

3657
MARTENS, J.
1994

THE PATRISTIC RESPONSE

**Nomos Empsychos in Philo and
Clement of Alexandria**

John Martens

Scholarship on Clement and the concept of the "living law" (*nomos empsychos*), such as it is, has generally concentrated on the link between Clement and Philo.¹ There is obvious justification for this connection, but there is another aspect to Clement's use of the *nomos empsychos* ideal which has been neglected in the scholarship on Clement, namely, his use of this ideal based on Hellenistic Pythagorean fragments. In this essay I hope to show that the "living law" ideal as outlined in these Hellenistic sources actually suits Clement's needs as a Christian apologist far better than the ideal as it is portrayed in Philo's work.

The concept of the *nomos empsychos* as it is used by Clement serves three purposes: (1) to indicate a close link between the Mosaic law and the Logos (Christ); (2) to portray Christ as the true sage in Greco-Roman philosophical terms; and (3) to show that Christ, the "living law," is both superior to the Mosaic law and the fulfilment of Greco-Roman philosophical ideals. In adopting the concept of *nomos empsychos* and in "Christianizing" it, Clement draws not only upon Philo, but perhaps more importantly upon other Hellenistic sources now available to us only as fragments. It is of interest that, as scholars of the Hellenistic fragments have noted,

IN: HELLENIZATION
REVISITED

Clement preserves a fragment of one of these texts, although he attributes it to a different author. This appears not to have been noted by scholars of Clement in the context of *nomos empsychos* discussions, possibly because the term *nomos empsychos* itself does not appear in the text.

The Idea of the Nomos Empsychos Before Philo

The *nomos empsychos* ideal is located in a group of fragments found in Stobaeus and attributed to followers of Pythagoras, namely, Ecphantus, Sthenidas of Lokri, Diotogenes, and Archytas of Tarentum.² All these texts, with the possible exception of Archytas's material, are considered pseudonymous. They are usually dated to the Hellenistic period, generally the late third to early second century BCE, when much was being published on the theme of "Kingship."³ These fragments deal with the perfect king, and *nomos empsychos*, the "living law," is the most evocative title these authors use to describe the king.

As with most ideal Greek views of kingship, the king embodying *nomos empsychos* was to be perfect and just.⁴ He was to be a benefactor (*euergetēs*) to his subjects. He was to be a saviour (*sōtēr*) for them. These attributes are common to Greek kingship, especially the "kingship" speculation of the Hellenistic era.⁵ What sets the *nomos empsychos* ideal of these (Pythagorean) fragments apart from other Greek views of kingship is found in the king's relationship with God, his relationship with his subjects, and his ability to become the law for his subjects.

The king is the unique creation of God; he resembles the rest of humanity in outer form, but he is not only human, for he exists in a realm between humanity and God (*Ecphantus*: 4.7.64; *Diotogenes*: 4.7.61). He is a friend of God and shares a special *koinōnia* with him (*Ecphantus*: 4.7.64; *Diotogenes*: 4.7.62). He is also, preeminently, an imitator of God, and his imitation (*mimēsis*) brings *harmonia* to the *kosmos*, to the state, and to individual persons subject to him (*Ecphantus*: 4.7.64,65; *Sthenidas*: 4.7.63).

He becomes a "god among men" (*Diotogenes*: 4.7.61).⁶ His subjects are to enter into *koinōnia* with him and to become imitators

of him; to do so is to bring harmony to their microcosm, the state, and to themselves (*Diotogenes*: 4.7.62). If they imitate the king and accept his *logos*, they are able to follow the right path and have sin and corruption driven from them (*Ecphantus*: 4.7.64; *Diotogenes*: 4.7.62).

The king becomes their *nomos empsychos* (*Archytas*: 4.1.135; *Ecphantus*: 4.7.64; *Diotogenes*: 4.7.61). The Hellenistic Pythagorean texts contrast the written law, which is *apsychos*, with the king, who is *nomos empsychos* (*Archytas*: 4.1.136). The king who follows God is truly lawful; because of his lawfulness, he is able to replace the written law and become a fuller representation of the divine law. The written law, thus, becomes unnecessary for the subjects of the king, for the king himself perfectly embodies the law.

Also in other sources, such as the pseudo-Aristotelian *Rhetorica ad Alexandrum* (1420a, 21-25), Cicero (*De leg.* 3.2-3; *De rep.* 1.52; *De off.* 2.41-42), Musonius Rufus (*Stob.* 4.7. 67),⁷ and Plutarch (*Ad Ineruditum Principem* 780c), the term *nomos empsychos* (or *logos empsychos*) is used to contrast the written law and the king as law. All of these texts, like the Hellenistic Pythagorean texts, maintain the basic distinction of the *nomos empsychos* ideal: the law is either written or it is embodied in the king, the living law.

The Nomos Empsychos in Philo

The term *nomos empsychos* appears in Philo's work as many times as in the Pythagorean fragments (*Moses* 1.162; 2.4; *Abraham* 5). However, Philo breaks down the distinction between the law being either written or embodied as living law. This innovation is due to his need to protect the law of Moses. The Patriarchs, who according to Philo follow the law of nature and become *agraphoi nomoi*, become *nomoi empsychoi* as well (*Abraham* 5-6). They do not, however, replace the law of Moses, for Philo is intent on both explaining how the Patriarchs follow the Mosaic law *before* it is written, and showing that the law of Moses is in agreement with Greco-Roman forms of law. Thus the either/or character of the contrast is broken down. A *nomos empsychos*, properly understood,

would not replace the written law; he would follow the written law—if this written law were the Mosaic law.

Philo refers to Moses as the “living law” twice: in *Moses* 1.162 and 2.4. He elaborates on Moses as the “living law” particularly in *Moses* 1.148-162, where he uses the language of *nomos empsychos* tractates to describe Moses as king. In fact, Philo’s description of Moses in this context resembles that of the king of the Hellenistic fragments in almost all respects. Philo, furthermore, uses language appropriate for royalty and close friendship with God only for the description of Moses. In the language of the exclusive kingship model, only Moses is the true “king.”

When Philo also refers to the Patriarchs as living laws (*Abraham* 5), he diminishes the exclusivity of the designation characteristic of the Hellenistic fragments. Yet the “living law” designation for Patriarchs does not attribute royal exclusivity to them in the same way it does for Moses. Rather, it gives them the status of the “Sage.”⁸ Thus, unlike the Hellenistic fragments, Philo creates two levels of *nomoi empsychoi*, those of king and of sage.

The Nomos Empsychos in Clement

Elements of both the Hellenistic and the Philonic ideal are found in the thought of Clement. In fact, Clement seems intent on maintaining the relationship which Philo sees between the *nomos empsychos* and the (written) law of Moses, while he also retains the Hellenistic idea that the written law is replaced by the “living law.”

The Influence of Philo

Clement’s use of the *nomos empsychos* in *Miscellanies* 1.26, 167: “now Moses was, so to say, a living law, governed by (*kybernomenos*) the right word,”⁹ clearly reveals the influence of Philo, for no other author made the connection between Moses and the “living law.” But although Clement does not elaborate here on his designation of Moses as “living law,” he is evidently familiar with Philo’s discussion of Moses as lawgiver and king or “living law” in *Moses* 1.148-62. Yet when he calls Moses a *nomos empsychos*, he uses the term also applied elsewhere to Jesus. For this reason Clement avoids use of

royal language to describe Moses as the “living law.” Rather he claims that Moses too was “governed” by the *orthos logos*, that is, by Christ. Clement cannot say that Moses is the equivalent of Christ, although in using the language of the *nomos empsychos* he comes close to intimating this.

Clement’s intention in adopting the title *nomos empsychos* for Moses must be to show close relationship between the law of Moses and its true lawgiver: the Logos, Christ. They exist on a continuum. Yet by describing Moses as the living law, Clement does approximate Philo’s equation: the law of Moses equals the *nomos empsychos*. This is why Clement must create another stratum upon which Jesus exists as the “living law.”

The Influence of the Hellenistic Pythagorean Texts

By designating Moses as the “living law,” Clement not only indicates the close relationship between Moses and the Logos, but between Moses’ law and the Logos. However, when Clement also calls Jesus the “living law,” (specifically in *Miscellanies* 2.18,3-19,4), interest is focused on Jesus’ royalty and on the contrast between Jesus and written law. In this passage Clement says,

... Sages are sages by virtue of wisdom and those who are under the law are lawful by virtue of the law, and so the Christians, followers of Christ, are royal by virtue of Christ the King (18,3). This will be made clear presently: “That which is Right is truly lawful, and law, by nature, is right reason, and not that which resides in letters or in other objects.” The Eleatic Stranger demonstrates that the royal and political man is a living law (18,4).¹⁰ And such is he who, on the one hand, fulfils the law, and, on the other hand, “does the will of the Father,”¹¹ written openly upon a raised cross, set forth as an example of divine virtue for those who are capable to see clearly (19,1). The Greeks know that the dispatches of the Ephors in Lacedaemonia have been, by law, written on pieces of wood; but my law, as I said earlier, is royal, living, and right reason: “the law, king of all, living and dead,” as the Boeotian Pindar

says (19,2).¹² For Speusippus, in his first book to Cleophon, seems to write the same things as those in Plato: "For if kingship is a worthy choice, and only the sage is king and ruler, the law, being right reason, is equally worthy." And this it is (19,3). But the Stoic philosophers expound their doctrine, attributing only to the sage kingship, priesthood, prophecy, legislative power, wealth, true beauty, nobility, and freedom; but the sage, and it is granted by them, is difficult to find (19,4).¹³

There is much to unpack in this passage, apart from Clement twice calling Jesus the "living law." Clement is operating with a triangle of concerns in this passage, particularly because Moses already earlier has been designated as a living law. Clement is concerned with (1) the Sage, that is, the Greco-Roman wise man; (2) those under the Mosaic law which governs the Jews; and (3) the convergence and fulfilment of Jewish and Christian concerns in the person of Christ.

Concentration on Jesus' royalty is not, of course, foreign to Christianity; but in light of the double use of the term *nomos empsychos*, stress on Jesus' royalty is probably related here to Clement's use of the "living law" ideal. Clement has not emphasized the royal quality of the "living law" as it applies to Moses, although it was stressed by Philo. But Clement does note that Christians are royal, and lawful, by the grace of Christ.¹⁴ The idea that Christ's salvific act should serve to make royal those who participate in it is, again, not foreign to Christianity, but the language of royalty and the participatory nature of righteousness here again recall the ideal in the Hellenistic *nomos empsychos* tractates: by following the king, his subjects become lawful and just.

Clement also contrasts law as "right reason" with law "which resides in letters or in other objects," and then says that the Eleatic Stranger calls such a royal and political man a "living law." The term does not, in fact, appear in any of Plato's works. Important for our purposes, however, is the contrast Clement presents between the "written law" and the "living law," for it is the contrast which is found

in the Hellenistic fragments, although ignored by Philo. We know that for Clement this living law is Jesus.

Clement returns again to contrast the royal and living law, Jesus, the *orthos logos*, with Spartan law written on wood. Then, using a statement of Speusippus he stresses the identity between true law, the *orthos logos*, and the true sage and king, Jesus. Clement also plays on the Stoics' difficulty in finding the Sage, both to explain why Jesus was not generally considered a Sage, and why such a Sage was not recognized before the coming of Christ.¹⁵

We find, therefore, that Clement describes Jesus as the living law, the equivalent of *orthos logos*, and does so in kingly and royal terms. Jesus is twice compared to written law, once generally and once to Spartan law. As with the Hellenistic Pythagorean fragments, the *nomos empsychos* replaces and is superior to the written law. Jesus is not contrasted with the Mosaic law; but there is, implicit in Clement's account, a devaluation of the law of Moses with respect to Jesus, the true law, the living law, and *orthos logos*.¹⁶

While Moses, a living law, is governed by the *orthos logos* (as is his law), Jesus, the living law, *is* the *orthos logos*. Clement is walking a fine line. With Philo he maintains an intimate connection between the *orthos logos*, the *nomos empsychos*, and the law of Moses (cf. *The Educator* 1.88, 2f; 2.75, 1f). And this serves Clement's purpose, especially in his debate with Gnostics, in demonstrating the continuity of revelation: for the law had a divine purpose and was not to be ignored altogether.¹⁷

There is one major difference. For Clement, as for Philo, Moses is governed by right reason; but for Clement, Jesus *is* right reason: this is more than Philo would, or could, claim for any person. Clement has raised the stakes of Philo's game: he can protect the law of Moses, and call Moses a "living law," without regarding either Moses or the Mosaic law as the equal of Jesus. This is because the true law, Jesus Christ, though intimately connected to the law of Moses, *is* the *orthos logos* and is not simply governed by the *orthos logos*, as is Moses, according to Philo.

But Clement's purposes not only coincide with Philo's, they go beyond them. Clement wants to argue that the true *nomos empsychos*, the *orthos logos*, the King, has come; and he replaces and transcends the written law, even the law of Moses.¹⁸ Thus it is Clement's Christian purpose to portray Jesus as the true law. But this is also in line with the Hellenistic Pythagorean fragments: the written law is superseded when the living law, the king, comes. And there is good reason to believe that Clement knew these Hellenistic texts, or others related to them.

*The Fragment of Eurysos: Miscellanies 5.5, 29*¹⁹

The fragment of Eurysos is a puzzling passage for scholars of the Hellenistic fragments. It reproduces, almost exactly, a passage attributed by Stobaeus to Ecphantus in *Stob.* 4.7.64 (Hense 272.11-14). But Clement attributes his passage to Eurysos the Pythagorean.²⁰ And Clement also alters the sense of the passage. In Clement the passage reads, "The earthly form is like the others, in that it is made from the same material, but it is fashioned by the Supreme Artificer, who in making it used himself as the Archetype."

The passage in Ecphantus reads, "On the one hand the King claims the most of the better elements in our common nature, on the other hand his earthly form is like the others, in that it is made from the same material, but he is fashioned by the Supreme Artificer, who in making him used himself as an Archetype."

Unlike Ecphantus, Clement is not concerned with the king in this passage; he is concerned with showing the agreement between Genesis 1:26-27 and Greek philosophy: human beings are different from and superior to the rest of God's creation.²¹ Ecphantus's point is that the king is a unique creation of God.²² But this appears to have been Eurysos's point as well, as is revealed in a companion piece to this passage, located in *Stob.* 1.6.19 (1,89), and pointed out by E. R. Goodenough.²³ Whether Ecphantus copied Eurysos, or whether Eurysos copied Ecphantus is a difficult question; but with Walter Burkert I believe that Eurysos copied Ecphantus.²⁴ It cannot seriously be maintained that they are the same person, or that Eurysos is a citation mistake for Eurytos.²⁵ Important for us, how-

ever, is that Eurysos was also speaking of the king.²⁶ We may be certain, therefore, that Eurysos knew even more of the kingship ideal, and we may also be certain that Clement knew more of the ideal.²⁷ How Clement alters his source to provide a parallel with Genesis 1:26-27 is in itself interesting and instructive; but the fact that Clement has direct knowledge of texts dealing with the *nomos empsychos* ideal, and is not dependent only on Philo's presentation, is of paramount concern.

This allows us to confirm the suspicion that Clement knew the *nomos empsychos* ideal both from Philo and from its initial elaboration in the Pythagorean texts. In making use of these varied sources, however, Clement creates something new. Jewish law and Greek wisdom converge in the person of Christ.

Conclusions

For Clement the law of Moses is in agreement with the Logos: thus its promulgator, Moses, is a "living law" governed by the Logos. But the true, kingly living law, the Greco-Roman sage *par excellence* who replaces the written law, whether Mosaic or Spartan, is itself the *orthos logos*, Jesus Christ.

Clement has used Philo's claim that the "living law" is in agreement with the law of Moses, and the claim of the fragments that the living law replaces the written law. Clement also maintains Philo's distinction between two strata of *nomoi empsychoi*: one is the person governed by right reason (for Philo, identified with the Patriarchs, and for Clement, with Moses); the other is the only king, the friend of God (for Philo this was Moses, but for Clement it was Jesus).

For Clement, however, the true "living law" is the *orthos logos*. This is certainly more than Philo claimed, and very different from any claim made in the Hellenistic Pythagorean writings. There is an obvious Stoic influence on Clement in the claim that Christ is the *orthos logos*: for the Stoic sage embodied the *orthos logos*,²⁸ while the Hellenistic Pythagorean texts never describe the king as the *orthos logos*. Thus Clement brings together Stoic and Pythagorean claims about the sage.

We should not, however, overlook Clement's own concerns; his Christian concerns did motivate and drive him. Clement's reasons for utilizing the concept of the *nomos empsychos* are his own as a Christian apologist. His battle with Gnosticism over the place of the Mosaic law demanded that Clement make sense of the place of the law in salvation history, and locate it on a continuum which maintained its importance. But his desire to show Jesus as the true law, the true king, and the true wise man necessitated that the place of the law be secondary. Using the ideal of the *nomos empsychos* not only from Philo's writings, but particularly from the Hellenistic Pythagorean writings, allowed him to maintain both of these claims. In his use of the *nomos empsychos* ideal, Clement incorporates both Jewish and Greek elements as he recreates it in light of Christian belief.

This intellectual creation both marks Clement's originality and places him in the mainstream of Christian apology, especially with respect to the *praeparatio evangelica* motif. Clement sees not only Jewish but also Greek history and thought as a preparation for the incarnation of Christ and the Gospel.²⁹ In this he builds on Philo's initial forays into the relationship between reason and revelation.

Yet Clement sees Judaism as only one step on the road to truth; and so he relegates Philo's apex to the base of the pyramid. In the synthesis of Clement, Judaism and Hellenism provide cornerstones in salvation history, but their function, it is clear, was only a support along the ascent to the top: the person and message of Jesus Christ. They provided preparatory steps for a journey which ends with faith in Christ.

Clement's use of the *nomos empsychos* ideal represents its grandest synthesis, and not only among Christians. His insights, however, were not maintained. When next we meet the *nomos empsychos* ideal in a Christian context it is in Justinian's *Corpus Iuris Civile: Novellae*. In *Novella* 105, chap. 4, lines 7-15, we find Justinian referring to the king as the "living law" in the context of a discussion of the *hypateiu*, or "consular governor." The king is given to his subjects as a special honor, says Justinian, and God counsels him

regarding the laws. He becomes, therefore, a "living law." This is a return to the language of the kingship tractates and of Clement, but both their mysticism and Clement's religious insights are missing. The ideal of the *nomos empsychos* has become but another description of the function of the earthly Emperor.

Notes

1. W. Richardson, "Christ as *ho nomos empsychos* in Clement of Alexandria and Some Trends in Current Theology," in *Studia Patristica*, 15/1, Elizabeth A. Livingstone, ed. (Berlin: Akademie, 1984), 361-67; id., "The Basis of Ethics: Chrysippus and Clement of Alexandria," in *Studia Patristica*, 9/3, F. L. Cross, ed. (Berlin: Akademie, 1966), 88; id., "*Nomos empsychos*: Marcion, Clement of Alexandria and St. Luke's Gospel," in *Studia Patristica*, vol. 6, F. L. Cross, ed. (Berlin: Akademie, 1964), 191; Salvatore Lilla, *Clement of Alexandria: A Study in Christian Platonism and Gnosticism* (London: Oxford University Press, 1971), 76; Annewies van den Hoek, *Clement of Alexandria and His Use of Philo in the Stromateis* (Leiden: E. J. Brill, 1990), 59-64; Cl. Mondésert, *Clément d'Alexandrie. Les Stromates II*, Sources Chrétiennes 38 (Paris: Editions du Cerf, 1966), 46 n.7; Otto Stählin, *Clemens Alexandrinus. Stromata Buch I-VI*, Band 2 (Berlin: Akademie, 1960); André Méhat, *Étude sur les 'Stromates' de Clément d'Alexandrie*, Patristica Sorbonnensia 7 (Paris: Éditions du Seuil, 1966), 380, 390.
2. Ecphantus: *Stob.* 4.7.22,64; Diotogenes: *Stob.* 4.7.61,62; Sthenidas: *Stob.* 4.7.63; Archytas: *Stob.* 4.1.135-138. All further references to these texts will refer to the book, chapter, and section numbers in *Stobaeus*.
3. I would be remiss not to mention the problem of dating. Some scholars, particularly Louis Delatte (*Les traités de la royauté d'Ecphante, Diotogène et Sténidas*, Bibliothèque de la Faculté de Philosophie et Lettres de l'Université de Liège 97, 1942) and Walter Burkert ("Zur geistesgeschichtlichen Einordnung einiger Pseudopythagorica" in *Fondation Hardt: Pour L'Étude de L'Antiquité Classique Entretiens: Tome XVIII, Pseudepigrapha I* [Genève: Fondation

Hardt, 1972]) do not believe these texts are Hellenistic; they date them to the 2nd or 3rd century CE. I have not found this late dating convincing. My own position is in agreement with that of E. R. Goodenough, "The Political Philosophy of Hellenistic Kingship," *Yale Classical Studies* 1 (1928): 55-128; Holger Thesleff, *An Introduction to the Pythagorean Writings of the Hellenistic Period* (Åbo: Åbo Akademi, 1961); id., "On the Problem of the Doric Pseudo-Pythagorica: An Alternative Theory of Date and Purpose," *Fondation Hardt: Pour L'Étude de L'Antiquité Classique Entretiens: Tome XVIII Pseudepigrapha I* (Genève: Fondation Hardt, 1972); *The Pythagorean Texts of the Hellenistic Period*, Acta Academiae Aboensis, Ser. A: Humaniora, v. 30, no. 1 (Åbo: Åbo Akademi, 1965); Francis Dvornik, *Early Christian and Byzantine Political Philosophy: Origins and Background*, vol. I, Dumbarton Oaks Center for Byzantine Studies (Locust Valley, N.Y.: J. J. Augustin, 1966), and Glenn Chesnut, "The Ruler and the Logos in Neopythagorean, Middle Platonic, and Late Stoic Political Philosophy," in *ANRW* II. 16.2, 1310-32.

Armand Delatte in his *Essai sur la politique pythagoricienne* (Bibliothèque de la Faculté de Philosophie et Lettres de l'Université de Liège, 1922), argued that the work of Archytas was genuine. I am not certain that anyone else holds this position, but there is a noted difference in the treatment of Archytas and that of Ecphantus, Sthenidas, and Diotogenes. L. Delatte does not, for instance, deal with Archytas in his book; he considers him earlier. Thesleff also considers Archytas's work earlier than that of the other three. So, too, does Burkert, who believes that the Pythagorean writings of the Hellenistic period in general may be based upon genuine writings of Archytas.

4. Plato, *Pol.* 300c; *Rep.* 425a-c; Aristotle, *Pol.* 3.11, 13. Cf. also Jerome Hall, "Plato's Legal Philosophy" in *Indiana Law Journal* 31 (1956): 183, 192. See L. Delatte's discussion in *Les traités*, 123-63, for the development of the kingship ideal with special attention to the *nomos empsychos* ideal in Greek thought.

5. W. W. Tarn, *Hellenistic Civilization* (Cleveland and New York: Meridian Books, 1964), 48-57; W. S. Ferguson in *The Cambridge Ancient History VIII: The Hellenistic Monarchs and the Rise of Rome*, F. E. Adcock, S. A. Cook, and M. P. Charlesworth, eds. (Cambridge: University Press, 1954), 17-18; Lily Ross Taylor, *The Divinity of the Roman Emperor* (Chico, CA: Scholars Press; a reprint of the 1931 edn., Middletown, Conn.: American Philological Association), 17-31; Cuthbert Lattey, "The Diadochi and the Rise of King Worship," *The English Historical Review* 32 (1917): 321f; Julius Kaerst, *Geschichte des Hellenismus*, Band II (Leipzig and Berlin: B.G. Teubner, 1926), 380f, esp. 385; Francis Dvornik, *Early Christian and Byzantine Political Philosophy: Origins and Background*, vol. I, 210-33; Wilhelm Schubart, "Das Hellenistische Königsideal nach Inschriften und Papyri," in *Archiv für Papyrusforschung und verwandte Gebiete*, Band 12 (Leipzig and Berlin: B.G. Teubner, 1937), 1-26.

6. Cf. Aristotle, *Pol.* 1264a

7. Cf. Cora Lutz, "Musonius Rufus: The Roman Socrates," *Yale Classical Studies* 10 (1947): 64-65.

8. Van den Hoek, *Clement* (n.1), 59.

9. The verb used by Clement, *kybernaō*, to describe the relationship of Moses, the "living law," to the *orthos logos* is not used by Philo to describe Moses as the "living law." It is interesting to note, however, that in a discussion of Melchizedek as the king (based on Gen. 14:18), and in the allegorical interpretation which follows, Philo says the king is governed (*kybernomenon*) by the *orthos logos* (*Leg. All.* 3.79-80).

10. The term does not appear in Plato. Mondésert, *Clément d'Alexandrie. Les Stromates II*; and Stählin, *Clemens Alexandrinus. Stromata Buch I-VI*, Band 2, point to *Pol.* 295e and 311bc.

11. Cf. Matt. 7:21; 21:31; 1 John 2:17.

12. Pindar, frag. 169.

13. The translation is my own.

14. Méhat, *Étude*, 380, n.224.

15. Nevertheless, in Clement's *Protrepticus* 10.86, he states that when Christ came he was neither "disbelieved" nor "unrecognized."

16. Van den Hoek, *Clement* (n.1), 46: "Clement determines the rank of his concepts to a significant degree on the basis of time: that is, whether they are before or after the advent of Christ. Law and philosophy are ranked together since they belong to the earlier phase. They are necessary before the advent and useful but not indispensable after it."

17. W. Richardson, "Nomos Empsychos: Clement, Marcion" (n.1), 192. Clement walked a fine line in his debate with the Gnostics, for he himself had gnostic sensibilities and his orthodoxy was somewhat in question in the ancient church; H. B. Timothy, *The Early Christian Apologists and Greek Philosophy* (Assen: Van Gorcum, 1973), 77-79, 91-98; Elizabeth A. Clark, *Clement's Use of Aristotle* (New York and Toronto: Edwin Mellen Press, 1977), 7, 23-26, 33-36; Lilla, *Clement of Alexandria* (n.1), 226-34. For this paper, "Gnosticism" is defined on Clement's terms: "false" Gnostics are those whose life is too austere, and so mock the goodness of creation; or those who accept rules and laws of moral conduct as matters of indifference (*Strom.* 3.5.40, 2-3).

Clement finds in the *nomos empsychos* ideal a welcome response to Gnostic contentions that the Mosaic law simply caused fear (*Strom.* 2.8.39, 4-5) and that Christianity represented a clean break from the errors of Old Testament teaching. Clement affirms the importance of law while simultaneously affirming the pre-eminence of Jesus Christ and the true, spiritual nature of law. The Mosaic law, it is true, was only a measure of grace until the fulness of Jesus Christ—as, in a sense, was Greek philosophy—but Clement felt it necessary to defend the place of the law in order to defend basic rules of moral conduct among Christians, and to proclaim the active role of God throughout history.

18. Van den Hoek, *Clement* (n.1), 46: "The law of Moses, the keystone of Philo's structure, is devalued in a certain sense by Clement when he puts the law on the level of worldly culture as a preparatory phase and makes the two, so to speak, a pair of symmetrical buttresses for the essential edifice." Cf. Clement, *The Rich Man's Salvation*, 8.939-940; 9.940.

19. Also found in *Fragmenta Philosophorum Graecorum* (FPG), vol. 2., Friedrich Wilhelm August Mullach, ed. (Paris: Firmin-Didot & Sociis, 1928-1935), as Eurysos, frag. 1, 112.

20. The passage is found in Ecphantus word for word. The only differences that I can see are two case endings. The only other fragment attributed to Eurysos is located in *Stob.* 1.6.19 (Hense 210, 25-212, 17; also found in Mullach, FPG, vol. II, as Eurysos, frag. 2, 112). No information regarding his birthplace or date is provided. The ideas, however, are in line with those in his other fragment—they are concerned with the true and false nature of things—and he even mentions the nature of the king. Perhaps as significantly, the text is written in Doric. One of his rare words, *autautothen*, is located also in Archytas, Diotogenes, and Ecphantus (cf. also n.27). Because of Clement's use of his work and because he is not gathered with the other Pythagorean fragments, I choose to regard him as a follower of these Hellenistic authors. This remains hypothetical.

21. The point which Clement is intent on making in this passage may be related to his polemic against idolatry. He glosses Gen. 1:26 in the context of a polemic against idolatry elsewhere and makes much of the fact that only humans are made in the image and likeness of God (*Protrepticus* 10.79-84; cf. 12.93). Clement also shows anger at Alexander's supposed deification (*Protrepticus* 10.77) and claims that the human being *sui generis* was made by the Supreme Artist (*ho aristotechnas pater*) as a living statue (*agalma empsychon*, 10.78).

22. Philo preserves a statement similar to Ecphantus's in terms of the superiority of the king's creation, but he does not share similar language. Philo, fragment *apud Antonius Melissa, Sententiae sive loci communes, Pars II, sermo 2* (Jacques Paul Migne, *Patrologiae cursus completus. Series Graeca*. 136, col. 1012bc). Cf. Glenn Chesnut, "The Ruler and the Logos in Neopythagorean, Middle Platonic, and Late Stoic Political Philosophy," in *ANRW* II.16.2, 1328, for the text and English translation.

23. E. R. Goodenough, "The Political Philosophy of Hellenistic Kingship," *Yale Classical Studies* 1 (1928): 76.

24. Walter Burkert, "Zur geistesgeschichtlichen Einordnung einiger Pseudopythagorica" (n.3), 52, insists correctly that Eurysos cannot be a citation mistake for Ecphantus. But could it be a citation mistake for someone else? Could it be the Pythagorean Eurytos (Diogenes Laertius 8.45; Iamblichus, *vit. Pyth.* 146, 148, 267-69), about whom we know much more? This is a tempting proposal, but see the following note on the impossibility of this suggestion.

25. Thesleff, *An Introduction* (n.4), 69; *Texts*, 87-88, maintains that Eurysos is a citation mistake for Ecphantus, but this would mean that Clement not only cited Eurytos for Ecphantus, but that his misspelling was the same as that of *Stobaeus* in 1.6,19! Eurysos would then be the creation of a citation mistake and two misspellings.

26. Delatte, *Les traités*, 177-80 suggests that Ecphantus copied Philo in adopting the "living law" ideal. This leads to an incredible hypothesis. Ecphantus, he suggests, borrowed Philo's view of humankind created in the image of God, and altered it to apply only to the king in the *nomos empsychos* ideal, for which he was also dependent upon Philo. Eurysos then borrowed this view of the unique king and modified it in line with general Jewish claims regarding the creation of all humanity. Clement then borrowed this passage to support a Judeo-Christian view of human creation. It is far more likely that Clement adapted the ideal of the unique king, the living law, as found in Eurysos to suit his Christian claims about the creation of humankind.

27. The passage which Goodenough located in *Stob.* 1.6,19 would appear to be dependent upon a passage which Stobaeus attributed to Diotogenes (*Peri Hosiōtētos*: 4.1,133). The case cannot be argued here.

28. Cf. also Plutarch, *Ad Ineruditum Principem*, 780c; and the pseudo-Aristotelian *Rhetorica ad Alexandrum*, 1420a, 21-25. The phrase *logos empsychos* appears in both of these cases.

29. H. B. Timothy, *The Early Christian Apologists and Greek Philosophy* (n.17), 59-71.