

Free Speech and Moses' Laws: The Limits of παρρησία in Josephus' Works

Ursula Westwood

1 Introduction

In the fourth book of his *Antiquitates Judaicae*, as part of his summary of the Mosaic πολιτεία, Josephus uses the term παρρησία (“free speech,” “frankness”) to describe the capacity of Moses’ laws when read out in the assembly to confront and correct wrongdoers (*AJ* 2.210). This term has a long history, associated both with the freedoms of democratic Athens (contrasted with the limits upon speech in autocracies), and with the openness that is a marker of friendship. Josephus’ use of the term creates an implicit metaphor, in which the text of Moses’ laws becomes a boldly speaking advisor to a monarch, or a companion in a virtue-pursuing friendship.

The *Antiquitates Judaicae* were written during the reign of Domitian, an emperor whose memory in the literary record is associated with a particular absence of open speech: Tacitus famously praises the new era of freedom as a result of Nerva’s accession with the statement that this is a time when one can “feel what one likes, and say what one feels”—in contrast with the past.¹ Josephus’ invocation of the laws’ frank speech in such a context seems marked.

A thorough investigation of this potentially charged example requires two preliminary stages. The first is to explore the meanings of the term παρρησία within Greek political discourse—starting with democratic Athens, and then showing the shift in later periods and contexts, from παρρησία as “political right” to “private virtue.”² Particular attention will be paid to the biographer

1 Translations of Josephus’ works, and of other ancient authors, are generally taken from the LCL editions, and texts are borrowed from either the LCL or OCT editions.

Tacitus, *Hist.* 1; cf. *Agric.* 1–3; Suetonius, *Dom.* 10; Pliny, *Pan.* 76; cf. Lang, “Freiheit’ in Plinius Secundus’ *panegyricus*,” 48, 55–56.

2 Momigliano, “Freedom of Speech in Antiquity,” 258; for παρρησία in biblical texts, see Papademetriou, “The Performative Meaning of the Word Παρρησία in Ancient Greek and in the Greek Bible,” 34. For aspects of its usage in the New Testament see (particularly on Acts) Neumann, “Παρρησία in Erzähltexten;” den Heijer, “The Performance of Parrhesia in Philo and Acts.” Christian texts have not been discussed here—for a good discussion of the

Plutarch, for two reasons: first, his *floruit* overlaps with that of Josephus, making him a good source for the implications of terms within Greek literature in the Roman period; secondly, Plutarch is an author who not only uses the term extensively,³ but also theorises lengthily in the *Moralia* about its appropriate use.⁴ This will prepare the ground for the second part of this study, which surveys the use of the term within Josephus' works to establish the semantic range it covers. Finally, we will then evaluate its occurrences in the Moses story.

Josephus' terminological choices during the Moses narrative are significant.⁵ In the prologue to the *Antiquitates*, Josephus summarises his history as an account of three main points: the origins of the Jewish people, the kind of lawgiver by whom they were educated in virtue, and the wars they faced up to the final war with Rome.⁶ Moses is the only individual referred to in this précis, and the final portion of the prologue is devoted to describing Moses' legislative philosophy.⁷ Josephus' account of Moses' legislative project reveals an awareness of the tradition into which he is fitting the Jewish νομοθέτης, encouraging his readers to read the *Antiquitates Judaicae* through the lens of Greek political philosophy.

As such, when he uses charged terms such as παρρησία, particularly as an attribute of the laws, or within speeches given by Moses, this language deserves to be interrogated. Speaking of the law's παρρησία towards wrongdoers is strange—one could more simply speak of a rebuke, challenge, or reproach.⁸ As we will see from its usage in classical Greek discourse and in Plutarch, παρρησία contains broader baggage which Josephus is bringing into his characterisation of the law's relationship with the people, and the people's relationship with their lawgiver (and his laws).

problems involved in including them, see Fields, *Frankness, Greek Culture, and the Roman Empire*, 18–19.

3 Plutarch uses the noun 162 times.

4 Esp. Plutarch, *Quo Adulator* 59Bff. On Plutarch as a helpful *comparandum* for Josephus, esp. on Moses, see Feldman, "Parallel Lives of Two Lawgivers: Josephus' Moses and Plutarch's Lycurgus'.

5 On the importance of the Moses narrative in general, and particularly parallels with figures from Greek and Roman history, see the three articles by Feldman: Feldman, "Josephus' Portrait of Moses;" Feldman, "Josephus' Portrait of Moses. Part Two;" Feldman, "Josephus' Portrait of Moses. Part Three."

6 Josephus *AJ* 1.6.

7 *AJ* 1.18. In its immediate context this description serves to explain the opening of the history with the creation of the world—cf. Philo, *Opif.* 1–3. On Josephus' use in this passage of vocabulary "which triggers associations with philosophy," see van Henten, "The Use of Νόυς in Flavius Josephus," 160.

8 E.g. μέφομαι, ἐπιτιμάω, ψέγω, ὀνειδίζω, αἰτιάομαι.

2 Παρρησία in Greek Thought

At its roots, *παρρησία* refers to “saying everything” (πάς + ῥήσις). Alongside the older and more formally political term *ἰσηγορία* (“equal speech”), it has often been translated as and equated with “freedom of speech” in something close to the modern sense: the right of citizens to say what they choose within both political and private contexts. Momigliano refers to *ἰσηγορία* and *παρρησία* as “technical terms for freedom of speech” in his article tracing the history of the idea.⁹ The translation “freedom of speech” has come under criticism, summarised by Saxonhouse: it “ties the word too strongly to the passive language of rights rather than the active expression of one’s true beliefs.”¹⁰ Mulgan also points to the absence of any etymological connection with freedom.¹¹ More importantly, the modern notion of freedom of speech refers usually to freedom *from* censorship and government overreach, often associated with parallel freedoms of religion and conscience.¹² These are not concepts that map straightforwardly onto the term *παρρησία*.

Instead, *παρρησία* in its early appearances is a type of speech employed in both public and private contexts—the stating in full of one’s honest opinion. As such, it has a strong connection with two things: first, truth telling (especially involving some risk to the speaker);¹³ and second, political freedom, particularly as opposed to tyranny.¹⁴ The Athenian orator Demosthenes regularly refers to his own use of *παρρησία* alongside *ἀλήθεια* (“truth”)—he is truthfully telling everything, holding nothing back (despite the risk of inciting anger).¹⁵ According to a fragment of Demokritos, *παρρησία* is a “thing particularly belonging to freedom” (*οὐκίχιον ἐλευθερίας παρρησίης*); that it is intrinsically dangerous is revealed by his next clause: the risk is recognising the right moment

9 Momigliano, “Freedom of Speech in Antiquity,” 258; cf. Spicq, *Notes de lexicographie néo-testamentaire*, 526.

10 Saxonhouse, *Free Speech and Democracy in Ancient Athens*, 86.

11 Mulgan, “Liberty in Ancient Greece,” 12.

12 Carter, “A Conceptual Difference between Ancient and Modern Ideas of Freedom of Speech,” 198; Saxonhouse, *Free Speech and Democracy in Ancient Athens*, 19.

13 This risk can take different forms: the advisor to a tyrant who uses *parrhesia* at the wrong moment may face death; the speaker in the Athenian assembly who proposes an unpopular motion may face exile, but the risk may simply be of losing face, and the softer ostracism resulting from disagreement with the majority.

14 See discussions in Monoson, *Plato’s Democratic Entanglements*, 58; Momigliano, “Freedom of Speech in Antiquity,” 259.

15 E.g. Demosthenes, 2 *Philipp.* 31; *Fals. Leg.* 237; *Aristocr.* 204. See Monoson, *Plato’s Democratic Entanglements*, 64; Fields, *Frankness, Greek Culture, and the Roman Empire*, 17.

(κίνδυνος δὲ ἢ τοῦ καιροῦ διάγνωσις).¹⁶ In Euripides' *Phoenissae*, the Theban Polyneikes names the lack of *παρρησία* the most difficult aspect of his state of exile.¹⁷ His mother's response equates a lack of *παρρησία* with slavery (δούλου τὸδ' εἶπας).¹⁸ In democratic Athens it is associated with citizenship—so that in Euripides' *Ion*, the eponymous hero wishes for his mother to be Athenian precisely because that would mean he has *παρρησία*.¹⁹

Ἰσηγορία refers to the ability of every citizen to contribute to debate, while *παρρησία* is more about the content of what is said. Foucault, in his famous lectures on the topic, speaks of *παρρησία* as a risky form of speech which *directly represents* the opinion of the speaker.²⁰ He traces the problematisation of *παρρησία* in the Greek tragedies—both its definition as key to Athenian citizenship, and the development of a *negative παρρησία*, a frankness which is simply abuse and serves no one: in Euripides' *Orestes*, a speaker in the assembly is described as “unable to close his lips” (ἀθυρόγλωσσος), relying on “ignorant *παρρησία*” (ἀμαθεῖ *παρρησία*).²¹ This reflects the criticisms of the democratic assembly by later authors, as well as advice given to tyrants about who should be *granted παρρησία*.²²

For *παρρησία* is not limited to democratic contexts. In fact, it has even been argued that *παρρησία* as it operates and is described within the Athenian assembly relies on an implicit analogy between the Athenian *demos* and a

16 Democritus *Fr.* 226. See Momigliano, “Freedom of Speech in Antiquity,” 259; Saxonhouse, *Free Speech and Democracy in Ancient Athens*, 86n6; Konstan, “The Two Faces of Parrhêsia,” 2; Monoson, *Plato's Democratic Entanglements*, 58.

17 Euripides, *Phoen.* 391: ἐν μὲν μέγιστον οὐκ ἔχει *παρρησίαν*. Note Plutarch's later mockery of this claim (*Exil.* 606B–C).

18 For Konstan (“The Two Faces of Parrhêsia,” 5–6), Polyneikes is missing the frankness that should be available to him as an *aristocrat*. Foucault (*Fearless Speech*, 24) similarly emphasises here the role of social status, and the fact that an absence of *parrhesia* equates to a complete lack of power. Saxonhouse (*Free Speech and Democracy in Ancient Athens*, 141) suggests that the necessity of *concealing* his thoughts is an important element of Polyneikes' complaint. On *παρρησία* associated with citizenship in juxtaposition to the lack of speech of slaves and metics, see also Berrey, *Hellenistic Science at Court*, 106.

19 Euripides, *Ion* 670–673: εἰ δ' ἐπεύξασθαι χρεών/ ἐκ τῶν Ἀθηνῶν μ' ἢ τεκοῦσ' εἶη γυνή/ ὧς μοι γένηται μητρόθεν *παρρησία*. See Foucault, *Fearless Speech*, 51.

20 Foucault, *Fearless Speech*, 12, 14: “In *parrhesia* the speaker is supposed to give a complete and exact account of what he has in mind, so that the audience is able to comprehend exactly what the speaker thinks ...”

21 Foucault, *Fearless Speech*, 74.

22 E.g. Pseudo-Xenophon, *Constitution of Athens* 6–9; Isocrates, *On the Peace* 113 (ὅτι δημοκρατίας οὐσης οὐκ ἔστι *παρρησία*, πλὴν ἐνθάδε μὲν τοῖς ἀφρονεστάτοις καὶ μηδὲν ὑμῶν φροντίζουσιν); *To Nicocles* 2.28 (Δίδου *παρρησίαν* τοῖς εὖ φρονούσιν). Cf. Foucault, *Fearless Speech*, 82; Landauer, “*Parrhesia* and the *Demos Tyrannos*,” 193; Carter, “A Conceptual Difference between Ancient and Modern Ideas of Freedom of Speech,” 208.

tyrant.²³ Isocrates criticises the *demos* for its willingness to listen to speakers who flatter, rather than those who are honest—precisely the problem which is identified in autocracies, revealing as well that *παρρησία* is assumed to be unpleasant for the audience to hear.²⁴ Importantly, there are few examples of tyrants in the Greek world actively curbing the speech of their subjects—it is rather the case that within a tyranny, where the monarch faces no accountability, the rational thing to do is to avoid saying things that will not please.²⁵

In later periods, *παρρησία* increasingly becomes an attribute or quality found within private relationships of friendship—an emphasis not present in the earlier Athenian evidence.²⁶ The *παρρησία* of the true friend is able to point out faults and draw one towards moral virtue. The shift is explained primarily by the change in modes of government in the Hellenistic age, when the political involvement of the average citizen became less significant, and those writing treatises to and about rulers were interested in how frank speech could be practically employed within unequal relationships—whether of king and courtier, or of tutor and student.²⁷

We have thus identified in *παρρησία* a variety of implications: at its root, a “telling of all,” which, in democratic Athens means the ability of each citizen to give his true opinion within the assembly and agora. Its association with freedom, *ἐλευθερία*, is clear, but also reveals the extent to which notions of frank speaking within political contexts at Athens are shaped by an opposition to the (often self-imposed) limits on speech within more sharply hierarchical contexts, notably Persia. Yet even in Persia, as Herodotus notes, the king can be pleased to receive frank criticism from his advisors.²⁸ The need for orators to

23 Landauer, “*Parrhesia* and the *Demos Tyrannos*,” 196.

24 Isocrates, *On the Peace* 2.5. Cf. Landauer, 201; Walzer, “Parrêsia, Foucault, and the Classical Rhetorical Tradition,” 11. Lévy (“From Politics to Philosophy and Theology,” 324) notes the absence of the term from Thucydides, despite the importance of deliberative speeches in his history, suggesting its failure as a tool within the fraught political context of the war. Cf. Momigliano, “Freedom of Speech in Antiquity,” 260.

25 Carter, “A Conceptual Difference between Ancient and Modern Ideas of Freedom of Speech,” 211.

26 Momigliano, “Freedom of Speech in Antiquity,” 260: “*parrhesia* as a private virtue replaced *parrhesia* as a political right.” Konstan (“The Two Faces of Parrhêsia,” 9) has questioned the simplicity of this division, noting that *παρρησία* within private relationships is clearly assumed in earlier uses as well, and that claims to employ *παρρησία* even in public in Athens generally have a defensive bent.

27 Konstan, “Friendship, Frankness, and Flattery,” 9: “it became necessary to recommend and insist on *parrhesia* as a duty rather than to prize it as a universal mark of citizen status.” For *παρρησία* as a characteristic of the court scientist, see Berrey, *Hellenistic Science at Court*, 28, 107, 119, 154.

28 Herodotus 8.69.

insist upon their own *παρρησία* both reveals its generally positive meaning, as an insistence on good-faith truth-speaking, even if painful, but also suggests that it is no longer assumed as a basic function of speaking within democratic contexts. With the development of more autocratic and hierarchical systems of government, the role of frank speech shifts into the private sphere, alongside being something an ideal prince ought to enable from those with intelligence and knowledge. Finally, *παρρησία* in all these contexts has an underlying purpose, which is the edification and improvement of the audience. The speaker in the assembly insists that his harsh words are for the *demos'* own good; the advisor to a tyrant is expected to give frank advice to help the autocrat and state; a good friend will tell you what you don't want to hear precisely because you need to hear it. To practice *παρρησία* is not simply about "saying everything," but honestly and sincerely saying what *needs to* be said.

This leads us to look at how the term is used in Plutarch. In the treatise *How to tell a flatterer from a friend*, it is *παρρησία* that is one of the defining attributes of the true friend, but also one that can be misused and imitated by flatterers.²⁹ It is clear from many of the examples which he employs (of frank speech and flattery towards autocrats) that Plutarch is concerned not with friendships between equals, but between people of different social and political standing—precisely where flatterers become a problem.³⁰ In the whole Plutarchan corpus, *παρρησία* most often appears in such contexts—those of unequal power relations, with the frankness of the socially or politically inferior individual as the issue at play.³¹

Telling the difference between flatterer and friends becomes a process of distinguishing between different kinds of *παρρησία*, because the flatterer recognises the role of *παρρησία* as the "language particular to friendship" (*ἰδίαν ... φωνήν ... τῆς φιλίας*) and so employs a corrupted form of it—this is the most wicked thing flatterers do (*ὁ δὲ πάντων ... πανουργότατον*).³² To distinguish between flatterer and friend one needs to have a solid understanding of how the true friend employs *παρρησία*. This, combined with Plutarch's regular

29 For the essay as a practical manual in the guise of a philosophical treatise, see Engberg-Pedersen, "Plutarch to Prince Philopappus on How to Tell a Flatterer from a Friend," 64. Cf. Berrey, *Hellenistic Science at Court*, 108.

30 Plutarch, *Adul. amic.* 49C. Cf. Fields, *Frankness, Greek Culture, and the Roman Empire*, 145–146.

31 Konstan, *Friendship in the Classical World*, 104; Engberg-Pedersen's contention ("Plutarch to Prince Philopappus on How to Tell a Flatterer from a Friend," 76–77) that friendship is the context in which awareness of social status can be relaxed is perhaps overstated.

32 Plutarch, *Adul. amic.* 51C; cf. Walzer, "Parrēsia, Foucault, and the Classical Rhetorical Tradition," 18.

references to frank speech in the *Moralia* and the *Lives*, enables us to say a few things about how it operates in his thought world.

As the language of friendship, *παρρησία* is employed at specific moments: it is a mechanism for correcting moral failures, and as such is not pleasant to receive, but is necessary for the sake of the person addressed.³³ It is regularly compared with medicine, with the friend in the role of doctor.³⁴ As such, false *παρρησία* is compared with a physician who clips a patient's nails instead of operating on a tumour: the lack of pain is the evidence that something is not true *παρρησία*.³⁵ Similarly, however, *παρρησία* misapplied can produce pain without gain, or even make things worse: "for people are injured not only by being praised at the wrong moment, but also by being blamed."³⁶ Plutarch here *equates παρρησία* with blame, or rebuke.

One of Plutarch's major concerns is thus precisely how to employ *παρρησία* properly. Aside from causing injury when applied at the wrong moment and driving the patient into the hands of flatterers, it can also be confused with arrogance, ridicule, or insult: as a surgeon needs to keep his hand movements neat and tidy, so a frank-speaker should keep from his speech all extraneous rudeness or jocularity.³⁷ *Παρρησία* needs to be combined with *ἦθος* ("moral character," "tact") and *λόγος* ("reason") to prevent it seeming like fault-finding or abuse.³⁸ This matters, because people who misuse *παρρησία* may bring about their own destruction—examples are of Antiphon at the hands of Dionysius and Timagenes' loss of Caesar's friendship.³⁹ The context Plutarch imagines is one of the advisor to an autocrat, whose speech is necessarily risky. One should not take unnecessary risks, and therefore *παρρησία* should only be employed in a careful and delicate manner. It is also not to be employed for private grievances, but only for the good of the person in question, or the people they rule.⁴⁰ As such, it should only be used in private, and not before

33 Plutarch, *Adul. amic.* 51D, 55B–C.

34 *Adul. amic.* 59B. For this metaphor of *παρρησία* as medicine and its association with Diogenes of Sinope, see Fields, *Frankness, Greek Culture, and the Roman Empire*, 15.

35 *Adul. amic.* 59B, cf. 60D.

36 *Adul. amic.* 66B: βλάπτονται γὰρ οὐκ ἐπαινούμενοι μόνον ἀκαίρως ἀλλὰ καὶ ψεγόμενοι.

37 *Adul. amic.* 67E–F: οὕτως ἡ παρρησία δέχεται τὸ ἐπιδέξιον καὶ τὸ ἀστεῖον, ἂν ἢ χάρις τὴν σεμνότητα σῶζῃ, θρασύτης δὲ καὶ βδελυρία καὶ ὕβρις προσοῦσα πάνυ διαφθεῖρει καὶ ἀπόλλυσιν. For the delicacy of Plutarch's negotiation of status in his discussion, see Fields, *Frankness, Greek Culture, and the Roman Empire*, 154.

38 *Adul. amic.* 66B, D.

39 *Adul. amic.* 68B.

40 *Adul. amic.* 66E–F. The example is given of Achilles, whose *bad παρρησία* involves attacking Agamemnon over a private grievance, and Odysseus, who speaks up on behalf of all the Greeks. Cf. Berrey, *Hellenistic Science at Court*, 105.

an audience.⁴¹ This is an important distinction from *παρρησία* as understood in Athens, which is closely bound up with the public context.⁴²

We thus have a picture of what *παρρησία* is for Plutarch. It is an essential tool, the defining language of friendship, employed to correct faults and improve moral character. In practice, it is something employed by the weaker party in a relationship, for the purpose of improving the stronger party, and as such it comes with significant risks and needs to be employed with caution and tact—when this does not happen, it can be interpreted as abuse, and lead to poor outcomes for the speaker. This picture of *παρρησία* plays out in the *Lives*: most references to *παρρησία* refer to its employment towards, or suppression by, tyrants and autocrats; it is often confused with abuse when the frank speaker fails to apply appropriate caution, and many of the statements which Plutarch defines as *παρρησία* are effectively insults which speak to a truth.⁴³ One element that emerges more clearly in the *Lives* is the association between *παρρησία* and freedom more generally—advisors who do *not* use *παρρησία* are seen as slavish, and the Saturnalia, with its role reversal, is the one time when slaves have *παρρησία*.⁴⁴

Other notable examples involve *παρρησία* employed not *towards* a ruler but *about* him, outside his hearing. Thus in the *Dion*, Callippus, who is pretending to be a friend to Dion while plotting against him, gets permission to employ *παρρησία* in discussions with the soldiers—this enables him to find out which are hostile to Dion. *Παρρησία* here means critical speech about the ruler, which could get one into trouble.⁴⁵ Similarly, the soldiers of Lucullus become rebellious after hearing the *παρρησία* of their comrades: here *παρρησία* is defiant speech, and it seems to be catching. In neither case is this represented as a good thing, implicitly suggesting that positive *παρρησία* is only available to those of a particular status, whether social or moral.⁴⁶

41 *Adul. amic.* 70E.

42 Cf. Walzer, “Parrēsia, Foucault, and the Classical Rhetorical Tradition,” 17. Cf. Fields, *Frankness, Greek Culture, and the Roman Empire*, 36: [Plutarch] “treat[s] *parrhesia* not as a formal privilege tied to a specific locality, but rather as a matter of choice to be exercised wherever one finds oneself.”

43 See Plutarch, *Tim.* 15.5, 37.2; *Dion* 5.4, 34.1; *Them.* 29.4; *Mar.* 31.5; *Luc.* 21.6; *Eum.* 2.4; *Alex.* 51.5; *Pomp.* 44.2, *Caes.* 33.2; *Ant.* 5.10.

44 *Dion* 6.3; *Sull.* 18.6. Cf. Fields, *Frankness, Greek Culture, and the Roman Empire*, 37.

45 *Dion* 54.3.

46 Although Plutarch himself in the *Praecepta gerendae reipublicae* (822F) insists that *παρρησία* is available to all, regardless of wealth, as long as they are of good character. But see also Fields’ (*Frankness, Greek Culture, and the Roman Empire*, 32–33) discussion of the inseparability of *παρρησία* and *εὐγένεια* in other (possibly spurious) parts of the Plutarchan corpus, esp. *De liberis educandis* 1a–b.

Finally, it is repeatedly made clear in the *Lives* and *Moralia* that *παρρησία* can be interpreted as abusive or insulting speech, either when misused, or when the audience is not willing to hear it. Thus, Dion's *παρρησία* is called *αὐθαδεία* ("wilfulness," "surliness"), and in the same *Life* Dion's opponent Sosis, who complains about and insults him, is referred to as having an over-abundance of *παρρησία* (*περιουσίαν ἡγουμένους ἐλευθερίας τὸ μέχρι τοιούτων ἀνεῖσθαι τὴν παρρησίαν*).⁴⁷ Favorinus, trying to be like Cato, ends up simply insulting both Caesar and Pompey.⁴⁸ Plutarch names certain statements *παρρησία*—from Dionysius of Syracuse's sister declaring boldly that she would prefer to be an exile's wife than a tyrant's sister, to the Sabine women, protesting their treatment by both their Sabine brothers and Roman husbands.⁴⁹ Drunken speech is also called *παρρησία*, explaining the name Liber for Dionysius.⁵⁰ Finally Caesar's bold (apparently joking) speech to his pirate captors, threatening to crucify them, is called *παρρησία*—they enjoy his bold jocularly, until he is ransomed and then has them killed exactly as he said he would.⁵¹ *Παρρησία* is thus often equated to insult, threat, or mockery in contexts outside of the philosophical, idealised friendships about which Plutarch speaks elsewhere. But most often, it retains a sense of being truth-speaking, with a significant undertone of risk to the speaker—the core of the meaning in the classical period as well.

3 Παρρησία in Josephus

Josephus uses *παρρησία* and its cognates 56 times—not a vast number, but not insignificant.⁵² Uses cluster around the Herod narrative in the *Antiquitates*, and *παρρησία* is employed (or fails to be employed) by a range of actors. Our discussion will thus start with its use in the Herod narrative and then move to its more limited usage in the *War* (particularly in connection with the various factions of rebels) and the biblical parts of the *Antiquitates*.

The term *παρρησία* appears in the Herod narrative in two distinct ways: first, as the (often hostile) language employed by family members, friends, and subjects; and second, as something which Herod himself possesses in connection

47 *Dion* 34.1; on Dion as the focaliser of *παρρησία* in opposition to tyranny, see Zadorojnyi, "The Ethico-Politics of Writing in Plutarch's *Life of Dion*," 149, 158.

48 *Brut.* 34.3; *Caes.* 41.3; *Pomp.* 60.4. Cf. *Arist.* 24.7, where *παρρησία* effectively means insult.

49 *Dion* 21.5; *Rom.* 19.4. See also *Lys.* 22.1 for a harsh retort named *παρρησία*.

50 *Quaest. rom.* 289A; *Quaest. conv.* 707E.

51 *Caes.* 2.4. This is *παρρησία* which is true speech, but not recognised as such by its hearers.

52 Josephus uses the term more often than Philo, whose uses are surveyed briefly in Spicq, *Notes de lexicographie néo-testamentaire*, 527–528.

with Rome—the extent of his *παρρησία* often seems to reflect not only his ability to speak freely to (and make requests of) the Romans, but also his broader ability to *do* as he wishes in his kingdom, an extension in meaning suggesting a close relationship between speech and action.⁵³

Perhaps the most interesting example of the first form of *παρρησία* is in connection with Alexandra, Herod's mother-in-law, whom Herod accuses of plotting against him on behalf of her son Aristobulus. Herod makes the accusations at the same time as promising to appoint Aristobulus to the high priesthood, and Alexandra tearfully defends herself, promising ongoing obedience. She then makes an apology "if she had done anything rash in indignation because of her family and *παρρησία*."⁵⁴ As van Henten notes in his commentary, these "almost ridiculously polite words" are to be expected within the court context, but they also reflect Alexandra's negotiation of her status as a Hasmonean in Herod's court.⁵⁵ When she is forced to remain in the palace, her every move watched by guards, she grows furious, thinking that anything would be better than living in a state of slavery and fear under the appearance of honour: this is alongside "having been deprived of her *παρρησία*."⁵⁶ It is not clear from the context that she is being prevented from speech as such, only from any action, showing the range of the term, but what is perhaps more important is the close association Alexandra's complaint makes between *παρρησία* and general freedom as opposed to slavery. Likewise, her association of her own *παρρησία* and possible over-use of such liberty of speech with her status as a Hasmonean reveals something like the connection made in Euripides' *Phoenissae*: one's ability to speak freely is based on one's status in a community, and loss of that ability is like slavery, regardless of other circumstances.

Παρρησία is also a core characteristic of Alexandra's daughter Mariamme in Josephus' description of her after her death. Despite Herod's love for her, she had "unmeasured *παρρησία*" (*τὴν παρρησίαν ἀσύμμετρον*).⁵⁷ Mariamme appears to have had the same manner of speech as her mother, which may suggest a similar relationship with status. In the *Bellum Judaicum*, Josephus states that her *παρρησία* was enabled by the king's passion for her, giving the example of

53 See *AJ* 15.198; 15.217; 16.293, 359, 362.

54 *AJ* 15.37: εἴ τι διὰ γένος καὶ τὴν οὖσαν αὐτῇ παρρησίαν προπετέστερον ὑπ' ἀναξιοπαθείας δράσειεν.

55 Van Henten, *Judean Antiquities* 15, 33 (on *AJ* 15.37).

56 *AJ* 15.44: φρονήματος γὰρ ἔμπλεως οὖσα γυναικείου τὰς ἐκ τῆς ὑποψίας ἐπιμελείας ἀνηξιοπάθει, παντὸς οὐτινοσοῦν ἀξιούσα μᾶλλον ἢ τῆς παρρησίας στερομένη τιμῆς εὐπρεπείᾳ μετὰ δουλείας καὶ φόβων καταζῆν.

57 *AJ* 15.238.

her berating him over the deaths of her grandfather and brother.⁵⁸ This example makes clear the underlying assumption that *παρρησία* here involves accusation or insult, but there is a difference between this and the kind of rebuke discussed by Plutarch, where the goal of the person employing *παρρησία* is the moral improvement of the subject. In the case of Alexandra and Mariamme, their *παρρησία* is not necessarily intended for the improvement of Herod. While critiquing his murder of two high priests could be understood as aiming at improved governance for Judaea, Josephus presents her speech as rooted in personal hatred—it is introduced with the statement that Mariamme's hatred (*μίσος* for Herod) was equal to his passion (*ἔρωσ*) for her. Her hostile *παρρησία* has little connection with the virtuous and bold councillor, even if her speech is similarly risky.⁵⁹

Finally, Herod banishes and even kills individuals for employing *παρρησία* towards him, marking his descent into full-blown tyranny.⁶⁰ In his account of the banishment of Herod's friends, Andromachus and Gemellus, Josephus uses the term *παρρησία* in five consecutive paragraphs, making clear its importance as the driving force behind the expulsion. First, Herod's friends are told not to enter the palace, because their presence and *παρρησία* limits Herod's freedom of action. Then the two, also tutors to his sons, are expelled, and Josephus notes that they had been good friends to Herod, with much *παρρησία*. In a side note, Josephus observes that Antipater was the cause, as he had recognised the *παρρησία* (i.e. "license," "freedom of action") with which his father was acting. Finally, when his friends have all been driven away, and therefore have no *παρρησία* with the king, Herod is able to torture everyone thought to be loyal to the disgraced Alexander. Throughout this account, the precise meaning of

58 *BJ* 1.437: ἔχουσα δὲ τὴν μὲν ἀπέχθειαν ἐκ τῶν πραγμάτων εὐλογον, τὴν δὲ παρρησίαν ἐκ τοῦ φιλεῖσθαι, φανερώς ὠνειδίζεν αὐτῷ. Notably, in the *Antiquitates*, it is precisely her railing against Herod for these murders which precedes her death—ill-advised *παρρησία* leading to death at the tyrant's hands (*AJ* 15.222). Cf. van Henten, "Constructing Herod as a Tyrant: Assessing Josephus' Parallel Passages," 212.

59 Josephus also makes mention of the "*παρρησία* of their life together" (*τῆ παρρησία τῆς συμβιώσεως*), despite which Herod's love was not overcome. Van Henten (*Antiquities* 15, 7b: at 15.240) remarks on the ambiguity of this phrase: it can "point either to the open character of their marriage (implying that Herod and Mariamme could say everything to each other) or the freedom involved in their married life." This is fair, but given the earlier references to Mariamme's *παρρησία* as something troublesome to Herod, it is possible that it has a more negative connotation, primarily about her willingness to insult him. Herod's sons also have a difficult relationship with *παρρησία*, struggling to use it appropriately during their trial. See *AJ* 16.101, 108, 113, as well as *BJ* 1.447, 469.

60 On Herod as a tyrant in the *Antiquitates* (particularly in comparison to the *Bellum*), see van Henten, "Constructing Herod as a Tyrant: Assessing Josephus' Parallel Passages."

παρρησία shifts between the honest and frank council of a good friend (without which Herod becomes more tyrannical) and the licentiousness of action which is enabled in the absence of such friends: a play on the word's shades of meaning.

The final example of παρρησία in the Herod narrative is also the one which solidifies his status as tyrant: this is the torture and killing of the soldier Tiro. Tiro's son was a friend of Alexander, and while everyone else is silent about Herod's cruelty to his sons, Tiro makes public statements, speaking out "with freedom" (ὕπ' ἐλευθεριότητος) about the destruction of the truth (ὡς ἀπόλοιτο ... ἢ ἀλήθεια).⁶¹ His willingness to speak out (παρρησιάζεσθαι) is seen as dangerous, but others are relieved to hear someone saying what they are thinking.⁶² Tiro later forces his way in to speak directly and with complete παρρησία (μετὰ πάσης παρρησίας) to the king in private (μόνος μόνῳ). He announces his intention to speak by saying he prefers παρρησία to his own safety, and that his words can be to the king's benefit, if Herod so chooses.⁶³ Tiro is thus presented as the standard wise advisor, whose frankness is painful for the monarch to hear, but ultimately of benefit to both monarch and state. It is worth comparing this with Herod's response to criticism in the first phase of his career, after the execution of the "bandit" leaders (his first "tyrannical" action)⁶⁴—that time, Herod heard the criticism and respected the critic.⁶⁵ For a moment, this looks the same. At first, Herod listens "not completely inconsiderately" (ἀγνωμόνως), and becomes moved when Tiro speaks of his family; but as Tiro continues, being immoderate and soldierly in his παρρησία, the king perceives Tiro's words as rebuke rather than advice, and therefore has Tiro and others imprisoned.⁶⁶

The story of Tiro plays an important role in the structure of Herod's descent into madness. In Josephus' telling, the reader almost feels that if Tiro had been more careful in his use of παρρησία (if, for example, he had read Plutarch's

61 AJ 16.377.

62 AJ 16.378.

63 AJ 16.379: οὐ δυνάμενος ... ὦ βασιλεῦ, διακαρτερεῖν ἐπὶ τοιοῦτῳ πάθει, τὴν τολμηρὰν ταύτην παρρησίαν, ἀναγκάϊαν δὲ σοὶ καὶ συμφέρουσαν, εἰ λάβοις τι χροῖσιμον ἐξ αὐτῆς, προύκρινα τῆς ἐμῆς ἀσφαλείας.

64 See van Henten, "Constructing Herod as a Tyrant: Assessing Josephus' Parallel Passages," 207–208.

65 AJ 14.172–175; cf. Landau, *Out-Heroding Herod*, 137. On this episode as the first test of Herod's kingly authority, see Shaw, "Tyrants, Bandits and Kings," 184. On the so-called bandits, see Horsley, "Josephus and the Bandits," 54–55; Grünwald, *Bandits in the Roman Empire*, 95; Horsley, *Galilee*, 261–63; Loftus, "The Anti-Roman Revolts of the Jews and the Galileans," 82.

66 AJ 16.386; Tiro is later tortured and finally executed when one of Herod's barbers accuses him of plotting Herod's assassination.

as-yet-unwritten treatise on the topic), the execution of Herod's sons could have been avoided—it is after Tiro's death that any hesitation Herod may have had is gone.⁶⁷ Tiro's failed attempt at *παρρησία* is thus more than simply an example of how frankness may not succeed within a tyrant's court; rather, it is the final thing that leads Herod down the path to filicide—as Plutarch will later say, misapplied *παρρησία* really can make things worse.

But *παρρησία* plays another role in Herod's story, reflecting his standing with respect to Rome. When Herod manages to establish an alliance with Octavian after Actium, Josephus highlights the fact that this friendship gives Herod *παρρησία* on his return to Judaea. This is reasonably translated “freedom of action” in both the Loeb and the Brill translations. Later on, Herod's *παρρησία* in connection with Octavian is highlighted, reflecting Herod's status as a friend.⁶⁸ When this friendship cools, it is *παρρησία* that Herod loses and then later regains, enabling him to deal with his troublesome sons.⁶⁹ Herod thus becomes a figure who gives us two perspectives on *παρρησία*: *παρρησία* displayed towards him by his family, friends, and subjects, which refers primarily to critical speech, and Herod's own *παρρησία* in relation to Octavian and Rome, which is about action more than speech, but also links with Plutarch's language of friendship, reflecting Herod's changing status as imperial friend.

The term only appears four more times in the *Antiquitates* after the death of Herod.⁷⁰ Three of those are in connection with Agrippa I and his friend Silas, and we find familiar tropes being played out: the true friend who has *παρρησία* towards the monarch, but equally whose frank speech becomes a problem over time, leading eventually to his downfall. Silas is introduced as Agrippa I's general, entirely loyal and willing to perform the most dangerous tasks. Believing that solid friendship must be based on equality, he does not defer to the king, but employs *παρρησία* in all discussion.⁷¹ By flagging this as Silas' “belief” (*ὑπολαμβάνων*), Josephus signals that Silas' view of friendship is idealising. Silas' frankness begins to get on Agrippa's nerves, particularly as he has a tendency to mention dishonourable earlier episodes in the king's life as a means to reference his own contributions. Josephus calls Silas simple-minded (*εὐήθης*) for doing this. Inevitably, Agrippa's anger eventually breaks out and he

67 AJ 16.392.

68 AJ 15.217.

69 AJ 16.293, 359.

70 At AJ 18.246 a noble is put to death for complaining about Anilaeus' marriage to a Parthian princess—he is put to death “because he employed too much *παρρησία*” (*ὅτι πλέονι παρρησία χρήσαιτο ἀπέκτεινε*).

71 AJ 19.318: *προσῆκειν ὑπολαμβάνων ἰστοιμίαν βεβαιότητα φιλίας. οὐδαμῆ τοίνυν ὑποκατεκλίνετο βασιλεῖ, παρρησίαν δὲ διὰ πάσης ὁμιλίας ἤγεν.*

imprisons Silas. After a time, the king's anger cools and he decides to recall his friend, inviting him at a moment's notice to a birthday dinner, but Silas proves his commitment to *παρρησία* by complaining of his treatment, and is thus left in prison.

Silas, like Tiro, proclaims his own *παρρησία*, acknowledging his awareness of the cause of his downfall, and committing himself to his notion of friendship, even after his imprisonment. In the story of Silas, therefore, we have another example of poorly employed *παρρησία* causing predictable trouble for the speaker, and our narrator shows little sympathy for such foolishness. Silas also employs his *παρρησία* in public. As such, he disobeys one of Plutarch's rules for the employment of *παρρησία* in this kind of relationship. Josephus may not state such rules, but he has a similar view: we have not yet seen a character employing *παρρησία* towards a monarch with any success, and his narrative is structured so that we recognise the issues with the approaches taken by the characters, whether Alexandra, Mariamme, Tiro, or Silas.

In the biblical books of the *Antiquitates*, most uses of *παρρησία* are fairly standard—characters attempt to rebuke or speak frankly to a figure of authority. Sometimes they meet with success, and sometimes not.⁷² The prophet Samuel rebukes the people for demanding a king, announcing his own *παρρησία*, while the king Uzziah laments his loss of *παρρησία* when he is struck with leprosy for offering incense despite not being a priest.⁷³

More interesting is the occasion when Joshua directs *παρρησία* towards the ultimate authority figure: the deity (*AJ* 5.38).⁷⁴ This takes place after the failure of the Israelites to capture Naia: the army is despondent at the setback, since they had thought they were to conquer all before them (as per God's promise). Joshua perceives this and therefore "takes up *παρρησία* towards God" (*παρρησίαν λαμβάνει πρὸς τὸν θεόν*).⁷⁵ He reminds God that they have made this campaign based on his promises, and not based on confidence in themselves.

In the biblical book of Joshua, the Israelite leader falls prostrate before God for a whole day before speaking, and his opening words are pleading rather than confrontational.⁷⁶ Josephus only mentions at the end of the speech that Joshua made it "having fallen upon his face" (*ἐπὶ στόμα πεσών*). The biblical Joshua's prayer does finish with a challenge ("What will you do for your great

72 Judas towards his father: *AJ* 2.116; Joseph's brothers to the Egyptians: *AJ* 2.131; Ahimelech to Saul: *AJ* 6.256.

73 *AJ* 6.88; 9.226. Momigliano ("Freedom of Speech in Antiquity," 256) discusses Jewish prophetic utterance as a form of ancient free speech.

74 Cf. Philo, *Spec.* 1.203 with Momigliano, "Freedom of Speech in Antiquity," 261.

75 *AJ* 5.38; cf. Begg, *Judean Antiquities* 5–7, ad loc.

76 Josh 7:6–7; cf. Begg, *Judean Antiquities* 5–7, ad loc.

name?").⁷⁷ Both versions could certainly be called *παρρησία*, reflecting the audacity of challenging the divinity to live up to his promises. But Josephus' Joshua fits more clearly into the category we have looked at so far: he is speaking truth and effectively rebuking God for not keeping his promise, potentially at risk to himself.

Παρρησία towards the deity is also found in Josephus' account of the attempted seduction of Joseph by Potiphar's wife. The biblical Joseph simply runs, but Josephus' hero declaims a moral lesson, explaining that adultery is irrational, because she can have the same form of pleasure with her husband without compromising her *παρρησία* towards people and God from a clear conscience (ἀπὸ τοῦ συνειδότος).⁷⁸ The core idea of *παρρησία* was saying *everything*: having *παρρησία* based on a clear conscience therefore means the ability to say everything because one has nothing to hide, which of course she will lose if she commits adultery with Joseph.

Finally, in the *Bellum Judaicum*, Josephus uses *παρρησία* as a key term as the revolt develops. We see this first under Albinus, whom Josephus harshly criticises, when in Jerusalem those wishing to rebel become bolder, and some put together armed bodyguards to plunder the people. In this context, those who have lost property, whether to Albinus' extractive measures or to the new brigands, keep silent instead of protesting, and those as yet untouched flatter the thieves as a means of protection.⁷⁹ In this way, Josephus says, there was a complete lack of *παρρησία*, tyranny on all sides, and the seeds of destruction were being sown.⁸⁰ By referencing flattery, *παρρησία*, and tyranny so close together, Josephus places the early rebels squarely into this historiographical tradition—and suggests that a lack of *παρρησία* is part of the cause of the later disaster.

He plays on this tradition further a few chapters later in the immediate prelude to the revolt, under the governor Gessius Florus. After Florus arrests those who had asked for help in connection with events at Caesarea, and then goes on to take funds from the temple treasury, serious unrest breaks out in Jerusalem. Florus returns to Jerusalem with armed cavalry, but is met by a gathering of people who intend to greet him respectfully (θεραπευτικῶς). Josephus makes clear that they are attempting to ward off violence, but Florus responds by sending a centurion to deliver a mocking speech, accusing them

77 Josh 7:9 (NRSV).

78 AJ 2.52; cf. Feldman, *Judean Antiquities* 1–4, ad loc.

79 BJ 2.275; cf. Mason, *Judaean War* 2, ad loc.

80 BJ 2.276: καθόλου δὲ ἢ μὲν παρρησία πάντων περικέκοπτο, τυραννίς δ' ἦν διὰ πλειόνων, καὶ τὰ σπέματα τῆς μελλούσης ἀλώσεως ἔκτοτε τῇ πόλει κατεβάλλετο.

of dissembling in their apparent welcome, and insisting that if they are “noble and free-speaking” (γενναῖοί ... καὶ παρρησιασταί), they should insult him to his face, and show themselves to be lovers of freedom (φιλελευθέρους) with weapons and not only words.⁸¹ Aside from the role this speech plays in the narrative (with Florus intentionally stoking the flames of rebellion), it shows again the association of παρρησία with broader notions of political freedom.⁸² Florus closely links words and actions: using παρρησία, he claims, implies a wish for fuller forms of freedom, which must be taken by force. This is reminiscent of the retort made by the Spartan Lysander, according to Plutarch—when facing the παρρησία of a man from Megara, he sharply tells him that his words “lack a city,” that is, that someone who wishes to use παρρησία should have real force at his back.⁸³ It is also important to observe the pairing of παρρησία with the adjective γενναῖος (“noble”)—this is the picture of παρρησία as an ideal associated with good character, but also social status.⁸⁴

When Agrippa II tries to convince the rebels to stand down, he states that “many other nations are full of more παρρησία in connection with freedom” (ἄλλα τε ἔθνη μυρία πλείονος γέμοντα πρὸς ἐλευθερίαν παρρησίας), yet they have yielded to Rome.⁸⁵ This is a rhetorical strategy—suggesting that freedom is not one of the core virtues or necessities in the Jewish world—but as with Florus’ speech, it has a mocking edge with respect to παρρησία as a virtue. The underlying thought is that talking about freedom doesn’t mean much in the Roman world.

Josephus’ core message about the rebellion is that in demanding freedom, the people of Judaea end up under an even worse tyranny—that of the rebels. Naturally, παρρησία appears in precisely this context: among others who are killed during the reign of terror in Jerusalem is Gurion, a “democratic man, full of free thought,” whose παρρησία destroys him.⁸⁶ By pulling these three words together (δημοκρατικός, ἐλευθέριος, παρρησία), Josephus clearly signals

81 *BJ* 2.299: δεῖν γὰρ αὐτούς, εἴπερ γενναῖοί εἰσιν καὶ παρρησιασταί, σκώπτειν μὲν αὐτὸν καὶ παρόντα, φαίνεσθαι δὲ μὴ μόνον ἐν τοῖς λόγοις, ἀλλὰ καὶ τοῖς ὄπλοις φιλελευθέρους.

82 Mason, *Judaeae War* 2, 2.299.

83 Plutarch, *Lys.* 22.1.

84 See Mason, *Judaeae War* 2, 2.299: “The connection between nobility of character and frank, fearless, or candid speech was basic to ancient moral philosophy.” As in Plutarch, the true user of *parrhesia* must have good character. For παρρησία as “marking a noble’s status,” see Berrey, *Hellenistic Science at Court*, 106.

85 *BJ* 2.361.

86 *BJ* 4.358. Josephus makes the interesting qualification that Gurion was full of free thought “if any other of the Jews was” (εἰ καὶ τις ἕτερος Ἰουδαίων), suggesting (in keeping with Agrippa’s framing) that there are limits to the importance of freedom within Jewish society. But cf. *AJ* 2.281.

that Gurion belongs to the Athenian school of *παρρησία*, but at the same time, having read this far, we know that such a notion of freedom and *παρρησία* does not work in this world—not under Rome, and not under the tyrannical rebels, who, as we are told later, interpret frank speech from anyone as contempt.⁸⁷

A full reading of Josephus' treatment of *παρρησία* outside the Mosaic portions of the *Antiquitates* therefore leaves us with a fairly negative view of frank speech: in the world about which Josephus writes, it is generally a bad idea to employ *παρρησία* towards an authority: you can expect poor consequences. We have few examples of *παρρησία* doing the kind of positive moral work which Plutarch associates with the term. Yet it remains worth observing that in the *War* its suppression is seen as a bad thing—*παρρησία* apparently does have a role to play in society, but it is difficult to use it correctly.

4 Conclusion: Moses and Παρρησία: A Frankly Speaking Law

After their forty years in the wilderness, Josephus' Moses announces his impending death to the people, tells them to obey the laws and respect their rulers, and hands over the physical copy of the constitution he has written. It is here that the term *παρρησία* appears twice—first in the speech, and then in Josephus' digression summarising the contents of the laws with his new classification.⁸⁸

Within the prefatory speech, the use of *παρρησία* is particularly associated with the succession, and the rulers whom the people are being told to obey in future. Moses rebukes the people for their treatment of him, and observes that future rulers will not be so tolerant. He speaks of freedom, and uses *παρρησία* in his explanation of their present behaviour, which needs correction: "Don't consider freedom to be resentment of whatever your rulers think you should do; for now it is in insulting your benefactors that you locate *παρρησία*."⁸⁹ Two things are worth noting.

87 BJ 4.364. Equally, they suspect anyone who does not speak to them of pride, and anyone who pays them particular attention of plotting, leaving little room for manoeuvre.

88 AJ 4.196–197. For discussion of his classification, and claim not to have added or subtracted anything, see Altshuler, "On the Classification of Judaic Laws in the *Antiquities* of Josephus and the Temple Scroll of Qumran," 5; Van Unnik, *Flavius Josephus als historischer Schriftsteller*, 39; Rajak, "The *Against Apion* and the Continuities in Josephus' Political Thought," 234; Rajak, "Josephus," 590. See also the discussion by E. Gruen in this volume (pp. 58–86) and the bibliography for that essay.

89 AJ 4.187: τήν τ' ἐλευθερίαν ἡγείσθε μὴ τὸ προσανακτεῖν οἷς ἂν ὑμᾶς οἱ ἡγεμόνες πράττειν ἀξιώσι· νῦν μὲν γὰρ ἐν τῷ τοῦς εὐεργέτας ὑβρίζειν ἐν τούτῳ τὴν παρρησίαν τίθεσθε.

First, the problem Josephus' Moses has with freedom (ἐλευθερία) is simply a misunderstanding of what freedom entails by the people: by speaking of their "resentment" or even "anger" (τὸ προσαγανακτεῖν) at what they are told to do, Josephus suggests that freedom lies in obedience to legitimate authorities.⁹⁰ Secondly, the core example given is of the misuse of παρρησία—their wrong notions of freedom are expressed in the use of παρρησία merely to insult (ὕβριζεν), and in particular to insult *benefactors* (εὐεργέτας). Freedom is primarily about speech, and while the people do indeed have παρρησία, they have consistently misused it.

In light of how we have seen Josephus narrate episodes of παρρησία in the rest of the *Antiquitates Judaicae* and in the *Bellum Judaicum*, the final note which Moses adds to this instruction is striking: if they watch out for this in the future, things will be better and safer for them.⁹¹ The underlying message is that misuse of παρρησία towards rulers can have serious consequences, which is precisely what we see throughout Josephus' writings.

Finally, we come to the law's παρρησία, which appears in the first section of the summary of the law, alongside rules about the single temple, blasphemy, and regular festivals. Loosely paraphrasing the biblical injunction about the year of Jubilee, Josephus explains that at the feast of Tabernacles every seventh year the high priest should stand in front of the people (including women, children, and slaves) and read out the laws. Josephus provides an explanation for this rule: it is good for the laws to be written upon their souls and kept in memory so as never to be forgotten. This would be sufficient explanation, but Josephus goes on: in this way, he says, they will do no wrong, being unable to plead ignorance of the requirements of the laws. Moreover, the laws will have great παρρησία towards those doing wrong.⁹²

Those towards whom the law has παρρησία are the ἀμαρτάνοντες ("those doing wrong," "the erring"). This use of παρρησία clearly links with the notion of rebuke, but it does more than that, as Josephus' explanation makes clear: the law's παρρησία accomplishes two tasks. First, it tells wrongdoers in advance what they will suffer, and then it writes its requirements upon their souls.⁹³

90 Spilsbury ("Reading the Bible in Rome," 226–227) notes here that we could understand this as Josephus' ("apologetic"?) insistence on submission to Roman rule, but at the same time the speech concludes with insistence upon victory over enemies through obedience to the laws—"a message of both acquiescence and national fortitude."

91 AJ 4.187, 189: ὁ δὲ τοῦ λοιποῦ φυλαττομένοις ὑμῖν ἄμεινον ἔξει τὰ πράγματα.

92 AJ 4.209–210: οὕτως γὰρ οὐδὲν ἀμαρτήσονται μὴ δυνάμενοι λέγειν ἄγνωιαν τῶν ἐν τοῖς νόμοις διωρισμένων, οἳ τε νόμοι πολλὴν πρὸς ἀμαρτάνοντας ἔξουσι παρρησίαν...

93 AJ 2.210: ὡς προλεγοντων αὐτοῖς ἃ πείσονται καὶ ταῖς ψυχαῖς ἐγγραψάντων διὰ τῆς ἀκοῆς ἃ κελεύουσιν.

The law's *παρρησία* is effective: it is presented as successfully correcting wrongdoers (by means of making them aware of impending punishments) and imprinting its requirements on them. There is a straightforward relationship between knowing what the law requires and doing it. Josephus does not appear to allow for the possibility that someone could know the law and consequences of breaking it, and nevertheless choose to do wrong.

This is striking particularly given how ineffective *παρρησία* appears to be in all other contexts in Josephus. By using the term, Josephus creates an image in which the law is a wise advisor, and the wrongdoer is the tyrant—yet this wise advisor is not destroyed by his use of *παρρησία*; instead the tyrant is changed. The written word, read out, has greater power than an individual human can have—perhaps because as these are the unchanging words of Moses, there is no possibility of misuse.

Josephus' approach to *παρρησία* reflects a realism and pragmatism even stronger than we find in Plutarch's insistence on tact and caution. An observer of both Roman rule and the extremes of rebellion, who presents himself as a skilled operator of speech, whether in his praise of Vespasian, his attempted opposition to mass suicide at Yodfat, or even his own *παρρησία* towards a mob at Tarichaea, Josephus knows about the limits of truthful, frank speech.⁹⁴ But Moses' laws are different: unchanging, steadfast, and entirely true, they have *παρρησία* and can use it successfully where people cannot. At the same time, it is perhaps worth noting that it is individual members of the assembly whose wrongdoing can be challenged by the law—not rulers, tyrants, or foreigners. Even Moses' textual *παρρησία* has its limits.

Bibliography

- Altshuler, David. "On the Classification of Judaic Laws in the *Antiquities* of Josephus and the Temple Scroll of Qumran." *JQR* 7 (1984): 1–14.
- Begg, C.T. *Flavius Josephus: Translation and Commentary, Volume 4: Judean Antiquities, Books 5–7*. Edited by Steve Mason. Leiden: Brill, 2004.
- Berrey, Marquis. *Hellenistic Science at Court*. Berlin: De Gruyter, 2017.
- Carter, David M. "Citizen Attribute, Negative Right: A Conceptual Difference between Ancient and Modern Ideas of Freedom of Speech." Pages 197–220 in *Free Speech in Classical Antiquity*. Edited by Ineke Sluiter and Ralph Mark Rosen. Leiden: Brill, 2004.

- Den Heijer, Arco. "The Performance of Parrhesia in Philo and Acts." *Journal for the Study of the New Testament* 45 (2022): 193–216.
- Diels, H., and W. Kranz, eds. *Die Fragmente der Vorsokratiker*. Volume 2. 6th Edition. Berlin: Weidmann, 1952.
- Diggle, J., ed. Euripides: *Fabulae*. Volume 3. Oxford: Clarendon, 1994.
- Engberg-Pedersen, Troels. "Plutarch to Prince Philopappus on How to Tell a Flatterer from a Friend." Pages 61–79 in *Friendship, Flattery, and Frankness of Speech: Studies on Friendship in the New Testament World*. Edited by John T. Fitzgerald. Leiden: Brill, 1996.
- Feldman, Louis H. *Flavius Josephus: Translation and Commentary, Volume 3: Judean Antiquities 1–4*. Leiden: Brill, 2004.
- Feldman, Louis H. "Josephus' Portrait of Moses." *JQR* 82 (1992): 285–328.
- Feldman, Louis H. "Josephus' Portrait of Moses: Part Two." *JQR* 83 (1992): 7–50.
- Feldman, Louis H. "Josephus' Portrait of Moses. Part Three." *JQR* 83 (1993): 301–330.
- Feldman, Louis H. "Parallel Lives of Two Lawgivers: Josephus' Moses and Plutarch's Lycurgus." Pages 209–242 in *Flavius Josephus in Flavian Rome*. Edited by Jonathan Edmondson, Steve Mason, and James Rives. Oxford: Oxford University Press, 2005.
- Fields, Dana. *Frankness, Greek Culture, and the Roman Empire*. London: Routledge, 2021.
- Foucault, Michel. *Fearless Speech*. Los Angeles: Semiotexte, 2001.
- Grünewald, Thomas. *Bandits in the Roman Empire: Myth and Reality*. London: Routledge, 2004.
- Horsley, Richard A. *Galilee: History, Politics, People*. Valley Forge, PA: Trinity Press International, 1995.
- Horsley, Richard A. "Josephus and the Bandits." *JSJ* 10 (1979): 37–63.
- Hude, K., ed. *Herodotus—Historiae*. Oxford: Clarendon, 1927.
- Konstan, David. "Friendship, Frankness, and Flattery." Pages 7–20 in *Friendship, Flattery, and Frankness of Speech: Studies on Friendship in the New Testament World*. Edited by John T. Fitzgerald. Leiden: Brill, 1996.
- Konstan, David. *Friendship in the Classical World*. Cambridge: Cambridge University Press, 1997.
- Konstan, David. "The Two Faces of Parrhêsia: Free Speech and Self-Expression in Ancient Greece." *Antichthon* 46 (2012): 1–13.
- Landau, Tamar. *Out-Heroding Herod: Josephus, Rhetoric and the Herod Narratives*. Leiden: Brill, 2006.
- Landauer, Matthew. "Parrhesia and the Demos Tyrannos: Frank Speech, Flattery, and Accountability in Democratic Athens." *History of Political Thought* 33 (2012): 185–208.
- Lang, Manfred. "Deine Absicht ist es ja, die Freiheit zurückzuholen und neu aufzurichten" (*Paneg.* 78,3). 'Freiheit' in Plinius Secundus' *Panegyricus*." Pages 39–59

- in *Parrhesia: Ancient and Modern Perspectives on Freedom of Speech*. Edited by Peter-Ben Smit and Eva van Urk. Leiden: Brill, 2018.
- Lévy, Carolos. "From Politics to Philosophy and Theology: Some Remarks about Foucault's Interpretation of Parrêsia in Two Recently Published Seminars." *Philosophy & Rhetoric* 42 (2009): 313–325.
- Loftus, Francis. "The Anti-Roman Revolts of the Jews and the Galileans." *JQR* 68 (1977): 78–98.
- Mason, Steve. *Flavius Josephus: Translation and Commentary, Volume 1B: Judean War 2*. Leiden: Brill, 2008.
- Mathieu, Georges, ed. *Isocrate. Discours*. Volume 3. Paris: Les Belles Lettres, 1942 (repr. 1966).
- Momigliano, Arnaldo. "Freedom of Speech in Antiquity." Pages 252–263 in *Dictionary of the History of Ideas: Studies of Selected Pivotal Ideas*, Volume 2. Edited by Philip P. Wiener. New York: Scribner's Sons, 1973.
- Monoson, Susan Sara. *Plato's Democratic Entanglements: Athenian Politics and the Practice of Philosophy*. Princeton: Princeton University Press, 2000.
- Mulgan, Richard. "Liberty in Ancient Greece." Pages 7–26 in *Conceptions of Liberty in Political Philosophy*. Edited by Z.A. Pelczynski and John Gray. London: Athlone Press, 1984.
- Neumann, Nils. "Παρησία in Erzähltexten: Handlungsschemata bei Lukian und in der Apostelgeschichte." Pages 60–79 in *Parrhesia: Ancient and Modern Perspectives on Freedom of Speech*. Edited by Peter-Ben Smit and Eva van Urk. Leiden: Brill, 2018.
- Papademetriou, Kyriakoula. "The Performative Meaning of the Word Παρησία in Ancient Greek and in the Greek Bible." Pages 15–38 in *Parrhesia: Ancient and Modern Perspectives on Freedom of Speech*. Edited by Peter-Ben Smit and Eva van Urk. Leiden: Brill, 2018.
- Rajak, Tessa. "The *Against Apion* and the Continuities in Josephus' Political Thought." Pages 222–246 in *Understanding Josephus: Seven Perspectives*. Edited by Steve Mason. Sheffield: Sheffield Academic Press, 1998.
- Rajak, Tessa. "Josephus." Pages 585–596 in *The Cambridge History of Greek and Roman Political Thought*. Edited by C.J. Rowe and Malcolm Schofield. Cambridge: Cambridge University Press, 2000.
- Saxonhouse, Arlene W. *Free Speech and Democracy in Ancient Athens*. New York; Cambridge: Cambridge University Press, 2006.
- Shaw, Brent. "Tyrants, Bandits and Kings: Personal Power in Josephus." *JJS* 44 (1993): 176–204.
- Spicq, Ceslas. *Notes de lexicographie néo-testamentaire: Supplément*. Göttingen: Vandenhoeck & Ruprecht, 1982.
- Spilsbury, Paul. "Reading the Bible in Rome: Josephus and the Constraints of Empire." Pages 209–227 in *Josephus and Jewish History in Flavian Rome and Beyond*. Edited by Joseph Sievers and Gaia Lembi. Leiden: Brill, 2005.

- van Henten, Jan Willem. "Constructing Herod as a Tyrant: Assessing Josephus' Parallel Passages." Pages 196–216 in *Flavius Josephus: Interpretation and History*. Edited by Jack Pastor, Pnina Stern, and Menahem Mor. Leiden: Brill, 2011.
- van Henten, Jan Willem. *Flavius Josephus: Translation and Commentary, Volume 7b: Judean Antiquities 15*. Leiden: Brill, 2014.
- van Henten, Jan Willem. "The Use of $\text{No}\hat{\upsilon}\varsigma$ in Flavius Josephus." Pages 151–172 in *Der Nous bei Paulus und in seiner Umwelt: griechisch-römische, frühjüdische und frühchristliche Perspektiven*. Edited by Jörg Frey and Manuel Nägele. Tübingen: Mohr Siebeck, 2021.
- van Unnik, Willem C. *Flavius Josephus als historischer Schriftsteller*. Heidelberg: Schneider, 1978.
- Walzer, Arthur E. "Parrēsia, Foucault, and the Classical Rhetorical Tradition." *Rhetoric Society Quarterly* 43 (2013): 1–21.
- Zadorojnyi, Alexei V. "The Ethico-Politics of Writing in Plutarch's *Life of Dion*." *JHS* 131 (2011): 147–63.