Abstract

This paper aims to explore Philo of Alexandria’s perception of gender through his writings on the Sotah ritual described in Numbers 5:11-31, the trial by ordeal of the wife suspected of adultery by her husband. Philo’s writings on the Sotah ritual appear in his texts “The Special Laws” and “The Allegories of the Sacred Laws.” These commentaries are analyzed alongside near contemporaneous Tannaitic texts (the Mishnah and Tosefta Tractates relating to the ritual) and Josephus’ account of the ritual in “The Antiquities of the Jews.” Philo’s texts are examined for innovative themes and interpretations of the Sotah ritual in the context of these alternative commentaries. It is argued that Philo’s treatment of the Sotah ritual reveals a tendency towards a dismissal of the central role of the woman in the ritual. It is suggested that the Sotah herself is alternately dissolved into body parts or subsumed into aspects of the male soul, reflecting Philo’s preoccupation with purely male spiritual development.

Philo’s writings must be understood in the context of his life in and experience of 1st century Alexandria. Unfortunately, biographical details of his life are vague; he can be dated between 25-30 BCE and 50 CE, identifying himself as a grey old man in “Legatio Ad Gaium” c.42/43 CE. He is believed to have been born into a wealthy and aristocratic family, receiving the best education in paideia, praised frequently in his writings. Philo’s influential political career is indicated by his selection as leader of a delegation to Rome in 39-40 CE in defence of the Alexandrian Jews in the face of the pogrom led by Flaccus.

Jews of the Diaspora formed a large percentage of the Alexandrian population and under Greek rule had enjoyed the right to practice their faith freely, including holding their own courts. However, the transferral of Egypt to Roman authority (30 BCE to 285 CE) threatened this former religious freedom (Napthali Lewis 1999). Much of Philo’s writing is thus apologetic in nature, reflecting his task of presenting Judaism as concordant with contemporary Hellenised but Roman-occupied Egypt.

Philo’s primary identity has divided scholarly opinion, expressed in his double nomenclature as both Philo Judaeus and Philo Alexandreus. Whilst Harry Wolfson’s Philo is essentially a Hellenized philosopher with deeply Jewish roots, (Harry Wolfson 1947) Erwin Goodenough perceives him as primarily Jewish, but strongly influenced by Iranian dualism and contemporary Greek cults such as Orphism (Erwin Goodenough 1962). David Winston strikes a balance between these two polar positions, describing him as “standing at the apex
of the cultural activity of the Jewish-Alexandrian community, his literary work climaxing a long chain of Jewish-Hellenistic writings whose aim was to establish the validity and integrity of Jewish religious thought in the face of the counterclaims of the intellectually powerful Greek tradition” (David Winston 1981).  

Philo is associated primarily with his use of the allegorical method of scriptural interpretation. Samuel Sandmel describes this system as architectonic, forming a unified structure, which is consistent and coherent across concepts and layers (Samuel Sandmel 1979). Biblical characters are central to Philo’s allegorical system and female biblical figures, particularly the matriarchs, therefore form an essential part of his raw material. However, his approach to gender roles and characteristics, which constitute but one element of his system, must be tempered by several requirements. Firstly, his perceptions must form a coherent whole with all other aspects of his model. Philo also has the task of synchronising the literal and the allegorical layers of his thought and this may affect his treatment of gendered characters. Finally, as observed by Dorothy Sly, Philo must demonstrate that Biblical Law matches but does not exceed the liberal rights enjoyed by Egyptian non-Jewish women in Roman Egypt. (Dorothy Sly 1990).  

A fundamental and organic disparity between male and female emerges from Philo’s texts. This is perhaps best exemplified by his allegorical interpretation of male as the rational aspect of the human soul, nous (intelligence, mind) and female as the inferior aisthēsis (sense perception). In terms of hierarchy, Mind is unequivocally superior to Sense Perception, acting as “judge and king” (“Diskatēn kai basilea ton noun”). However, their relationship reveals a degree of mutual dependence. Mind requires Sense Perception to direct external perceptions towards it for judgement and interpretation; equally Sense Perception needs Mind to rein in and manage its excesses.  

As Sly discusses, Philo’s discussions of the human soul seem to refer purely to the male. This inequality is mirrored by Philo’s perception of gender roles. In “Quaestiones et Solutiones in Genesim et Exodum” he explains: “for to man are entrusted the public affairs of state; while to a woman the affairs of the home are proper.” Woman is made from Adam’s rib because “woman is not equal in honour with man.”  

Modern scholarship has perceived Philo’s perception of gender roles and attributes to be misogynous. Markus McDowell describes his “penchant for denigrating women or, at the
very least, to see them as less reasonable and intelligent creatures than men” (Marcus McDowell 2006).13 Ross Kraemer notes that his “misogynistic views are widely acknowledged” (Ross Kraemer 2009).14 Such attributions of misogyny and female denigration may be accused of anachronism. It is arguable that Philo’s writings merely reflect contemporary gender mores. However, it is also possible that he instigates further gender imbalance. As stated by Maren Niehoff: “The burden of misogyny has been laid too quickly and too exclusively at the door of Hellenism” (Maren Niehoff 2004).15 Given that Wolfson has credited Philo with a central role in the development of western religious and philosophical thought, this ambiguity is an important issue (Wolfson 1947).16

This paper aims to expand understanding of Philo’s perception of gender through analysis of his commentaries upon the Sotah ritual, the priestly trial of the wife suspected of adultery described in Numbers 5:11-31. Philo’s commentaries on the ritual appear in Book III 52-63 of “De legibus Specialiis” (“On the Special Laws” – henceforward De leg. spec.)17 and Book III 51-52 of “Legum Allegora” (“Allegorical Interpretation” – henceforward Leg. alleg.).18 Recently, Winston who maintains that Philo’s only source would be the Greek Septuagint has challenged the assumption that Philo read Hebrew.19 For Philo, the Septuagint represented a text as divinely inspired as the Hebrew Bible.20 The relation between the Hebrew Bible and the Septuagint translation is not one of simple translation. Hellenic ideology and linguistic are embedded in the Septuagint, which Marcos Natalio Fernandez describes as: “an autonomous literary work organised around a new constellation of meanings within the Greek system” (Marcos Natalio Fernandez 2000.)21 Philo’s source for his interpretation of the Sotah ritual is thus already suffused with Greek elements.

Philo’s writings on the Sotah ritual will be considered alongside the text of Numbers 5 and near contemporaneous Tannaitic texts relating to the Sotah ritual,22 together with the commentary of the Jewish historian and hagiographer Flavius Josephus which appears in “Antiquities of the Jews” 3:270-273 (henceforward Antiquities).23 Josephus’ account is of particular interest because of his contemporaneity with Philo, despite the difference in geographical and cultural milieu. Historically, Philo’s commentaries upon the Sotah ritual fall between the account of Numbers 5 and the later representations of the ritual in Tannaitic texts, estimated by Jacob Neusner to have been composed between 100-350 years later.24

The Sotah Ritual in Numbers 5: 11-31
An analysis of Philo’s Exegesis of the Sotah Ritual

The *Sotah* ritual is a piece of Biblical Law described in Numbers 5 and is placed textually in the laws concerned with maintaining encampment purity. It details the trial by ordeal of a wife suspected of adultery by her husband. The *Sotah* ritual is sanctioned and enacted by the Temple priest upon whom its correct enactment depends. The Hebrew term *Sotah* denotes the suspected adulteress, from the root verb *Sotah* meaning to “to wander, stray, wander astray, err, to seduce, to cause to go astray.” Notably this verb also appears in the depiction of the adulterous Folly in Proverbs 7:25: “Do not let your heart turn aside to her ways.”

According to Numbers 5, a woman suspected of adultery by her husband is brought by him to the Temple, where the husband makes a heave offering of wheat. The suspect’s hair is uncovered and unloosed. Holy water is mixed with dust from the Temple floor. The priest pronounces the following curse to which the woman must agree “Amen Amen:

But if you have gone astray while married to your husband and you have made yourself impure by having sexual relations with a man other than your husband”—here the priest is to put the woman under this curse—“may the Lord cause you to become a curse[d] among your people when he makes your womb miscarry and your abdomen swell. May this water that brings a curse enter your body so that your abdomen swells or your womb miscarry.

The words of this curse are inscribed upon a scroll by the priest who blots the scroll in the water, which the *Sotah* must imbibe. If innocent of the accusation, Numbers narrates that no ill effects will result from drinking the water and the wife’s innocence will be rewarded by pregnancy. If she is guilty of adultery, her belly will “swell” and her womb miscarry. The translation and interpretation of these somatic descriptions pose difficulty, particularly because of the biblical usage of *yarech* (thigh) as epithet for womb or genitals, as noted by Alice Bach. (Alice Bach 1993). The translation of *tsavah* as “to swell” is also questionable and has been suggested to refer alternatively to flooding or collapse. (Tikva Frymer-Kensky 2013.) Tikva Frymer-Kensky observes that interpretations and translations of the outcome of the ritual vary from inducement of miscarriage to uterine prolapse. The *Sotah* ritual is gender-specific, applicable only to a wife suspected of adultery but not a husband. The suspicious husband bears no repercussion for a false accusation. Daniel Boyarin believes that the ritual was finally outlawed in the Mishnah around 70 CE by the Talmudic injunction “Jealousy is forbidden” which removes the ritual’s causal factor.

As stated by Ishay Rosen-Zvi, the ritual constitutes a rare case of Biblical Law, which appears to endorse the use of divination. Deuteronomy 21:1–9 also details a ritual that
appears to have magical overtones. Here the sacrifice of a heifer that has “never been worked and has never worn a yoke” is required in cases of unsolved homicide. Elders from the village nearest to the body are required to wash their hands over the body of the dead heifer in the sight of priests as both demonstration and expression of innocence. The connection between these two divinatory rituals would seem to be uncertainty regarding the crime committed. The Sotah ritual is required in cases where adultery is suspected but unproven and the heifer ritual is needed when the identity of the killer is unknown. The use of divination in these two cases would seem to concur with the structural functionalist models of magical practice espoused by Edward Evans-Pritchard and Bronislow Malinowski. Malinowski observes that Man resorts to magic “whenever he has to recognize the impotence of his knowledge and of his rational technique,” connecting the implementation of magical ritual with anxiety-provoking situations of uncertain outcome (Bronislow Malinowski 1954). Evans-Pritchard defines magical ritual as a “rational social tool” (Edward Evans-Pritchard 1963).

These models of ritual magic supersede the early theory of James Frazer, who conjectured magical practice to be based upon the principle of “sympathetic magic,” under which two psychological laws are subsumed. The law of contiguity describes the belief that “things act on each other at a distance through a secret sympathy” and assumes that objects, once connected, remain so. (James Frazer 1993). The law of homoeopathy dictates that like produces like, using a similia similibus formula. Thus the vessel filled with the bitter water can be interpreted as an analogy or symbol of the Sotah’s body, soon to be filled and tested by the same liquid.

The element of atonement in the heifer ritual of Deuteronomy raises the possibility of a similar function in the Sotah ritual. In the case of the heifer, the elders make atonement for the whole community, but in the Sotah ritual, any atonement made would appear to be individual. Durkheim’s definition of religion as “a system of ideas with which the individuals represent to themselves the society of which they are members and the obscure but intimate relations they share with that society” provides a useful interpretive framework in terms of the Sotah’s need to make reparation to her community (Emile Durkheim 2008). These constructions of ritual magic suggest an interpretation of the ritual as social communication between the Sotah and her social group. An accusation or suspicion of adultery is managed
that either establishes her innocence or removes her as threat to her community. It also acts as a strong social message to other females in the community of the dangers of adultery. In Andrew Durdin’s words: “For women, the shamed wife becomes a non-verbal pedagogical device” (Andrew Durdin, 2007).  

Scholarly opinion has diverged regarding the origins of the text of Numbers 5. It has been argued that textual incongruities reflect the merging of two older rituals with separate origins and applications. An oath ritual may have been used in cases where adultery was merely suspected and a water ordeal used in cases of proven adultery. The latter may have Ancient Near-Eastern origins, suggesting the merging of a magical folk ordeal with Priestly ritual. Modern scholarship has abandoned the dual origin theory in favour of a unified ritual. However, assuming the unity of the text leaves the conundrum of whether the ritual of Numbers 5 relates to adultery or merely irrational husbandly jealousy. It is tempting to read in the dual ritual theory a modern scholarly discomfort with the nature of the Sotah ritual and it appears difficult to separate scholarly interpretation from apology. However, modern sensibilities cannot be foisted upon the era of this Biblical text.

Both the priestly curse and the woman’s response “Amen Amen” can be understood as performative utterances as defined by John Austin (i.e. an utterance which in itself constitutes an act, such as a legal vow or naming ceremony) (John Austin 1946). The Sotah’s consent to the curse and ritual are thereby embedded within the ritual itself. These are the only words she is required to speak throughout the ritual, indicating that any protestation of innocence prior to the ritual are insufficient to determine her innocence. The embedding of her consent to the curse reinforced the passive role she plays in the ritual.

The Sotah Ritual in the Mishnah and the Tosefta

The Sotah ritual is attested in Tannaitic literature (Mishnah Sotah, henceforward M. Sotah and Tosefta Tractate Sotah, henceforward T. Sotah) and the Babylonian Talmud. In both T. Sotah and M. Sotah, representations and interpretations of this ritual and its consequences become increasingly sexual, humiliating and brutal, yet the conditions for its enactment become stricter. Rosen-Zvi describes the M. Sotah as: “unparalleled in Biblical law,” being the only ritual to ordain the public humiliation, shaming and stripping of a woman: (Ishay Rosen-Zvi 2013). In M. Sotah, words of terror are introduced to frighten the victim: “And they tell her things which neither she nor the family of her father's house should be
The imagery of M. Sotah is startlingly gruesome in its depiction of the victim’s ordeal and introduces death as the final outcome:

She hardly has sufficed to drink it before her face turns yellow, her eyes bulge out and her veins swell. And they say: “Take her away! Take her away!” so that the Temple court will not be made unclean [by her corpse].

However, M. Sotah introduces stipulations that limit the implementation of the ritual. For example, two witnesses to the husband’s accusation or relevant evidence are required: R. Eliezer says: “He expresses jealousy before two witnesses, and he imposes on her the requirement of drinking the bitter water on the testimony of a single witness or even on his own evidence [that she had been alone with the named man].”

Boyarin interprets these adaptations as mirroring the increasing clauses appended to all capital crimes, rather than a specific intent to reduce the implementation of the Sotah ritual. Moreover, he observes the emergence of a new form of gender bias in the arising of male-oriented and controlled Torah study schools, which arguably counteracts any gender-imbalance eradicated by the Mishnah clauses. However, Judith Romney-Wegner reads in these stipulations a rabbinical attempt to allow a man to deny his wife without paying her ketubbah (Judith Romney Wegner 1988).

M. Sotah debates the relation between female Torah learning and the outcome of the Sotah ritual:

There is the possibility that merit suspends the curse for one year, and there is the possibility that merit suspends the curse for two years, and there is the possibility that merit suspends the curse for three years. On this basis Ben Azzai says, “A man is required to teach Torah to his daughter.” For if she should drink the water, she should know that [if nothing happens to her], merit suspends [the curse from taking effect].

Rabbi Ben Azzai’s argument that a man is required to teach Torah is understood to mean that the virtue acquired from a woman’s knowledge of Torah may delay her punishment in the Sotah ritual. An alternative argument follows from rabbi Eliezer: “Whoever teaches Torah to his daughter is as if he teaches her sexual satisfaction.” Here Eliezer appears to reject female Torah teaching precisely because of its protective properties from the Sotah ritual. However, this rabbinical debate relates to a father’s duty to teach Torah to his daughter, rather than a daughter’s right to study Torah. It is purely a male moral dilemma.

As discussed by Sarra Lev, the limitation of the enactment of the ritual appears to coincide with an increased sexualization in the imaginings of the ritual. Public nudity and
An analysis of Philo’s Exegesis of the Sotah Ritual

exposure appear as methods of humiliation: “And a priest grabs her clothes - if they tear, they tear, and if they are ripped up, they are ripped up – until he bares he breast.”

Ishay Rosen-Zvi perceives in T. Sotah the denuding of a dominant woman’s sexual and social powers. He describes it as “the ultimate cure for male fears, presenting the rebellious woman as passive, controlled, publicly exposed and ultimately stripped of all her seductive powers.”

He clarifies the “measure-for-measure” nature of T. Sotah, wherein the stages of the alleged adulterous act are re-enacted and reversed by the ritual itself. This is also explicit in M. Sotah:

By that same measure by which man metes out [to others], they mete out to him. She primped herself for sin, the Omnipresent made her repulsive. She exposed herself for sin, the Omnipresent exposed her. With the thigh she began to sin, and afterward with her belly, therefore the thigh suffers the curse first, and afterward the belly.

The ritual of T. Sotah appears to assume the woman’s guilt from the start of the procedure. She is transmuted from one who has “gone astray” to one who leads astray. This motif recalls the depiction of the adulterous Folly of Proverbs. Both Folly and the Sotah are described as active in the role of seducer and as provocative and “brazen” in dress and behaviour. Just as the critical gaze of the narrator of Proverbs followed Folly, the public gaze upon the Sotah implies judgement and condemnation. A sense of voyeuristic control is engendered and approved in each text, revealing a shared mythology surrounding the threat of female sexuality to the male, the community and all those caught in its thrall.

Durdin challenges the gender-focused lens of recent interpretations of M. Sotah, claiming that this obscures other shifts within the text. He claims that the Sotah’s crime becomes the raising of her husband’s suspicion rather than adultery which “has confused her relationship to any one man and is a punishable offence.” Although not explicit in the text, the humiliation of the Sotah - before her guilt has been proven - may reflect a perceived shaming of the husband, whose social status may have been compromised by suspicions surrounding his wife’s fidelity.

Josephus on the Sotah: “Antiquities of the Jews”

The Jewish historian and hagiographer Josephus addresses the Sotah ritual in Antiquities of the Jews (henceforward Antiquities). Josephus is believed to have lived between 37-100 CE and was born in Jerusalem. Antiquities was written in the last year of the reign of Emperor Domitian (93-94 CE) and appears to be an apology for the Jewish faith and people from within Roman-Judea, commencing with the Creation and continuing up to the Jewish Wars.
Josephus’ primary source for the *Sotah* Ritual appears to have been the Hebrew Bible. However, Eugene Ulrich’s linguistic analysis of Josephus’ writings on the “Books of Samuel” suggests heavy dependence on the Septuagint. André Pelletier identifies around twenty plagiarisms from the “Letter to Aristeas” in *Antiquities*. This implies that Josephus may have had three sources available.

The *Sotah* ritual sits in *Antiquities* in the context of “ceremonies about sacrifices, and about the purifications” given by Moses. Josephus immediately places the ritual in the context of husbandly suspicion and indeed justifies a false accusation of adultery in terms of a husband’s overwhelming love for his wife which might on occasion cause jealousy: “by the violence of his affection, and of the jealousy which arose from it.”

Josephus makes adaptations to the stages of the ritual, which have a sanitising effect. He replaces the curses inscribed on the parchment with the writing of God’s name. This is soon erased and is not explicitly dipped in the water. The addition of dust to the water is minimised; dust is used only if “any happened to be there” and then merely “a little of it.” No mention of the dust’s origin from the temple floor is made.

Josephus’ tone is distinctly justificatory; the crime committed is depicted as violence and injury, committed upon the husband by his wife. Initially, he emphasises the outcome of the ritual as the reward of a “male child in the tenth month” to the vindicated wife before addressing the consequences for the adulteress. Presumably the introduction of a male baby is intended to indicate a double blessing; not merely a child but the blessing of a son is awarded. Josephus describes death as the fate of the adulteress and does not shy away from the gruesome details of the death: “she died in a reproachful manner; her thigh fell off from her, and her belly swelled with a dropsy.” The description of her death as “reproachful” may be interpreted as a pathetic fallacy, mirroring the reproachfulness of the adulterous act.

**Philo’s *Sotah*: “De legibus specialiis:” (On the Special Laws)**

The first of Philo’s passages concerning the *Sotah* ritual to be addressed is found in Book III of “De legibus specialiis.” As discussed by Niehoff, this text is apologetic in nature, offering an exposition of Biblical Law to an audience unfamiliar with or perhaps hostile to Judaism. Philo’s apparent aim in this text is to establish concordance between Biblical Law and contemporary Egyptian non-Jewish mores, whilst upholding the Jewish people as an example of virtue.
An analysis of Philo’s Exegesis of the Sotah Ritual

Philo begins with the statement that certain matters can be decided only by “the tribunal of nature” as “men can arbitrate on open matters but God on the hidden also, since he alone can see clearly into the Soul”\(^{70}\) (“\(\textit{epeidēper anthrōpoi men tōn emphanōn epignōmones, theos de kai tōn adelōn òmovoi dunaton phuxēv enargōs theasasthai.}\)”\(^{71}\)

Here Philo elides the Jewish understanding of the Divine with the Pythagorean concept of the immutability and harmony of the laws of nature. Uniformity is established between Biblical Law and Greek philosophy. The \textit{Sotah} is portrayed as violating Nature’s natural order, equated with irrational beasts and-worthy only of a sacrifice fit for animals:

The meal used is of barley, perhaps because as a foodstuff it is of somewhat doubtful merit, suited for irrational animals and men in unhappy circumstances, and thus is a symbol that the adulteress is quite on a par with wild beasts, which copulate without discrimination or due consideration.\(^{72}\)

This is an innovative interpretation of the wheat offering. Numbers 5 states that the heave offering of wheat is “a grain offering for jealousy, a reminder-offering to draw attention to wrongdoing” as opposed to a celebratory or thanksgiving offering.\(^{73}\)

The demotion of the adulteress to the status of an animal may be viewed as a legitimising strategy, intended to reduce the brutal nature of the ritual, whilst diminishing the element of human responsibility for the ritual. This hierarchy suggests a Platonic influence. In \textit{Timaeus}, Plato provides a hierarchy of animals descending from two-legged animals, through four-legged beasts to fish and legless beasts.\(^{74}\) It is evident that Philo was well acquainted with Plato’s \textit{Timaeus}, although whether through personal reading is uncertain. David Runia suggests that a direct quotation can be found ten times in Philo’s writings (David Runia 1986).\(^{75}\) In the \textit{Timaeus}, it is revealed that only humans are endowed with souls. Men are deemed superior to women, as demonstrated by the idea that a wicked man may be reincarnated into the body of a woman:

\[\textit{tōn genomenōn andrōn osoi deiloi kai ton bion adikōs diēlthon, kata logon ton eikota gunaikes metephuonto en tē deutera.}\]\(^{76}\)

According to the probable account, all those creatures generated as men who proved themselves cowardly and spent their lives in wrongdoing were transformed, at their second incarnation, into women.\(^{77}\)

Philo’s demotion of the \textit{Sotah} to bestial status exceeds Philo’s hierarchy. This seems to be an innovation in Philo’s thought. Mary Midgely describes Plato as the “first active exponent of the beast within” (Mary Midgely 2002).\(^{78}\) His adoption of the beast as a metaphor for desire (\textit{epithumia}) thus sits perfectly with Philo’s theme of the battle between the passions and the...
An analysis of Philo’s Exegesis of the Sotah Ritual

rational. The bestial imagery finds concordance with M. Sotah and T. Sotah, which both specify that the woman’s seductive act of offering food to her lover marks her as bestial: “She fed him goodies—therefore her meal offering is fit for a cow.”79 In M. Sotah R. Gamaliel says: “just as she acted like a cow, so her offering is food for a cow.”80 It is not possible to determine whether the imagery in M. Sotah and the Tosefta originates with Philo or whether both reflect a contemporary development in the interpretation of the text of Numbers 5.

In De leg. spec. Philo draws a veil over the more unpleasant aspects of the Sotah ritual. Philo transforms the dust from the temple floor added to the Holy water into sacred earth (hē gē):

The earth is taken not from any chance place, but from the “holy” ground which must needs be capable of fertility, as also must the chaste wife.”81

The description of earth rather than dust suggests a reference to the creation of the first man Adam in Genesis from earth.82 This hints at the sanctity of God’s creation rather than the impurity of dust from the floor. Michael Swartz observes that earth is endowed with magical properties and the power to create in Jewish magical texts.83 Similarly, the “bitter water” infused with dust and ink is transformed into “the draught of testing.”84 It is the conveyor of rational solution to Man’s passionate uncertainty in the face of “reasonable doubt.”85

Philo substantially changes the nature of the oath undertaken by the Sotah to include a reference to the legal rights of the husband:

ei men tous epi gamois thesmous ou parabebēka oud’ anēr heteros ὀμιλῆσα ὑπὲρ τον ὁμοῦ συνοικισθέντα δίκαια ανυπατίται καὶ ἀθῶος ἵστη εἴ ὁ ἄλλος ἤσσα.

(If you have not transgressed the laws of your marriage, and if no other man has been associated with you, so that you have not violated the rights of him who is joined to you by the law, you are blameless and innocent.)87

This amendment achieves the construction of the Jewish people as praise-worthy in their esteem for and strict adherence to marital vows. Here Philo makes explicit the importance of the Graeco-Roman concepts of honour and shame, which include betrayal, neglect, and violation of marital rights:

Men andros kainas de ezēlōsas epithumias ē erasthestē ē erasthestē endousa, ta anagkaiotata kai philtata prodousa kai notheusasa, mé agnoei pasais aerastheisēs rais enechos gegenēmenē...

(but if you have set at naught your husband and eagerly gratified your new desires, seized with love for another or surrendering to his love, betraying and debasing the closet and fondest ties, be well assured that you have laid yourself open to every curse …)88
However this version of honour and shame has a distinctly Jewish flavour, for the adulteress betrays not only her husband but also her community, her “closest and fondest ties” whom she “betray and debases.” This theme of debasement or contamination is evident in the depiction of the womb of the adulteress as contaminated and therefore the site of her punishment: “which she has not cared to keep pure for the husband who married her according to ancestral custom.”

The concept of contamination is pertinent given the context of purity of encampment laws in which the Sotah ritual is placed in Numbers 5. As discussed by Jonathon Klawans, the use of the female, as symbol of purity or contamination is Torah based, where the unfaithful woman constitutes a source of pollution to her community, bringing the threat of apostasy into the tribe. The polluting Sotah is textually polarized by the purity of the innocent wife, who is symbolized by the water, which Philo explains is as pure as the innocent woman.

The punishment of the Sotah is introduced only at the end of the text and is depicted as divinely decided, thus mitigating human responsibility. This late introduction of the consequences of the ritual for the adulteress differs from the accounts given in the M. Sotah and Tosefta, where the stages of the ritual appear to be part of the punishment itself.

In this text, Philo presents the Sotah ritual as a victory of reason over the passion of envy, the correct course for a “man who wishes accurately to ascertain the truth without any sophistry.” In “De Mutatione Nomine” Philo describes suspicion and envy as “the shepherds of an evil herd” of the passions: (paragenomenoi d’oi phthonoukai baskanias hetaipoi, ponēras agelēs hegomones.) In De leg spec., the passion of suspicion is subdued by the rational justice of Nature, “not in the spirit of a false accuser or malicious schemer, set on winning at any cost.” Philo portrays the Sotah ritual as the trial of the passion of suspicion, rather than the trial of the wife. This identification of passion within the male accomplishes a shift of focus from the female to the male within the ritual; the conflict lies within the man and the woman is subsumed into the male of whom she represents a part. This submerging of the female into the male is in line with the observations of Sly on Philo’s allegorization of Hagar and Sarah. Hagar is identified as a metaphor for encyclical studies and represents a lower preliminary layer of religious knowledge. Sarah, the true wife, represents the endowment of virtue through deeper spiritual understanding. Both Hagar and Sarah are subsumed into aspects of Abraham.
Philo allegorizes the *Sotah* as a symbol of the Greek philosophical concept of continence (*enkrateia*). Her inability to demonstrate this virtue results in her punishment. In contrast the innocent wife will receive reward for her continence in the form of an escape from the anxieties of barrenness and childlessness. This reference to the anxieties of childlessness is Philo’s own addition and reminds of the Halakhic legal requirement to produce children within ten years of a marriage. According to Mishnah Yevamot, this Law is, however, incumbent upon the male rather than the female (“The man is required to be fruitful and multiply but not the woman”) and would therefore seem to be a reward to the husband rather than the wife, although avoiding the possibility of divorce for both parties. In Philo’s panorama the passions are part of the earthly human soul, aroused by objects of sense and overwhelming if not monitored by the divine male *nous*.

The woman’s consent to the ritual in the form of the words “Amen Amen” are removed. This is perhaps replaced by the emphasised opportunity for confession offered to her at the commencement of the ritual. This emphasis is perhaps to be understood in terms of the apologetic nature of *De leg. spec.*, fitting an audience that might have expected such an opportunity, given the legal rights accorded to women in Egypt. However, it may also reflect changes in the ceremony as described in M. Sotah, which has no such apologetic intent.

“Legum Allegora” (On the Law of Allegory III 148-150)

The second of Philo’s passages concerned with the *Sotah* ritual can be found in the Third book of *Leg. alleg*. This text offers, as apparent from its title, an allegorical exegesis of Biblical Law and would seem to be aimed at an elite audience interested in such interpretation. The *Sotah* ritual receives only a brief analysis in this text where Philo quotes directly from the Septuagint version of Numbers. The significant passage is as follows:

*ean hupo paous mé mianei, chathareisgi de pros ton nomimon andra, tov ògiê kai hégemona logon, gonimov ixei phuxën kai karpophoron, phe’ ronsan gennëma phronëseös kai di kaiosunës kai tês sumpasës apetês.*

(If she have not been defiled by passion, but have been chaste and faithful to her lawful husband, the princely and wholesome principle, she will have a soul fruitful and productive, yielding the offspring of sound sense and righteousness and all excellence.”)

Philo allegorizes the *Sotah* ritual as pertaining to “the soul which is suspected of having committed adultery” that, “having forsaken the right principle… and be discovered to have had intercourse with soul-defiling passion.” The ritual thus becomes a metaphor for Man’s battle to subdue his sensual appetites and move towards reason. The *Sotah* herself is
allegorized as the irrational female-gendered aspect of Man’s soul, whose lawful husband (nomimon andra) is the right principle (ton hēgemona logon), required to offer guidance and to rein in her tendency to excess. Right principle is also allegorized as the man who lives according to the law. The law here is clearly intended to be understood as Biblical Law. Here Philo correlates the two layers of his system. The lawful man is representative of the higher order of the rational aspect of the soul, nous. This connection between reason and the universality of Biblical Law forms a strong theme in Philo’s writings and he depicts Biblical Law as pre-existent to Greek thought, as evident in “De opificio mundi:”

Philo interprets the promise of conception to the vindicated wife in Numbers 5 as the reward of the soul who cleaves to reason with the reproduction of virtues. As observed by Sly, in Philo’s writing the reproduction of spiritual virtues is granted by God only to females denuded of their femininity, thereby functionally male. In On the Contemplative Life, Philo allows only the Therapeutae who are virgin or beyond the menopause the reward of reproduction of the soul. He describes these women as:

Most of them are aged virgins who have maintained their purity not under constraint, like some of the priestesses among the Greeks, but voluntarily through their zealous desire for wisdom. Eager to enjoy intimacy with her, they have been unconcerned with the pleasures of the body, desiring a progeny not mortal but immortal, which only the soul that loves God is capable of engendering….

Similarly, Sly observes that in his allegorical treatment of Abraham, Sarah and Hagar, the granting of spiritual reproduction to Sarah is dependent upon the fact that she is “beyond the ways of women” (past the menopause) and deprived of female parentage.

This denial of the role of the female in parentage may be considered parallel to the sexless generation of rabbinical successor identified by Boyarin in rabbinical circles and texts. The generation of spiritual heirs through the lineage of rabbinical teaching overcame the difficulty of the blood heir who disappoints the expectations of his father the rabbi, known as “vinegar son of wine.” This rabbinical succession, given the exclusion of the woman from Torah study and school, requires no female part.
In this text Philo does not baulk at the details of the punishment of the adulteress. However, this is described in terms of body parts; any sense of the Sotah herself as a whole individual is dissolved. This textual focus upon body parts achieves the erasure of the central figure of the ritual, the Sotah, who degenerates into body parts and is dissolved into aspects of the male soul. The ambiguity in the Septuagint terminology for belly/womb allows Philo to select the interpretation of belly, which is allegorised throughout his works as the appetites. The swelling of the belly is allegorized as the insatiability of the appetites, representing ignorance: “‘it will swell up in the belly,” which signified that it will have ever unfulfilled the insatiable pleasures and desires of the belly”108 This move from womb to belly achieves a desexualization of the act, which is redefined as the pleasures of food and drink. The desexualization removes the adulteress wife as the focus of the text. The falling away of the thigh becomes the desertion of reason of the human soul.

This dissolution of the female into the male is noted by Sly in Philo’s allegorical treatment of Sarah and her handmaiden Hagar.109 Philo interprets these two women as aspects of Abraham’s spiritual development. Hagar represents the preliminary studies of paideia, whilst the superior matriarch Sarah is associated with allegorical knowledge. The resemblance between Philo’s handling of the Sotah, Sarah and Hagar is striking and reinforces the male-oriented nature and culture of his philosophy.

Conclusion
Philo addresses the Sotah ritual in two passages, which are strikingly different in content and context. Two distinct audiences and purposes can be posited for the divergent treatment of the Sotah ritual in these two texts, which can be understood as having different literary intent and representing the two different layers of Philo’s philosophy. The primary and literal layer found in De leg. spec. appears to be understood as an interpretation and explanation of Biblical Law to a non-Jewish Hellenised audience, unfamiliar with or perhaps hostile to Judaism. Whilst using some symbolism to explain the Sotah ritual and harmonise it with Greek thought, this text does not make extensive use of allegory. In Leg. Allegor. the Sotah ritual receives full allegorical analysis, reflecting the second deeper layer of Philo’s system. In neither text does Philo comment upon the acceptability of the Sotah ritual and it might be anachronistic to expect him to do so, despite the supposed ban imposed by the Mishnah around 70 CE.
In *Leg. Allegor.* the adulterous wife is depicted as bearer of pollution into her community through the yielding of her body to a man other than her husband. However, here Philo merely repeats a familiar theme from Biblical doctrine. Philo does, however, appear to instigate the denigration of the female to the status of the bestial, which appears neither in Numbers 5 nor in Josephus’ account of the *Sotah* ritual. The repetition of this imagery in M. Sotah and T. Sotah can be claimed to allow and usher in new more disturbing imaginings and excesses.

A striking feature of Philo’s treatment of the *Sotah* ritual is the disappearance of the *Sotah* herself from the text and her immersion into aspects of the male. In *Leg. alleg.* the disintegration of the *Sotah* into mere body parts suggests a fundamental disregard for the female and her body. Her physical and emotional experience is deemed immaterial in the context of the male-gendered and oriented Law. The figure central to the ritual has dissolved; the *Sotah* ritual has become concerned purely with male spiritual development. It appears that the path to sacred learning and development is, in Philo’s mind, distinctly a male concern. This conclusion matches Sly’s observations on Philo’s treatment of Sarah and Hagar. Sly remarks that the female is deemed worthy or capable of spiritual generation only when denuded of her femininity, in the sense of either being beyond the menopause or having rejected her sexuality. In *On the Contemplative Life,* Philo emphasises that the female community members are virgin by choice and not by force, as compared with Greek religions.

Philo’s emphasis upon the female choice of virginity as a valued religious token amongst the Therapeutae reflects the beginnings of the transformation of female virginity from social asset into spiritual virtue. The renunciation of female sexuality is to gather momentum in Christian communities, particularly Valentinian Gnosticism. Texts such as the “Gospel of Thomas” portray the necessity of “becoming male” as an important aspect of spiritual development and representation of salvation.

This essay commenced with the question of the issue of Philo’s responsibility for the instigation of his own brand of gender imbalance. It is proposed here that Philo’s writings on the *Sotah* ritual reveal a fundamental disregard for and disinterest in the female as spiritual being. Philo’s interpretations of the *Sotah* ritual are marked by her disappearance from the
text, mirroring the absence of the female from the world of spiritual learning, together with her denigration to the status of pollution-bearing beast.


2 Naphtali Lewis. Life in Egypt under Roman Rule (Saarbrücken: Scholars Press, 1999).


10 Sly. Philo’s Perception of Women.


12 Ibid. Ch. 1.27, 16.


16 Wolfson, op. cit.


20 Ibid.


An analysis of Philo’s Exegesis of the Sotah Ritual

26 Numbers 5 v.20-23, NIV.
27 Babylonian Talmud Tractate Sotah 17 a-b stipulates: “He writes neither on a [wooden] tablet nor on papyrus nor on dīfera but on a [parchment] scroll, as it is said, in a book. Nor does he write with a [preparation of] gum or vitriol3 or with anything which indents [the parchment] but with ink, as it is said, and blot out - writing which is capable of being blotted out.”

GEMARA. Raba said: A scroll for a suspected woman which one wrote at night is invalid. What is the reason? An analogy is drawn between two passages where the word ‘law’ occurs: here it is written: And the priest shall execute upon her all this law, and elsewhere it is written: According to the tenor of the law which they shall teach thee, and according to the judgment. As judgment [could only be delivered] in the daytime, so a scroll for a suspected woman [could only be written] in the daytime.

28 Numbers 5.27, NIV.
31 Ibid.
32 Numbers 5.31. NIV.
35 Deuteronomy 21.3
42 Ibid.
43 Frymer-Kensky, op. cit.
46 M. Sotah 1.4.C, 448.
48 M. Sotah 1: A, 447.
49 Boyarin, “Women’s Bodies and the Rise of the Rabbis: The Case of Sotah”.
51 M. Sotah 3:4E-G, 452.
52 M. Sotah 3.4 H, 452.
54 M. Sotah 1.4 E, 448.
An analysis of Philo’s Exegesis of the Sotah Ritual

55 Rosen-Zvi, “Measure for Measure.”
56 Ibid. 276.
57 Ibid.
58 M. Sotah 1:7 A-D, 449.
59 Proverbs 7:6-37.
60 Durdin, op. cit., 57.
61 Flavius Josephus, Antiquities.
64 Josephus, Antiquities. Book 3 Ch. 11 p.122-123.
65 Ibid.
66 Ibid.
67 Ibid.
68 Ibid.
70 De leg. spec. X 52, Loeb, op. cit., 509.
71 Philonis Alexandrini, Vol. 5, 165.
72 De leg. spec., X 57, Loeb, 511.
73 Numbers 5:15 NIV.
75 David T. Runia, Philo of Alexandria and the "Timaeus" of Plato (Brill: Leiden, 1986).
80 M. Sotah 2:1 J, 450.
81 De leg. spec., X 59, Loeb, op. cit., 513.
82 Genesis 2:7
84 De leg. spec., X 61, Loeb, op. cit., 513.
85 Ibid. X 55, 511.
86 De leg. spec. in Philonis Alexandrini, Vol. 5 X.6, 167.
87 Ibid.
88 Ibid.
89 Loeb, op. cit., 513.
90 Ibid. X 62, loc. cit., 515.
92 Rosen-Zvi, “Measure for Measure”.
93 De leg spec. X 53. Loeb, op. cit., 513.
95 De leg. spec. Loeb, X 53, 509.
96 Sly, Philo’s Perception of Women.
An analysis of Philo’s Exegesis of the Sotah Ritual

99 Colson, op. cit., 401.
100 Ibid.
101 Ibid.
102 Philo of Alexandria, “De opificio mundi” l.3., loc. cit., 2.
105 Sly, Philo’s Perception of Women.
107 Ibid.
109 Sly, Philo’s Perception of Women.
110 Ibid.

Bibliography

Primary Sources


An analysis of Philo’s Exegesis of the Sotah Ritual


Secondary Sources


An analysis of Philo’s Exegesis of the Sotah Ritual


An analysis of Philo’s Exegesis of the Sotah Ritual


