of his works.¹¹ Incidentally, this doctrine is already there in embryo in *EGM*. Philo there defines good men as true citizens, presumably of the Heavenly City, Jerusalem, and he brands bad men as exiles, regardless of (what he calls) "citizen rolls" (6-7). Later, Philo urges his readers to "do away with idle fancies ... and refuse to ascribe citizenship or freedom to possessors of so-called civic rights". This sounds like a swipe at the Greek citizens of Alexandria. The attractions of the two city thesis for Philo the Alexandrian Jew are obvious.

The trail heading up to Philo is not easy to follow. The influence of Platonism on Philo is well-established.¹² Plato is invoked expressly on several occasions even in *EGM*. Yet *EGM* is set up as a Stoic treatise. It has a Stoic title and

⁹ On the position of the Jews in Alexandria, see E. Schürer, *The History of the Jewish People in the age of Jesus Christ (175 B.C.-A.D. 135)* III.1, rev. ed., G. Vermes, F. Millar, M. Black & M. Goodman (1986), e.g. 92-4, 127-9; P.M. Fraser, *Ptolemaic Alexandria I-III* (Oxford 1972), 54-8; *CPJ* I, 59-74.

¹⁰ In general: Philo and Ambrose: G. Madec, *S. Ambroise et la philosophie* (Paris 1974); H. Savon, "S. Ambroise critique de Philon dans le De Cain et Abel", in *6th Patristic Conference Oxford, pt. 2, Stud. Patr.* 13, ed. E.A. Livingstone, (1975), 273-279; H. Savon, "Saint Ambroise devant l'exégèse de Philon le Juif" I-II (Paris 1977); H. Savon, "S. Ambroise et S. Jérôme, lecteurs de Philon", in *ANRW* II 21(1) (1984), 731-759; A.R. Sodano, "Ambrogio e Filone: leggendo il De Paradiso", *Ann. della Fac. di Lett. e Fil. della Univ. di Macerata* 8 (1975), 65-82; E. Lucchesi, *L'usage de Philon dans l'oeuvre exégétique de Saint Ambroise* (Leiden 1977); V. Nikiprowetzky, "Saint Ambroise et Philon", *REG* 94 (1981), 193-199.

¹¹ Philo and Augustine: e.g. P. Courcelle, "S. Augustin a-t-il lu Philon d'Alexandrie?" *REA* 63 (1961), 78-85; P. Courcelle, *Recherches sur les Confessions de St. Augustin* (Paris 1968); J.P. Martin, "Philo and Augustine, De Civitate Dei XIV 28 and XV: Some Preliminary Observations", *The Studia Philonica Annual: Studies in Hellenistic Judaism* 3 (1991), 283-294.

¹² E.g. J.M. Dillon, *The Middle Platonists: A Study of Platonism 80 B.C. to A.D. 220* (London 1977); D.T. Runia, *Exegesis and Philosophy: Studies on Philo of Alexandria* (Aldershot 1990).

some passages look forward to the discussions of Seneca and Epictetus — especially those in which the following doctrines are advanced:

1. Accident, rather than nature, makes a man a (physical) slave.
2. Slavery is a condition of the soul, not the body. A free mind can exist in an unfree body.
3. The wise or good man is independent and free, the foolish or bad man is dependent and slavish.

The correlate of the first of these assertions is that no man is by nature a slave — which appears to be a direct contradiction of Aristotle. The maxim is normally regarded as quintessentially Stoic, and so it may be; however, it surfaces in the record first in Philo, not as it happens in the *EGM*, but in a throw-away line in *Special Laws* (2.69), an extended commentary on Jewish Law. Philo's treatment of the natural slavery thesis in *EGM* is noticeably casual. He does refer to it, but only to dismiss it. He as good as says that the issue is not worth addressing on the old terms. Presumably he means that it is not worth disputing whether those who are slaves in law deserve to be, or need to be, slaves. Slavery is exclusively a moral issue, and should be treated on an individual level:

Slavery is applied in one sense to bodies, in another to souls; bodies have men for their 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 freedom) the subject of investigation. (*EGM*17-18)

Philo goes on to label the technical terms commonly applied to different categories of slaves, namely "homebred, purchased, captured in war", as "specious quibblings, which have no basis in nature (*phusis*), but depend on opinion (*doxe*)" — a dismissive term for the institutions of men.

So far, Philo might seem to be moving away from Aristotle. However, in the *EGM* there are several indications that the difference between them might not be so great. One comes in a Philonic development of the idea of the independence and freedom of the wise man, another in a brief reference to an Old Testament enslavement.

Aristotelian and Stoic ideas on independence and freedom were not incompatible. The idea that independence is the key to freedom occurred in Aristotle before it was proclaimed by the Stoics. Aristotle wrote in *Metaphysics I*:

We call a man free who exists for himself and not for another. (982b)

The corollary of this is that the free and wise man has sovereignty over other men. This also is Aristotelian:

For the wise man should give orders, not receive them; nor should he obey others, but the less wise should obey him. (*Met.* 982a18)

Philo picks up this idea: for him, it is axiomatic that the wise man has a leadership role; this is a product of his special relationship with God, whom

alone he obeys. The wise man is the viceroy (*diadochos*) of God (20). Later Philo calls the wise man the friend of God, and says that his freedom is guaranteed by the “rights of friendship”. This calls to mind Aristotle’s treatment of friendship in the *Ethics*. For example, we read of the great-souled man that he is independent and will concede only to a friend, “for to live at the will of another, unless a friend, is slavish” (EN IV iii 28 - 1124b30ff.).

The nature of the wise man’s authority over the rest of mankind is not taken very far in *EGM*. Philo professes himself more interested in exploring the concept of independence, and its relationship with freedom. However, at one point we are suddenly told:

No one then can compel him, since he has come to despise both pain and death, and by the law of nature (*nomoi physeos*) has all fools in subjection. (30)

Fools, we knew already, are slaves; now we are told that they are slaves of the wise, and furthermore, that their slavery is natural.¹³

There follows an image from livestock raising:

For just as goats and oxen and sheep are led by goatherds and oxherds and shepherds, and flocks and herds cannot possibly give orders to herdsmen, so too the multitude, who are like cattle, require a master (*epistates*) and a ruler (*archon*) and have for their leaders (*hegemones*) men of virtue, appointed to the office of governing the herd.

The language is that of political subjection. However, Philo, correcting Homer, goes on to supplant the political context by a moral one: for nature applies the title “shepherds of the people” to good men rather than to kings. The people-sheep, then, are to be aligned with fools, and slaves — by nature.

The argument advances a further step after an interlude. Philo first tells us in what respect fools are servile, and then, evoking the enslavement of Esau by Isaac, claims that fools are better off as slaves to the wise. At both points the echoes of Aristotle are unmistakable.

It emerges that fools are ignorant about how to run their lives (*ton biotikon ... apeiroi*). For they should live under the direction of virtue, as Zeno did, rather than vice, as they do. The ultimate failing is a deficiency of reason (*logismou perosis*) — shades of Aristotle’s natural slave — which blinds them to the damage that is being done to the soul. Up to this point, Philo claims Zeno as his guide, though all he actually cites of Zeno is the rhetorical question: “Shall not the bad rue it if he gainsay the good?” We cannot be sure whether Zeno expressly connected, as Philo does, equal right of speech (*isegoria*), freedom (*eleutheria*) and the virtuous. At any rate, he goes on to derive the argument attributed to Zeno from Moses, and specifically the story of Esau’s enslavement:

We may well suppose that the fountain from which Zeno drew this thought was the law-book of the Jews, which tells of two brothers, one wise and temperate, the other incontinent, how the father of them both prayed in pity for him who had not attained

¹³ Thucydides talks of the Athenian allies as both *hupekooi*, which is Philo’s word, and enslaved. See 7.57; 1.141.1; G.E.M. de Ste. Croix, *The Origins of the Peloponnesian War* (London 1971), 36.

to virtue that he should be his brother's slave. He held that slavery, which men think the worst of evils, was the best possible boon to the fool, because the loss of independence would prevent him from transgressing without fear of punishment, and his character would be improved under the control of the authority set above him. (*EGM* 57)

Aristotle too held that slavery can be good for you, if you are a certain kind of person. For Aristotle, the man who needs to be a slave is he who participates in reason (*logos*) to the extent of perceiving it, but falls short of possessing it, and has at best a low level of virtue, enough to enable him to obey orders. In Philo, it is the man "who has not attained virtue", the *aphron*, the man lacking in wisdom who needs slavery.

Philo does not elaborate at this juncture; in particular he says nothing about the genesis of Esau's *aphrosune*. To take the matter further, we have to turn from Philo the Stoicising philosopher (in *EGM*) to Philo the exegetic theologian (in sundry works of interpretation on the Old Testament), paying special attention to his treatment of two Old Testament enslavements, that of Canaan following the curse of his grandfather Noah on his father Ham, and that of Esau in consequence of the blessing of his brother Jacob by their father Isaac, and confirmed in the subsequent blessing of Esau. The third classic enslavement of the Old Testament, that of Joseph, is less problematic for Philo, because it can be classed as "accidental", in the sense of the result of bad fortune. Philo insisted in *EGM* that people who had been kidnapped and put up for sale were not really slaves:

That they are free is asserted by the laws of nature, which are more firmly based than those of the lower world. (*EGM* 37)

The other two enslavements, however, constitute a potential challenge to the Stoic way of thinking. First, they were apparently acts of physical enslavement (more than slavery of the soul is involved here). Second, they were deliberate acts ordered by patriarchs with the approval of God. No Jew or Christian could comfortably reject or disown these enslavements.

Philo's discussion of the cases of Ham and Esau leaves no doubt as to his views on slavery. He is quite specific about the existence of a class of natural slaves, and he tells us in general terms the kind of men they were. All of this is in flat contradiction of the dictum that no man is by nature a slave which, we have seen, appears in a work of Philo.

Take for example a passage in *Allegory of the Laws* 3.88ff:

Once again, of Jacob and Esau, when still in the womb, God declares that the one is a ruler and leader and master (*despotes*), but that Esau is a subject and a slave. For God the maker of living beings knows well the different pieces of his own handiwork, **even before He has thoroughly chiselled and consummated them**, and the faculties which they are to display at a later time, in a word, their deeds and experiences. And so when Rebecca, the soul that waits on God, goes to inquire of God, He tells her in reply, "Two nations are in thy womb, and two peoples shall be separated from thy belly, and one people shall be above the other people, and the elder shall serve the

younger" (*Gen. 25:23*). *For in God's judgment that which is base and irrational is by nature a slave (phusei doulon)*, but that which is of fine character and endowed with reason and better, is princely and free. And this not only when either is full-grown in soul, but *even if their development is still uncertain*. (3.88ff.)

There are three parts to this message:

1. Esau was a natural slave.
2. There is a **class** of natural slave, of which Esau can be taken as a representative.
3. God lies at the bottom of this. It's his doing.

The last assertion is perhaps the most interesting: responsibility lies with God. He has ordained this and brought it into being in the act of creation. There are recurring metaphors of the sculptor and coiner which emphasize God's complete control over the proceedings.

Let us glance at the wider context.

The whole passage, beginning at 65, is a commentary on *Genesis 3:14ff.*, God's curse on the serpent. The first stage of the argument establishes the existence of evil which deserves no defence but simply punishment. Philo asks, why did God, who heard Eve's defence, condemn the serpent out of hand? And he answers: Because God punishes sheer wickedness without giving it the chance to defend itself. This is what happened to the serpent, to Er, and to Esau.

The serpent stands for pleasure, Er represents the body, and Esau is the archetypal bad man, the *phaulos*.

Says Philo (75), God has made some natures of themselves faulty and blameworthy in the soul, and others in all respects excellent and praiseworthy, just as is the case with plants and animals (for example, the serpent).

In the second stage of the argument Philo turns to those with good natures. We learn that their prosperity is a consequence of the Grace of God. It is nothing to do with the lucky people themselves. Or rather, it is not a reward for anything they had done, any merit they had won, presumably before birth. The most that can be said is that they turned out well, from birth:

Exactly then as God has conceived a hatred for pleasure and the body without giving reasons, so too has he promoted goodly natures apart from any manifest reason, pronouncing no action of theirs acceptable before bestowing his praises upon them. For should anyone ask why the prophet says that Noah found grace in the sight of the Lord God, when as yet he had, so far as our knowledge goes, done no fair deed, we shall give a suitable answer to the effect that he is shown to be of an excellent nature from his birth, for Noah means "rest" or "righteous". (77)

Philo does not work back from the good deeds of men to the motives of God. God is moved by Grace, that is all:

For all things in the world and the world itself are a free gift, an act of kindness and grace on God's part.

As with Noah, so with Melchizedek, the model peaceable and priestly king (79ff.): he too had done nothing to deserve his blessedness; so too with Abraham (83ff.), with Isaac (85) — blessed even before he was begotten — and with Jacob (88), juxtaposed with Esau, in the passage already cited. So too with Bezalel, Craftsman of the Tabernacle: says Philo, “He (God) has so far pointed to no work or deed of Bezalel’s such as to win him even commendation. We must say then that here too we have a form which God has stamped on the soul as on the tested coin.” (95)

The conclusion is as follows (104):

Seeing then that we have found two natures created, undergoing moulding, and chiselled into full relief by God’s hands, the one essentially hurtful, blameworthy and accursed, the other beneficial and praiseworthy, stamped the one with a counterfeit, the other with a genuine impression, let us offer a noble and suitable prayer ...

The dilemma is patent. Why did God create the second, evil nature? Was it fair of God to saddle Esau, and all the other natural slaves, with their fates? There is no direct acknowledgement of this dilemma by Philo.¹⁴ But he follows a strategy which is markedly defensive, as if he is aware of the difficulty. The strategy is two-fold. It involves, first, stressing the benefits of slavery in cases like Esau’s; and second, thoroughly blackening the character of Esau, presumably so that we are left in no doubt that he got his deserts.

Slavery is or can be beneficial for a fool. Philo writes (in a passage reminiscent of *EGM* 57):

Therefore for the younger they (*sc.*, the parents) prayed that he should be blessed above all others, all which prayers God confirmed, and would not that any of them should be left unfulfilled. But to the elder in compassion they granted an inferior station to serve his brother, rightly thinking that it is not good for the fool to be his own master. (*de virt.* 209)

Philo goes on to say that Esau did not endure his servitude contentedly, but rebelled against “the excellent rule set over him”, and so did not even win the second prize in the contest for virtue.

Esau’s rebelliousness was not just a reaction to his treatment: elsewhere we are reminded that Esau was by nature a man of violence and for this reason needed to be disciplined by slavery:

Thus, so profitable a thing is affliction of one sort that even its most humiliating form, slavery, is reckoned a great blessing. Such slavery we read of in the holy scriptures as invoked by a father on his son, by the most excellent Isaac on the foolish Esau. There is a place where he says: “Thou shalt live on thy sword and shall be a slave to thy brother” (*Gen.* 27:40). He judges it most profitable for him who chooses war instead of peace, who by reason of his inward tumult and rebellion is armed, as it were, with the weapons of war, that he should become a subject and a slave and obey all the orders that the lover of self-control may impose. (*de congressu* 175-6)

¹⁴ Contrast Paul in *Rom.* 9, and many passages in the works of Augustine, e.g. *de Quaest. ad Simplic.* 2.1-22; *c. duas Ep. Pelagianorum* 2.7; etc.

In another text the nature of the benefit is spelled out: the slave can exchange the old, bad masters that are within him for a new, kind one:

But vainly deeming himself wise is he who says, "My blessings and my birthright hath he taken": not thine, man, does he take, but those which are opposite to thine: for those which are thine have been accounted meet for slavery, but his for lordship. And if thou shalt consent to become a slave of the wise one, thou shalt cast from thee ignorance and boorishness, plagues of the soul, and be partaker of admonition and correction ... Now indeed thou art a slave of the harsh and insufferable masters within thee, to whom it is a fixed law to set no one free. But if thou escape and abandon these, a master to whom his slaves are dear shall welcome thee, holding out bright hopes of liberty, and shall not give thee up again to thy former masters. (*alleg. interp.* 192ff.)

How does the good master behave towards the responsive slave? Not apparently in accordance with conventional notions of kindness, but rather by means of intimidation:

But those whose natural wit is more dense and dull, or whose early training has been mishandled, since they have no power of clear vision, need physicians in the shape of admonishers, who will devise the treatment proper to their present condition. Thus ill-disciplined and foolish slaves receive profit from a master who frightens them, for they fear his threats and menaces and thus involuntarily are schooled by fear. All such may well learn the untruth, which will benefit them, if they cannot be brought to wisdom by truth." (*quod Deus immutabilis sit* 64)

If a slave does not make a positive response and seize the benefits that can be his, then there is nothing for him but chastisement:

It is with good reason that Moses writes down the fool as the slave of them who lay claim to virtue, either that, promoted to serve under a higher control he may lead a better life, or that, if he cling to his iniquity, his masters may chastise him at their pleasure with the absolute authority which they wield as rulers. (*de sob.* 69)¹⁵

The second arm of Philo's strategy involves the vilification of Esau. If Esau is the embodiment of evil, then clearly he has no more right to our sympathy than the serpent; and, of course, he must have an overseer.

Incidentally, Ham and Canaan receive like treatment at the hands of Philo. Ham's offence is amplified. Philo in *De Sobrietate* (6ff.; 31ff.; 44ff. etc.) tells us, going well beyond the narrative in Genesis, that he mocked his father's nakedness and proclaimed it abroad. Further, Ham as a younger son is compared with a child, who lacks reason and understanding (*logos, dianoia*). It is not years that count but capacity (*dunamis*). Folly goes with the earliest years, and desire for moral excellence is a later birth (Philo has to produce a different argument for Esau, the older of two twins).

Philo's case against Esau comes down to six main observations:

1. Esau and Jacob are moral opposites, standing respectively for vice (*aphrosune, agnoia*) and virtue (*phronesis*) (*de ebrietate* 9ff.).

¹⁵ Geiger (above, n. 6), 75 n. 256, compares this especially with Aristotle.

2. Esau is the soul that is mixed, discordant, rough and hairy, Jacob one that is single, unmixed, smooth and level (*migr. Abr.* 152-3).

3. Esau is an oak, hard, wooden, stiffnecked, ignorant and hence disobedient. His life, any life lived with *aphrosune*, is just fiction and fable, utterly false (*de congr.* 61-2; *de fuga* 39).

4. Esau, the *phaulos*, is an exile, an exile from the polis which is the symbol of virtue. He is *apolis*, *aoikos*, *agroikos* (*alleg. leg.* 3.1ff.; cf. *de gigant.* 67). There is an echo here of an Aristotelian argument in *Politics* (1253a7):

a man who is by nature and not merely by fortune *apolis* is either low in the scale of humanity, or above it, in as much as he resembles an isolated piece (*azux*) in the game of draughts.

5. Jacob is younger than Esau, but it is not years that count (as we heard in Ham's case).

6. Esau is linked with Egypt, both standing for blind passion and vice.¹⁶ Philo juxtaposes two pairs of opposites, on the one hand, the destruction of Egypt's first-born and the sanctification of Israel's first born, and, on the other, the displacement of Esau and the elevation of Jacob. (*de sacrif. Abelis et Caini* 134-5).

Let us pick up this last item, because it raises the question: Did Philo envisage foreigners, *allotrioi*, or some particular ethnic groups, as naturally servile, in the way that Aristotle equated barbarians and natural slaves?

Philo comes within an ace of doing so. The Israelites' acute sense of separateness from other races, their special status in the eyes of God, needs no special emphasis. With regard to slavery, the laws of Moses made a firm distinction (which Philo supports) between *oikeioi*, our own people, and *allotrioi*, outsiders. The enslavement of non-Jews was permitted, and was for life, whereas the enslavement of Jews was considered regrettable and limited to 6 years. Philo stresses that the latter were not really slaves at all: recalling a sentiment of Chrysippus, echoed subsequently by Cicero, he urged that they be treated as hired workers rather than slaves (*Spec. Leg.* 2.122 and n. 7) and his message that masters should be *philodouloi* and slaves *philodespotoi* was apparently reserved for this category of slave. Beyond that, Philo freely and persistently presents Egypt as the symbol of body as opposed to soul, of the passions as opposed to reason, and as the seat of evil. In all these cases there is a clear link with servility in his analysis. For example, in *EGM* 40, the body is called "by nature slavish"; this is in a passage where the wise man, who is quite immune from temptation, is contrasted with the highly susceptible masters of "pretty little slave girls" (whom Philo admits to have often seen) endowed with a natural gift for wheedling words, as well as with natural beauty.

But Philo stops short of calling the Egyptians natural slaves tout court; nor does he dream up a genealogy for them which would make them slaves by de-

¹⁶ For Egypt, see e.g. *leg. all.* 2.59, 77; 3.37; *de fug.* 148, 180; *de congr.* 83, 85.

scent. This is interesting, since the inference was waiting to be drawn, for example, from the words of God to Rebecca concerning the two peoples in her womb, one of which was destined to be founded by Esau, whose slavery God also foretold. Christian writers from Justin to Augustine (and beyond) freely invented genealogies, especially making use of Ham and Canaan. Thus, Justin calls the Canaanites a people handed over to slavery (*Dial. Tryph.* 139), while Origen is quite clear that the Egyptians were slaves and explains this with reference to "their master Ham", father of Canaan (*Hom. Gen. & Exod.* 16). One wonders whether it was the circumstances of Philo, the fact that he lived in a sensitive place in sensitive times, and that he was involved in politics both local and imperial, that held him back from making explicit what is clearly implied in his analysis.

III

In summing up Philo's thought about slavery, we are faced with the task of explaining the fact that Philo both professed that no man is by nature a slave, and expressed views apparently compatible with Aristotle's natural slavery thesis.

Philo had before him two kinds of slavery. As he wrote in *EGM*, "slavery is applied in one sense to bodies, in one sense to souls". "No man is by nature a slave" might be taken to refer exclusively to bodily slavery, institutional slavery. It is an accident if one is enslaved, typically in consequence of capture in war or kidnapping or birth. Institutional slavery creates and is fed by accidental slaves. And accidental slaves are inferior to their masters only in fortune:

Servants (*therapontes*) rank lower in fortune (*tuche*), but in nature (*phusei*) can claim equality with their masters, and in the law of God, the standard of justice is adjusted to nature and not to fortune. (*Spec. Laws* 3.137)

But, there is, secondly, moral slavery. Moral slaves are those whose reason is overwhelmed by feelings, passions. Moreover, moral slavery is never an accident. On the one hand, it may be voluntarily entered into:

But some ... have voluntarily laid themselves at the feet of cruel masters, though born to freedom. And since in virtue of free birth they could not be sold, they have — strange contrast — purchased and taken to them masters. (*De ebr.* 122)

At a deeper level, moral slavery is ordained by God. God has created two natures, one servile, the other blessed. Philo goes on to urge that moral slaves should be subjected to institutional slavery, because they need to be controlled, in their own and in everyone else's interest. And he has some archetypical moral slaves in mind, furnished by the Old Testament: Esau especially, but also Canaan.

That is, Philo appears to make the transition from moral slavery to physical slavery. Moral slaves should be physical slaves.

For Philo is a strong believer in institutional slavery. In a revealing passage he writes:

The Law does permit the acquisition of slaves from other nations for two reasons: first, that a distinction should be made between fellow-countrymen and aliens; secondly, that that most indispensable possession, domestic service, should not be absolutely excluded from his, Moses' polity ... For the course of life contains a vast number of circumstances which demand the ministrations of slaves. (*Spec. Laws* 2.123)

In this way Philo implicitly distances himself from the Essenes (and the mysterious Therapeutae) who, by his own account had no slaves (*EGM* 79; cf. *de vita cont.* 70).¹⁷ But this same passage, when put together with others expressing his views on Egyptians, shows him coming very close to the Aristotelian position according to which foreigners are natural, moral slaves.

As for the source of Philo's views: the whole classical Greek tradition needs to be explored. The doctrines of Aristotle (and Plato) on *paideia*, intellect, independence, friendship, freedom and slavery, are compatible with what Philo wanted to say: that is, they fit the biblical exegesis that he produces. Classical Greek philosophy and Jewish theology come together in Philo. But we should go on to ask whether Stoic theory was necessarily pulling in another direction.

The Stoics divided mankind into the wise and the foolish, the good and the bad, and used slavery as a metaphor for moral and intellectual deficiency. Most men were foolish and bad, and all bad men were as bad as one another — and this was their prescribed fate. For one ancient critic, the Aristotelian Alexander of Aphrodisias, all this added up to the unacceptable view that man, who should have been nature's beneficiary, was marked out for the gloomiest of destinies:

If virtue and vice alone, in their (the Stoics') opinion, are good and bad respectively, and no other creatures are capable of receiving either of them; and if the majority of men are bad, or rather, if there have been just one or two good men, as their fables maintain, like some absurd and unnatural creature rarer than the Ethiopians' phoenix; and if all bad men are as bad as each other, without any differentiation, and all who are not wise are all alike mad, how could man not be the most miserable of all creatures in having vice and madness ingrown and allotted? (*de fato* 199.14-22 = *SVF* 3.658)

We should note the last clause: the madness, the vice of the fool is innate, and assigned to him by fate. In short, he was by nature slavish.

We can go a step further: bad men injure themselves. As a Stoic fragment puts it:

All goods are common to the virtuous, and all that is bad to the inferior. Therefore a man who benefits someone also benefits himself, and one who does harm also harms himself. All virtuous men benefit one another... ; but the foolish are in the opposite situation. (Stobaeus 2.103.21-102.3; *SVF* 3.92)

The Beneficial Thesis is just around the corner: fools should be enslaved for their own good, to protect them (and others) from themselves.

¹⁷ V. Nikiprowetzky, "Quelques observations sur la répudiation de l'esclavage par les Thérapeutes et les Esséniens d'après les notices de Philon et de Flave Josèphe", in *Mél. à la mémoire de Marcel-Henri Prévost* (Paris 1982), 229-271.

But do these Stoic thoughts — which come to us as fragments, sometimes from hostile sources — relate to political community or the cosmic community? If as seems clear, we are (virtually all) slaves *qua* citizens of the cosmic community world, then these doctrines do not appear to have any relevance to the political world.

There is one passage in a Stoic or Stoicising writer which does seem to make the transition from the spiritual to the physical world. This is an oration on slavery by Dio Chrysostom (of Prusa) who flourished at the end of the first century AD:

But perhaps it was not in this way that the term “slave” was originally applied — that is, to a person for whose body someone paid money, or, as the majority think, to one who was sprung from persons who were called slaves, but rather to the man who lacked a free man’s spirit and was of a servile nature. For of those who are called slaves we will, I presume, admit that many have the spirit of free men, and that among free men there are many who are altogether servile. The case is the same with those known as “noble” and “well-born”. (Dio 15.29)

Dio has just argued that those who have become slaves by ill-fortune, “at the flip of a shell”, typically following capture by pirates or in war, are not really slaves, nor are their descendants. Now he speculates that slaves were once, originally, those of servile nature; he adds, as if it is uncontroversial, that there are a lot of people like that around among the free population (and presumably also among slaves). And there is the implication that if there is going to be slavery (and nobody in antiquity is found advocating abolition), then they, those who are naturally servile, should be slaves in reality.

Dio appears to have sketched out a category of natural slaves, one that Stoic thought could accommodate — provided that certain crucial adjustments to Stoic theory were made. Two doctrines in particular had to be abandoned or qualified, both going back to the founding fathers of Stoicism: first, that most men are fools, and second, that externals do not matter. Once they go, then there seems little to prevent a Stoic reaching something approaching an Aristotelian view of slavery.

There is, however, no reason to think that late Stoic thought made this transition.¹⁸ Above all, late Stoics remained firm in their insistence that spiritual slavery was the only kind of slavery that counted, and the only kind of slavery merited the attention of philosophers and ordinary mortals alike. Dio’s speculation about the origin of physical slavery stands in isolation.

In my view, it was Philo’s confrontation with the Old Testament enslavements, his need to justify and condone them, that brought him close to the Aristotelian position on natural slavery. In other words, it was Philo the Jewish exegete rather than Philo the Stoicising philosopher who produced a version of the natural slavery theory. This is not, however, a distinction that Philo would have

¹⁸ For Philo, see *EGM* 61; 72-73.

accepted. We saw that in a key passage in the *EGM* (57), he tried to enlist Zeno in his cause, a Zeno imbued with the spirit of Moses. Then, the discussion of the cases of Esau and Ham revolves around concepts of moral philosophy such as freedom, independence, wisdom, folly and benefit, to a point — until a different kind of explanation is turned to, one couched in terms of religious doctrine, specifically a creator god who fashions the good and the bad in accordance with his grace. We may well feel that Philo's attempt at pouring the Jewish tradition into the moulds of Hellenistic philosophy breaks down at this stage. Christian theologians, in the first instance Paul, a renegade Jew, inherited the problem of how to reconcile the Biblical enslavements (and the institution of slavery in general) with a God who was merciful as well as just. How they coped with it, and how far they exacerbated it by working within the framework of traditional philosophy, is a fascinating story — but one which must await another occasion for the telling.

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