The study of ancient law has blossomed in recent years. In English alone there have been dozens of studies devoted to classical Greek and Roman law, to the Roman legal codes, and to the legal traditions of the ancient Near East among many other topics. Legal documents written on papyrus began to be published in some abundance by the end of the nineteenth century; but even after a substantial publication history down to the present time, legal papyri have not received due attention from legal historians. This book blends the two usually distinct juristic scholarly traditions, classical and Egyptological, into a coherent presentation of the legal documents from Egypt from the Ptolemaic to the late Byzantine periods, all translated and accompanied by expert commentary. The volume will serve as an introduction to the rich legal sources from Egypt in the later phases of its ancient history as well as a tool to compare legal documents from other cultures.

James G. Keenan is Professor of Classical Studies at Loyola University Chicago.

J. G. Manning is The Simpson Professor of Classics and History at Yale University.

Uri Yiftach-Firanko is Senior Lecturer in the Department of Classics in the Hebrew University of Jerusalem.
LAW AND LEGAL PRACTICE
IN EGYPT FROM ALEXANDER
TO THE ARAB CONQUEST

A Selection of Papyrological Sources in Translation,
with Introductions and Commentary

EDITED BY
JAMES G. KEENAN
J. G. MANNING
URI YIFTACH-FIRANKO

Cambridge University Press
978-0-521-87452-6 - Law And Legal Practice in Egypt from Alexander to the Arab Conquest: A Selection of Papyrological Sources in Translation, with Introductions and Commentary Edited by James G. Keenan, J. G. Manning and Uri Yiftach-Firanko Frontmatter

More information
Dedicated to the memory of
Traianos Gagos
(1960–2010)
and
Tomasz Markiewicz
Contents

List of figures xvi
List of contributors xvii
Preface xxi
Calendars xxv
List of abbreviations xxvi
Map 1 Egypt, showing key sites of papyrus finds xxviii
Map 2 The Fayyum (Arsinoite nome) xxix

1 Introduction and historical framework 1
   Introduction (Manning) 1
   1.1 The Ptolemaic period (332–30 BC) (Manning) 5
   1.2 The Roman period (30 BC–AD 284) (Yiftach-Firanko) 6
   1.3 The Byzantine period (AD 284–640) (Keenan) 9
   1.4 Monuments in juristic papyrology (Keenan, Manning, and Yiftach-Firanko) 12
   1.5 Law under the Ptolemies (Manning) 17
   1.6 Law in the Roman period (Yiftach-Firanko) 20
   1.7 Law in the Byzantine period (Keenan) 23
   1.8 The law of Coptic legal documents (Richter) 28

2 The historical development of the form, content, and administration of legal documents 31
   Introduction 31
   2.1 Evolution of forms of Greek documents of the Ptolemaic, Roman, and Byzantine periods (Yiftach-Firanko) 35
      2.1.1 Early Ptolemaic double document (loan of money) \textit{P.Cair.Zen.} ii 59001 35
      2.1.2 Later Ptolemaic double document (loan of wheat) \textit{P.Dion.} 14 39
      2.1.3 Records office document (loan of money) \textit{P.Tebt.} ii 312 41
      2.1.4 Third-century BC cheirographon (payment for reed propping) \textit{P.Col.} iv 76 43
      2.1.5 Second-century BC cheirographon (settlement of a debt) \textit{P.Adl.} 4 43
viii

Contents

2.1.6  Oxyrhynchos cheirographon (repayment of money loan)

P.Oxy. xlii 3487 44

2.1.7  The "new cheirographon": earlier format (money loan) P.Sakaon 64 46

2.1.8  The "new cheirographon": later format (sale in advance of delivery)

P.Ant. 1 42 47

2.1.9  "Private protocol" (land lease) P.Oxy. 11 277 50

2.1.10  Hypomnêma (vineyard lease) P.Ryl. iv 600 51

2.1.11  Hypomnêma (lease of land with date palms) P.Corn. 10 52

2.2  Demotic sales (Manning) 53

2.3  Demotic cessions (Depauw) 56

2.4  Demotic loans (Markiewicz) 58

2.5  Greek loans (Vandorpe) 61

2.6  Archives and registration in Roman Egypt (Kruse) 62

2.6.1  Two edicts of the prefect T. Flavius Titianus P.Oxy. 1 34 verso 66

2.6.2  Edict of the prefect M. Mertius Rufus P.Oxy. 11 237 Col. viii, 69

2.6.3  Abstract sheet of the property records office BGU iii 959 71

2.6.4  Extract from the Gnomon of the Idios Logos BGU v 1210 §100 72

2.6.5  Application for registration of a deed P.Oxy. xii 1475 73

2.6.6  Petition to the prefect M. Iunius Rufus P.Fam.Tebt. 15, lines 75–98 76

2.6.7  Deposition of documents P.Flor. iii 357 79

2.6.8  Deposition of the records of administrative officials 81

2.6.8a  Beginning of a labor contract BGU iii 981 Col. 1, lines 1–11 82

2.6.8b  List of journals followed by endorsements P.Lips. 1 123 82

2.7  Byzantine sales: some aspects of the development of legal instruments in the later Roman and Byzantine period (Richter) 83

2.7.1  Greek–Coptic specimen forms of sales on delivery CPR iv 34, lines 1–41 92

2.7.1a  Sale on delivery of reeds CPR iv 34, lines 1–14 93

2.7.1b  Sale on delivery of Kouphon-vessels CPR iv 34, lines 15–41 94

3  The languages of law 96

3.1  Introduction 96

3.1.1  Greek loan by Apollonia P.Dryton 19 101

3.1.2  Greek will by Dryton P.Dryton 3 105

3.1.3  Greek petition from Dryton’s daughters P.Dryton 34 107

3.1.4  Demotic divorce agreement for Dryton’s granddaughter P.Dryton 8 109

3.2  Greek and Demotic in the Roman Fayyum (Muhs) 110

3.2.1  Demotic house sale and cession with Greek registration

P.Brit.Mus. 262 + M.Chr. 181 111

3.2.2  Greek sale of a priest’s dwelling with Demotic subscription

P.Ryl. ii 161 115

3.2.3  Greek subscription to a Demotic contract of sale P.Mich. v 301 117
3.3 Roman law in Egyptian documents (Keenan) 118

3.3.1 Roman will (*testamentum per aes et libram*) BGU i 326 121
3.3.2 Military diploma *CIL* xvi 122 126
3.3.3 Formal opening of Roman wills 128

3.3.3a Request to open a will *M.Chr* 309 129
3.3.3b Report of proceedings *P. Oxy*. lv 3758, lines 134–55 129
3.3.3c Opening of a will *P.Coll.Youtie* i 64, lines 18–20 130
3.3.3d Opening of a will *P.Oxy*. xxii 2348, lines 50–56 130

3.3.4 *Cretiones* (formal acceptances of inheritances) 130

3.3.4a *Cretio FIRA* iii 59 131
3.3.4b *Cretio FIRA* iii 60 132

3.3.5 Bilingual request for a guardian *P.Oxy*. xii 1466 133

3.4 Greek and Coptic in the Byzantine era (Richter) 134

3.4.1 The sociolinguistics of Greek and Coptic in Byzantine Egypt 134
3.4.2 Greek–Coptic interferences from a linguistic point of view 136
3.4.3 Greek–Coptic interferences in Byzantine and early Islamic documentary evidence 138
3.4.4 Greek–Coptic interferences in the legal documents 140

4 The family 145

4.1 Marriage (Manning) 149

4.1.1 Ptolemaic Demotic marriage contract *P.Louvre* 2433 150
4.1.2 Greek marriage contract BGU iv 1052 151
4.1.3 Byzantine marriage contract *P.Cair.Map* i 67310 + *P.Lond*. v 1711 152

4.2 Divorce (Urbanik) 154

4.2.1 Repayment of part of a dowry *P.Lond*. i 178 163
4.2.2 Divorce settlement *P.Strat*. 111 142 165
4.2.3 Divorce settlement *P.Cair.Map*. ii 67153 166
4.2.4 Petition for unilateral divorce *P.Cair.Prei*. 2–3 171
4.2.5 Petition to the *stratêgos* *P.Lond*. v 1651 172
4.2.6 Courtroom speech on behalf of an abandoned orphan *P.Lips*. 1 41 173

4.3 The Romanization of family law (Arjava) 175

4.3.1 Sale of land by siblings *P.Vind.Bouw*. 6 182
4.3.2 Request for a guardian *P.Oxy*. xxxiv 2710 185
4.3.3 Request for the *ius trium liberorum* *P.Oxy*. xii 1467 186
4.3.4 Inheritance on condition of emancipation from paternal power *CPR* vi 78 187
4.3.5 Joint sale of land by father and son *P.Oxy*. ix 1208 188

4.4 Fatherless persons (Malouta) 191

4.4.1 Request for a guardian *P.Diog*. 18 193
4.4.2 Census return with property of a fatherless woman BGU i 90 et al. 194
4.4.3 Registration of a child with fatherless parents *P.Petasus* 2 196
Contents

4.4.4 Application for the corn dole in Oxyrhynchus P.Oxy. xl 2913 Col. 11 197
4.4.5 A case of concealed fatherlessness P.Lond. 11 324 198
4.4.6 Census return of the ex-husband of a fatherless woman SB xxiv 1987 200

4.5 Deeds of last will: Demotic, Greek, and Latin (Clarysse)
4.5.1 Donation of the woman Neskhonsu to her son P.Brit.Mus. Andrews 1 203
4.5.2 Will of the officer Dion, including manumission of slaves P.Petrie i 2 3–38 205
4.5.3 Will of the cavalry officer Dryton on the occasion of his marriage P.Dryton 2 207
4.5.4 Division of property among the children (donatio mortis causa) P.Mil.Vogl. ii 84 210
4.5.5 Draft of a Roman will (testamentum per aes et libram) P.Oxy. xxxviii 2857 212

4.6 Intestate succession (Anagnostou-Cañas)
4.6.1 Inheritance of soldiers’ land allotments 214
4.6.1a Rules of an ordinance (prostagma) BGU iv 1185 214
4.6.1b Petition regarding succession SB vii 1 9790 215
4.6.2 Legitimacy and inheritance 216
4.6.2a A prefect’s decision about soldiers’ marriages P.Catt. recto Col. iv, lines 1–15 216
4.6.2b Imperial constitution about rights of soldiers’ children BGU i 140 217
4.6.3 Minutes of court trial: representation in succession BGU i 1 19, lines 1–19 218
4.6.4 Minutes of court trial: limits to freedom of testation CPR i 1 18 220
4.6.5 Application for succession to an inheritance 222
4.6.5a Bilingual request for bonorum possessio SB i 1010 223
4.6.5b Request in Greek for bonorum possessio SB vii 1 9298a+b 224
4.6.6 Devolution of inheritances without heirs BGU v 1210 §4 224

5 Capital
5.1 Ptolemaic Demotic loans (‘Markiewicz)
5.1.1 Loan with conditional sale P.Schreibertrad. 14 229
5.1.2 Loan of wheat P.Dryton 27 231
5.1.3 Partial repayment of a money loan P.Chic.Haw. 10 233
5.1.4 Litigation over a loan O.Tempeleide 150 234

5.2 Ptolemaic Greek loans (Vandorpe)
5.2.1 Loan secured against mortgage (hypothèke) of a house P.Tebt. iii 1 817 236
5.2.2 Six-witness loan contract of wheat P.Dion. 16 238
5.2.3 Notarial loan contract of wine P.Amh. ii 48 240
Contents

5.2.4 Repayment of a loan of money P.Dryton 21 242
5.3 Greek loans in the Roman period (Lerouxel) 242
  5.3.1 Loan of wheat and barley P.Kron. 9 244
  5.3.2 Loan of money SB xii 107b6 245
  5.3.3 Cancellation of a loan contract (synchrôsis) P.Oxy. xxvii 2.471 247
  5.3.4 Private letter about redemption of pawned clothing P.Oxy. 111 530, lines 1, 10–32 248
5.4 Real security (Rupprecht) 249
  5.4.1 Personal pledge of jewelry as security for a loan Stud.Pal. xx 2 252
  5.4.2 Loan secured against mortgage (hypobôkē) of a house P.Tebt. 111.1 817 253
  5.4.3 Loan against mortgage (hypallagma) P.Ryl. 11 177 254
  5.4.4 Mortgage in the form of a menein-contract P.Oso. 11 40a 256
  5.4.5 Greek loan with a Demotic sale of property 258
  5.4.5a Greek loan contract SB xii 10864 258
  5.4.5b Demotic sale and cession DDD 111 23 259
  5.4.6 Procedure for execution against a debtor’s property BGU xiv 2376 259
5.5 Loan contracts serving other purposes (Kreuzsaler) 265
  5.5.1 Loan with antichretic lease P.Mich. 111 188 267
  5.5.2 Loan with paramonê P.Mich. x 587 269
  5.5.3 Loan with paramonê P.Coll.Youtie 11 92 271
  5.5.4 Deposit concealing a dowry BGU 111 729 274
6 Sale 276
  Introduction 276
  6.1 Demotic sales and cessions (Depauw and Manning) 279
    6.1.1 Demotic sale and cession of a house P.Fam.Theb. 3 + 4 280
    6.1.2 Demotic sale of land P.Brit.Mus. Andrews 28 282
  6.2 The different applications of the Demotic sale and cession contract (Depauw and Manning) 285
    6.2.1 Demotic mortgage in the form of a sale P.Brit.Mus. Glanville 10525 287
    6.2.2 Demotic sale with deferred delivery P.Recueil 4 289
    6.2.3 An early Demotic quitclaim P.Tsenhor 15 291
    6.2.4 A Demotic quitclaim after judgment P.Teos and Thabis 4 292
    6.2.5 An unregistered Demotic quitclaim P.Brit.Mus. 262 293
  6.3 The Greek sale of real property (Jakab) 294
    6.3.1 Sale of shares of a house P.Oxy. 1 99 294
    6.3.2 Sale of a house P.Oxy. 17 719, lines 13–29 296
    6.3.3 Sale of shares of a house P.Mich. x 583 298
    6.3.4 Sale of a house at auction SB v 7618 300
    6.3.5 Sale of agricultural land P.Ryl. 11 164, lines 1–15 302
    6.3.6 Sale of a vineyard P.Mich. v 274 303
  6.4 Sales of movables (Bagnall) 304
    6.4.1 Sale of cows P.Sarap. 10 307
    6.4.2 Sale of a cow P.Sarap. 11 307
Contents

6.4.3 Sale of a horse P.Sakaon 62 308
6.4.4. Sale of a donkey O.Ber. 11 135 309
6.4.5 Sale of a camel P.Oxy. 1lvii 3915 310
6.4.6 Sale of a loom P.Oxy. xiv 1705 311
6.4.7 Sale of a dining couch P.Oxy. x 1277 313
6.4.8 Sale of wood P.Stras. 111 184 314
6.5 State registration of sales: the katagraphê (Yiftach-Firanko) 314
6.5.1 Sale of land BGU xiv 2398 315
6.5.2 Sale of land P.Adj. 13 316
6.5.3 A law of the autonomous city of Alexandria P.Hal. 1 Col. xi 318
6.5.4 Sale of house and land P.Vind.Sal. 4 recto 321
6.5.5 Gift of a vineyard P.Mich. v 266 323
6.6 The Byzantine era: Greek, Coptic, and Arabic sales (Richter) 325
6.6.1 Greek sale of parts of a house P.Münch. 1 11 326
6.6.2 Coptic sale of a courtyard P.KRU 6 330
6.6.3 Coptic sale of an estate P.Mon.Apollo 24 332
6.6.4 Late Coptic sale of two rooms P.Lond.Copt. 1 673 333
6.6.5 Late Coptic sale of a house P.Tebtill 2 334
6.6.6 Arabic sale of parts of a house P.Cair.Arab. 1 57 336

7 Leases

7.1 Ptolemaic Demotic land leases (Martin) 339
7.1.1 Demotic lease of temple land P.Brit.Mus. EA 10560 345
7.1.2 Demotic lease of temple land P.Brit.Mus. EA 10230 355
7.1.3 Demotic lease of temple land to a Greek cavalry officer P.Brit.Mus. EA 10597 358
7.1.4 Demotic lease of land from the Roman period P.Tebt.Botti 1 361

7.2 Kleruchic land in the Ptolemaic period (Thompson) 363
7.2.1 Extract from the “Revenue Laws” of Ptolemy Philadelphos P.Rsv. 36, lines 3–19 364
7.2.2 Extract from official correspondence on deceased cavalrymen P.Hib. 1 81, lines 12–18 365
7.2.3 Official correspondence about a military reassignment P.Tebt. 1 32 366
7.2.4 A series of royal rulings P.Tebt. 1 124, lines 23–45 368
7.2.5 Extract from a Greek land survey P.Haun. inv. 407, lines 33–62 370
7.2.6 Demotic division of family property (docket in Greek) P.Moscow 123, lines 1–2 371

7.3 Greek leases in the Ptolemaic and Roman periods (Rowlandson and Takahashi) 373
7.3.1 Lease of land of the Apollonios estate P.Col. 111 54 373
7.3.2 Lease of half a klêros P.Frankf. 2 375
7.3.3 Lease of a house in Alexandria BGU iv 1116 377
7.3.4 Sharecropping lease of a vineyard P.Suter 2 379
7.3.5 Application to lease the property of orphans P.Amb. 11 85 381
## Contents

7.3.6 Prolonged leasehold of the Kronion family 382
7.3.6a Receipt for rent P.Kron. 27 383
7.3.6b Application to withdraw from lease P.Kron. 29 383
7.3.7 Prodromatic sub-lease of public land W.Chr. 339 384
7.3.8 Lease of fishing rights with receipt P.Turner 25 385
7.3.9 Lease of land P.Fouad 43 386
7.3.10 Lease of a pottery P.Oxy. 1 3597 387
7.3.11 Lease of "immortal" goats P.Stras. 1 30 388
7.3.12 Lease of land SB xii 10982 389

7.4 The Byzantine era: Greek, Coptic, and Arabic leases (Richter) 390
7.4.1 Coptic misthôsis-lease of a part of a house CPR iv 114 391
7.4.2 Coptic lease of a house, written on an ostracon O.Crum Ad. 15 392
7.4.3 Greek misthôsis-lease of arable land P.Lond. 111 1012 393
7.4.4 Coptic misthôsis-lease of a "waterless aroura" of land CPR iv 117 395
7.4.5 Coptic misthôsis-lease with waterless clause O.CrumVC 33 396
7.4.6 Coptic epitropê-lease with sharecropping agreement BKU 1 48 397
7.4.7 Late Coptic lease of a tenancy "without survey" P.Lond.Copt. 1 487 398
7.4.8 Arabic lease of a tenancy "without survey" Chrest.Khoury ii 11 29 399

8 Labor 401

8.1 Ptolemaic (Greek) labor contracts (von Reden) 402
8.1.1 Contract for land clearance P. Cair. Zen. ii 59182 405
8.1.2 Labor contract P.Corn. 4 407
8.1.3 Contract for maintenance of irrigation canals P.Petrie 111 43 (2) rectoCols. 111-111, line 7 408
8.2 Roman and Byzantine labor contracts (Jördens) 410
8.2.1 Contract for labor in an olive mill P.Fay. 91 412
8.2.2 Service contract for a swineherd P.Oxf. 10 414
8.2.3 Work in a tapestry-making workshop secured by an interest-free loan P.Oxy. lxii 11 4353 416
8.2.4 Redemption of a sister bound by a service contract P.Coll.Youitie 11 92 417
8.2.5 Weaver's apprenticeship contract P.Oxy.Hels. 29 419
8.2.6 Wet-nursing contract BGU iv 1106 420
8.2.7 Contract for substitution in a liturgy P.Oxy. xxxvii 2839 422
8.2.8 Contract for services of a fluteist at vintage time CPR xvii A 19 424
8.2.9 Contract for transportation of manure P.Col. x 225 425
8.2.10 Lease of labor in a vineyard P.Oxy. xlvi 1354 425
8.2.11 Contract for irrigation of a vineyard P.Grenf. 1 58 428
8.2.12 Sharecropping lease P.Lond. ν 1694 429

8.3 Dependent labor: the case of the enagographoi geôrgoi (Haug) 430
8.3.1 Contract for vineyard labor P.Oxy. xiv 1692 432
8.3.2 Receipt for a waterwheel SB vi 9503 433
xv

Contents

8.3.3 Advance on wages P.Oxy. 1 194 435
8.3.4 Deed of surety P.Oxy. xxvii 2478 438

9 Slavery in Greco-Roman Egypt 442
Introduction 442
9.1 Slaves and slavery in the Ptolemaic period (Scholl) 446
9.1.1 Rules on slaves in lawsuits P.Lille i 29 447
9.1.2 More rules on slaves in a lawsuit P.Hal. i Col. viii–ix 449
9.1.3 Registration of households, including houseborn slaves P.Harr. i 61, lines 1–15 450
9.1.4 Extract from a royal ordinance on taxes and fees on slave sales P.Col. i 480, lines 1–22 451
9.2 Slaves and slavery in the Roman period (Straus) 452
9.2.1 Investigation into the death of a slave P.Oxy. iii 475 455
9.2.2 Request for the interrogation of a slave (anakrisis) PSI xi 1254 456
9.2.3 Selection of a slave boy (epikrisis) P.Oxy. iv 714 457
9.2.4 House-to-house return with “married” free woman and slave man P.Brux. i 19 459
9.2.5 One-third of a slave is manumitted, two-thirds to be sold P.Oxy. iv 716 460
9.3 Slaves and slavery in the Byzantine period (Rotman) 461
9.3.1 Letter concerning the enslavement of a debtor’s children P.Lond. vi 1915 464
9.3.2 Husband’s letter about his wife, a free person now enslaved SB iii 6097 466
9.3.3 Affidavit concerning a woman’s free status SB xvii 13274 467

10 The judicial system in theory and practice 470
Introduction 470
10.1 Ptolemaic justice (Mélèze Modrzejewski) 471
10.1.1 A sentence of the chrêmatistai P.Eleph.Wagner 1 473
10.1.2 Petition concerning usury and illegal detention P.Col. iv 83 473
10.1.3 Trial in Krokodilopolis P.Petrie iii 21 gþP.Gur. 2 475
10.1.4 Chrêmatistai and laokritai P.Tebt. i 5, lines 207–20 476
10.2 The Politeuma (Mélèze Modrzejewski) 477
10.2.1 “Citizens” and “strangers” P.Polit.Jud. 1 478
10.2.2 Juridical function of the oath P.Polit.Jud. 3 479
10.2.3 Unhappy bridal arrangement P.Polit.Jud. 4 480
10.2.4 A politeuma of the Idumaeans at Memphis OGIS 737 481
10.3 Roman litigation: reports of court proceedings (Palme) 482
10.3.1 Court proceedings: trial before a strategos about baby-snatching P.Oxy. i 37 487
10.3.2 Court proceedings: trial before a strategos about a loan and mortgage P.Fam.Tebt. 19 489
A centurion as index datus in an intestate inheritance

Petition to a centurion

Prefect’s edict limiting access to military courts

Bilingual report of proceedings before the military court of a dux

Petition about a violent attack

Application for an official medical examination

Doctor’s report

Warrants

Bilingual report of judicial proceedings

Governor’s edict on physical punishment

Bishops as arbiters in Christian Egypt

Letter for a prisoner’s release

Request from the villagers of Nesoi

Widow’s petition to Apa John

Letter from an imprisoned recruit

Letter concerning a prisoner’s release

Concordance

Suggested reading for introductions to papyrology in English

Glossary of technical terms

Works cited
List of figures

2 New cheiographon *P. Sakaon* 64. © Heidelberger Gesamtverzeichnis der griechischen Papyrusurkunden Ägyptens. Image from www.papyri.info 48
3 Family tree of Apollonia alias Senmonthis, wife of Dryton 102
5 Military diploma. *T. Duk.* inv. 2. Duke collection 127
6 Testamenta, mesiteiai and diathēkai – distribution over time 148
7 The “multi-nuclear” family tree of Didymos son of Kallinikos and his three former wives (Tebtunis, AD 150–205/6) 156
8 Number of papyri per decade, AD 181–340, in which women appear acting with and without guardians 179
9 Will of cavalry officer. *P. Dryton* 2 208
12 Martha’s family 468
List of contributors

BARBARA ANAGNOSTOU-CAÑAS
CNRS, Paris

ANTTI ARJAVA
Secretary General, Finnish Cultural Foundation
Senior Lecturer
Institutum Classicum
University of Helsinki

ROGER S. BAGNALL
Professor of Ancient History and Leon Levy Director
Institute for the Study of the Ancient World
New York University

WILLY CLARYSSE
Emeritus
Department of Ancient History
KU Leuven

MARK DEPAUW
Head of Ancient History
KU Leuven

BRENDAN HAUG
Department of Classical Studies
The University of Michigan

ÉVA JAKAB
Chair, Department of Roman Law
University of Szeged
List of contributors

ANDREA JÖRDENS
Institut für Papyrologie
Universität Heidelberg

JAMES G. KEENAN
Professor of Classical Studies
Loyola University Chicago

CHRYSIE KOTSIFOU
Polonsky Postdoctoral Fellow
Van Leer Jerusalem Institute

CLAUDIA KREUZSALER
Austrian National Library
Department of Papyri

THOMAS KRUSE
Senior Research Scholar
Austrian Academy of Sciences
Institute for the Study of Ancient Culture
Division Documenta Antiqua

FRANÇOIS LEROUXEL
Maître de conférences
Université Paris IV
Paris Sorbonne

MYRTO MALOUTA
Lecturer in Greek Papyrology
Ionian University
Corfu, Greece

J. G. MANNING
The William K. and Marilyn M. Simpson Professor of History and Classics
Yale University

†TOMASZ MARKIEWICZ
Department of Papyrology
Institute of Archaeology
University of Warsaw

CARY J. MARTIN
Honorary Research Associate
List of contributors

Institute of Archaeology
University College London

Joseph Méleze Modrzejewski
Professor Emeritus of Ancient History
Directeur d’études à l’École pratique des hautes études, Paris

Brian P. Muhs
Associate Professor of Egyptology
The Oriental Institute
The Department of Near Eastern Languages and Civilizations,
and the College at the University of Chicago

Bernhard Palme
Professor of Ancient History and Papyrology
University of Vienna

Prof. Dr. T. Sebastian Richter
Fakultät für Geschichte, Kunst- und Orientwissenschaften
Ägyptologisches Institut
Universität Leipzig

Youval Rotman
Senior Lecturer
Department of Jewish History
Tel Aviv University

Jane Rowlandson
Department of Classics
King’s College London

Hans-Albert Rupprecht
Emeritus
FB Rechtswissenschaften
Philips-Universität Marburg

Georg Schmelz
Institut für Papyrologie
Universität Heidelberg

Reinhold Scholl
Professor of Ancient History
Universität Leipzig
List of contributors

JEAN A. STRAUS
Senior Lecturer
Université de Liège

RYOSUKE TAKAHASHI
Lecturer in History
Kawamura Gakuen Woman’s University
Abiko, Japan

DOROTHY J. THOMPSON
Fellow of Girton College
University of Cambridge

JAKUB URBANIK
Chair of Roman and Antique Law
Faculty of Law and Administration
University of Warsaw

KATELĲN VANDORPE
Professor of Papyrology and Ancient History
KU Leuven

SITTA VON REDEN
Professor of Ancient History
University of Freiburg

URI YIFTACH-FIRANKO
Senior Lecturer
Department of Classics
Hebrew University
Preface

The idea for this book dates back a decade or so as one of the editors (JGM) came to believe that legal papyrology was being relegated to an ever-diminishing corner of ancient history. Papyrology itself, the decipherment and interpretation of documents written (mostly) on the ancient paper called papyrus, recovered (predominantly) from Egypt, is a highly technical, and therefore somewhat naturally isolated, discipline. The use, or neglect, of papyrological publications by ancient historians not trained as papyrologists remains a matter of constant concern. In addition, even if (from our perspective) the lesser languages of the wider discipline (e.g., Aramaic, Pahlevi) and the earlier forms of Egyptian are set aside, the field has traditionally suffered a linguistic split between Greek (and Latin) documents on the one side, and Egyptian documents (Demotic, Coptic) on the other. The former tend to be the concern of those classicists who have chosen to “major” in papyrology, the latter the concern of Egyptologists. Still more, the legal scholarship on the corpora of published documents in both language sets is predominately written in German. The present volume, accordingly, aims to introduce readers to this major source of ancient legal documents, to heal the linguistic divide by including documents in both major language traditions, and to distill the literature of juristic scholarship based on these texts for the benefit of the reader in English. We present in this volume some texts that are well known to papyrologists, others that have hardly been studied. The selection is limited to documents from Egypt.

The editors first met during the 24th International Congress of Papyrology in the Summer of 2004 in Helsinki to discuss the outline of the book with many of the present contributors. We had hoped to finish sooner, but the usual delays in projects with more than thirty contributors came in the way. Accidentally therefore, if not providentially, the present volume reached its final form a little over a century after Mitteis and Wilcken’s four-volume Grundzüge und Chrestomathie der Papyruskunde
was published in 1912. The present volume is in no way intended as a challenge or replacement to Mitteis’ half of that endeavor (perish the thought!), but as an updated supplement. We nonetheless hope that this book will find a wider audience for its subject. It presupposes that there are legal historians of other times and places and students of ancient history who would wish to have an introduction to legal papyrology and access to samples of its rich variety of texts. We intend this volume to serve just such an audience. We present it as a work that provides an entrée into the field of legal papyrology, one that will give the reader a sense of the debates in the field along with an orientation to the types of texts preserved and to the subject’s large bibliography. It is not a comprehensive guide nor is it a formal analysis of the system of law in any of the periods covered. That would demand a different and even larger volume. Rather we present here texts that reflect “law in action,” evidence for how people used legal texts in “negotiating daily life,” to borrow from the book title of our Yale colleague Valerie Hansen (Negotiating Daily Life in Traditional China: How Ordinary People Used Contracts 600–1400, Yale University Press, 1995).

A major difference between this volume and Mitteis’ volumes is its range. The latter work concerned itself only with Greek and Latin texts. Its Chrestomathie presented the Greek and Latin originals without translations. The current one attempts to integrate Egyptian documents (Demotic, Coptic) and to blend the two usually distinct juristic scholarly traditions, classical and Egyptological. We also include more late material – though the Byzantine period is still not as well represented as it might have been. The fault may lie in the lesser attention devoted to the Byzantine period over the years (until lately), the original schema of topics set for consideration back in 2004 (as concretized in the present Table of Contents), or the special interests of scholars who were invited to contribute – or a combination of the above. While recognizing the problems of periodization, we have included under “Byzantine” several non-Greek documents that postdate the period and are not properly Byzantine. Whatever the reasons, the law of the Byzantine Egyptian papyri remains a field that begs special attention.

The reader will notice that a diversity of contributors results in a variety of forms, interests, and approaches. We have tried, as far as possible, to standardize citations, formatting, and translations of technical vocabulary while leaving personal freedoms intact. The reader may find a particular interest in distinguishing the (perhaps) more formal approach to the documents as evidenced in continental scholarship from the (perhaps)
more sociological approach in Anglo-American scholarship. Some contributors give more material and textual information about their documents than do others. We were unable to supply parallel information for the rest, but simultaneously reluctant, just for uniformity’s sake, to strip valuable information out when it was already present. The introduction to each chapter was mainly written by the editors, often with material supplied by the individual contributors.

A number of special problems need mention. We use the word Demotic to signify that particular stage of the ancient Egyptian language, and implicitly the script in which it was written. When information from the alternate side of a document is provided in translation we accept the contributor’s identification of that side as a verso or a back, or reverse, side; this is a technical detail that need not concern our readers and something that can only be verified by inspection of each individual papyrus, impossible under the circumstances. In Ptolemaic dates, we have preferred keeping the three traditional Egyptian seasons based on the Nile’s flood and ebb. In Roman dating formulas, we have a preference for “Emperor” (with capital E), representing the Greek autokratôr, but the reader will still find from time to time autokratôr’s Latin equivalent Imperator in places where that seemed more elegant or appropriate. In translation from the Greek, we prefer writing out numbers when they are written out in the original (e.g., seven or seventh), using ciphers in English when there are ciphers in Greek (e.g., 7 or 7th). A Greek phrase found in clauses at the ends of many documents, kathaper ek dikês (“as if from a legal decision”), is variously rendered by contributors, but should be recognizable even in such variety. No doubt other inconsistencies remain; we can only hope that they do not detract from the readers’ understanding when similar or the same meanings and the same linguistic phrases in the original are at issue.

Beyond the illustrations in the present volume, readers interested in considering in further detail the physical papyri upon which these and the volume’s other legal texts have been written can find images of many of the Greek papyri by consulting www.papyri.info and using the codes for volume abbreviations to track individual papyri. We mark in their headings each text for which we have found this is possible. The same source will direct the reader to relevant printed plates. Online resources for Demotic and Coptic documents do not yet equal those for the Greek, but we try to indicate where photographic plates are conveniently available.

The editors wish to express a number of debts. Manning and Keenan met in Ann Arbor in June 2011 to do some final vetting of the manuscript.
One can find no better place than the University of Michigan and its famed Hatcher Library Room 807 in which to work. We are grateful to Arthur Verhoogt, Terry Wilfong, and Adam Hyatt for providing ideal surroundings in which to do this work, and for great company at day’s end. We thank Jane Rowlandson for assistance with the editing of Chapter 9. We are grateful to the two anonymous Press readers who went through an early draft of the manuscript and produced numerous helpful ideas and criticisms. We thank all the contributors for their patience in sticking with the project through thick and thin. Additionally JGM would like to thank Peter Raulwing and Nicholas Venable of Yale College for their editorial assistance in the final editing of the volume, and to acknowledge the Earhart Foundation (Ann Arbor, Michigan) for a generous grant used in the initial phases of research. We are very grateful for the fine editorial skills of Malcolm Todd, copy-editor. Finally, but hardly least, we acknowledge Michael Sharp of Cambridge University Press, whose patience and encouragement over the years were essential both for the project’s continuation and its completion.

Some contributions were received early in the process of composing this book, others somewhat later on. Editorial work at times proceeded feverishly, but there were intervals, some of them lengthy, of respite. The book received its final pre-press editing in April 2012, but by that time all contributions had been in hand for five years. All contributors provided rich bibliographies for their topics, but it has not been possible to bring these systematically up to date. Contributors should be exonerated for any fault in this regard.
## Calendars

<table>
<thead>
<tr>
<th>Egyptian season</th>
<th>Egyptian month name</th>
<th>Macedonian month name</th>
</tr>
</thead>
<tbody>
<tr>
<td>First of Akhet</td>
<td>Thoth</td>
<td>Dios</td>
</tr>
<tr>
<td>Second of Akhet</td>
<td>Phaophi</td>
<td>Apellaïos</td>
</tr>
<tr>
<td>Third of Akhet</td>
<td>Hathyr</td>
<td>Aúdaios</td>
</tr>
<tr>
<td>Fourth of Akhet</td>
<td>Choiak</td>
<td>Peritios</td>
</tr>
<tr>
<td>First of Peret</td>
<td>Tybi</td>
<td>Dystros</td>
</tr>
<tr>
<td>Second of Peret</td>
<td>Mecheir</td>
<td>Xándikos</td>
</tr>
<tr>
<td>Third of Peret</td>
<td>Phamenoth</td>
<td>Artemesios</td>
</tr>
<tr>
<td>Fourth of Peret</td>
<td>Pharmouthi</td>
<td>Daisios</td>
</tr>
<tr>
<td>First of Shenú</td>
<td>Pachon</td>
<td>Panemos</td>
</tr>
<tr>
<td>Second of Shenú</td>
<td>Payni</td>
<td>Loios</td>
</tr>
<tr>
<td>Third of Shenú</td>
<td>Epeíph</td>
<td>Górpiaios</td>
</tr>
<tr>
<td>Fourth of Shenú</td>
<td>Mesoíre</td>
<td>Hyperberetáios</td>
</tr>
</tbody>
</table>
Abbreviations

We follow the standard abbreviations for ancient texts cited in this volume. For papyri, see J. F. Oates et al., Checklist of Editions of Greek and Latin Papyri, Ostraca and Tablets, 5th edn., available online at: http://scriptorium.lib.duke.edu/papyrus/texts/clist.html.

We follow the Periodical and Instrumenta abbreviations listed in the Checklist with the additions listed below.

For the texts of published Greek documents in this volume, see the Papyrological Navigator at: http://papyri.info/

The following cited abbreviations are listed for convenience:

CTh Codex Theodosianus.
DDBDP Duke Databank of Documentary Papyri. See now: http://papyri.info/
LexÄg Lexikon der Ägyptologie. Wiesbaden.
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thompson</td>
<td>Select Papyri. The Loeb Classical Library. 3 vols.</td>
</tr>
</tbody>
</table>
Map 1. Egypt, showing key sites of papyrus finds