levitical connections. The new regime was established in a new place free from administrative and religious interference, while the spiritual focal point having been removed from Jerusalem did not return to its former location at Shechem but was sited in the ancient shrines of Bethel and Dan (1 Kgs. xii 29), neither of which are recorded as having contained levitical settlements. The Levites at Shechem were robbed in one stroke of their political and religious pre-eminence and as the Old Testament writer is silent about their fate it may be assumed that they never recovered from this skillful manoeuvre 1).

Canterbury

Nigel Allan

'ATIMIA: A GREEK PARALLEL TO EZRA X 8 AND TO POST-BIBLICAL EXCLUSION FROM THE COMMUNITY

It is generally acknowledged that punitive banishment from the community—found first in Ezra x 8, and encountered later in rabbinic niddui and in exclusion from the yahad and the Essene community—has no substantial roots in Pentateuchal legislation 2). The ritually unclean and the leper are of course sent out of the camp, but their exclusion is the result of an objective condition and not an expression of social evaluation. Cain is condemned to wander the earth, a stranger to human society, but his punishment is hardly law. And the banishment of the unintentional homicide to a city of refuge is largely a stratagem to protect him from blood-vengeance, even if elements of expiation are present as well; it is, moreover, a very specialized case. Thus, the declaration of Ezra that “whosoever came not within three days...all his substance should be forfeited, and himself separated from the congregation of the captivity” 3), remains a product of its times. Certainly, the general pattern of Ezra’s behavior reveals a great concern with inclusion within the community and exclusion from it. And the Persian rescript cited in Ezra vii 26 may

1) The Chronicler records that following the secession of Israel from Judah, the Levites, having ceased to be the official priests among the ten northern tribes, resorted to Rehoboam in Judah (2 Chr. xi 13 ff.). It is possible that the redundant levitical priests at Shechem joined these refugees to the south.


Vetus Testamentum, Vol. XXIV, Fasc. 3
provide a juridic base for his action 1). Nonetheless, it is most in-
structive to consider the parallels provided by ancient Greek law.

The institution of ostracism is not a suitable parallel, despite
its seeming congruence. Usually, the ostracized citizen suffered the
penalty due to his prominence rather than because he was a criminal.
Ostracism was largely a political weapon, not a forensic tool 2). A
much more instructive parallel is provided, though, by the penalty of
atimia (ἀτιμία 3).

In its original, harshest, form, the criminal upon whom the status
of atimia was imposed could be guiltlessly murdered (hence the term
itself), as he was declared outside the protection of the law; his
property, similarly, was not protected by law 4). By the time of Solon
a less severe variation of atimia developed. In essence, the criminal
was disenfranchised politically and distanced religiously. For the
duration of the penalty he could not participate in the political life of
Athens: he could not address the ekklesia or boule; his participation
in legal affairs was also curtailed. Full atimia (there were partial in-
vocations of the penalty as well) banned visits to public temples and
shrines, and even to the agora. Atimia could, finally, evolve into
exile.

The brief statement in Ezra embodies much the same concept as
the Solonic atimia. The individual to be penalized suffers civic death:
he is separated from the community and his property is forfeit (cf.
nn. 2, 6). It is to be admitted, of course, that the penalty laid down
by Ezra sounds more final than the temporary atimia, and more
profound; not only is the individual denied the expression of his
citizenship but his entire organic relationship with the community is
severed. Rabbinic materials describe a more moderate distancing.

It is also likely that Jewish law (in the later Second Common
wealth period, at least), claimed that the Temple proper ought be
considered off-limits for Jews guilty of certain offenses even if they
were ritually clean. In this connection, G. ALLON has pointed to the
episode (Ant. 19, 7, 3, 4) in which Simeon of Jerusalem sought to
ban Agrippa I from the Temple due to the “unholiness” of the latter,

---

1) See H. Cazelles, “La Mission D’Esdras,” V/T IV (1954), pp. 113-140,
est p. 126 n. 3.
3) For what follows, I rely on G. Busolt, Griechische Staatskunde, 3rd ed. (1920),
4) Harrison (op. cit., p. 171) claims it was confiscated.