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Jewish Life in Egypt in the Light of the Herakleopolis Papyri

(With a Translation of the Papyri)*

The paper presents the 20 papyri from the Jewish *politeuma* of Herakleopolis from the second century BCE (with translation of the relevant parts of the papyri) and discusses possible conclusions in regard of Jewish life in Egypt at that time, and the significance of a *politeuma*.

Keywords: *Politeuma*; Judaism in Egypt; Jurisdiction; Law of the Fathers; Septuagint

Jewish life in Egypt existed for a long time, and there are many sources for it. However, we still would like to know more, not the least for the Hellenistic period.¹ Therefore, any new information is welcome. The papyri from Herakleopolis (modern Ichnasya El-Madina), published in 2001, indeed render new information, not about a big center but about a small to middle sized, yet not unimportant town in Egypt's rural area, located between Lower Egypt and Upper Egypt and the Fayyum.² As the papyri are juridical

* My thanks go to Sylvie Honigman and to Elisabeth Frey for their remarks and for improving the English style of this paper. Any mistakes remain in my responsibility.

1 On the Ptolemaic era and empire see e.g. G. Hölbl, *History of the Ptolemaic empire* (London: Routledge, 2001).

2 J. Cowey and K. Maresch, *Urkunden des Politeuma der Juden von Herakleopolis (144/3–133/2 v. Chr.) (P. Polit. Iud.): Papyri aus den Sammlungen von Heidelberg, Köln, München und Wien* (Abhandlungen der Nordrhein-Westfälischen Akademie der Wissenschaften; Sonderreihe: Papyrologica Coloniensia XXIX; Wiesbaden: Westdeutscher Verlag, 2001), 1–2. For the reactions to this publication, see the review essays by S. Honigman, “The Jewish *Politeuma* at Heracleopolis,” *SCI* 21 (2002): 251–266; and A. Kasher, “Review,” *JQR* 93 (2002): 257–268.

After completion of this paper in April 2020, there appeared vol. 4 of *Corpus Papyrorum Judaicarum (CPJ)*, ed. by Noach Hacham and Tal Ilan, based on the work of the late Itzhak Fikhman (Berlin: de Gruyter, 2020).

Under Numbers 557–577 also the papyri from “The Archive of the Jewish *Politeuma* in Herakleopolis” are presented (86–134). The translation and the extensive discussion (basically by R. Kugler, I. Fikhman and Zs. Szántó) is in most cases close to that of

documents, their scope is limited, yet they allow an interesting glimpse into the daily life of the Jewish community, even a *politeuma*, in this town in the second century BCE. Although papyri from Herakleopolis and the Herakleopolite district had been published before, so far the information was only sparse.³

1. The Documents

1.1 Origin and Publication of the Papyri

The papyri have been assembled from mummy cartonnage. Most of them (numbers 1, 2, 4, 5, 10–12, 15, 16, 18–20) are kept in Heidelberg and have been discussed by James Cowey in his Heidelberg dissertation of 2000. Those kept in Munich and Cologne (nos 3, 6–9, 13, 14, and 17) have been discussed by Klaus Maresch.⁴ They were published afresh as *P.Polit.Iud.* in 2001.⁵ Originally, the papyri come from Herakleopolis, the capital of the Herakleopolite district (*nomē*). It had some importance in the region, especially because of its fortress and its harbor. A high number of Jews lived and worked there, especially in the area of the harbor, and many also may have served at the fortress.⁶

1.2 Shape and Time of the Papyri

The state of preservation of the papyri differs, some being easy to read, while others are damaged and hard to decipher, and some are fragmentary. The sheets had been cut off from scrolls of papyrus (30–32 cm high) in the

Cowey and Maresch and to what I say in the following. Because of limitation of space, only a few agreements or divergences can be mentioned.

3 On the Herakleopolis fortress, see J.M.S. Cowey *et al.*, *Das Archiv des Phrurarchen Dioskurides (154–145 v. Chr.?) (P.Phrur.Diosk.): Papyri aus den Sammlungen von Heidelberg, Köln, München und Wien* (Papyrologica Coloniensia XXX; Paderborn: Schöningh, 2003).

4 Papyrologia colonensia: <http://www.uni-koeln.de/phil-fak/ifa/NRWakademie/papyrologie/PPolitIud/vern.html> (with pictures of the Cologne papyri and links to the others) (accessed on February 03, 2023).

5 See Cowey and Maresch, *Urkunden*.

6 Cowey and Maresch, *Urkunden*, 12. The earliest document about Jewish presence so far known is *P.Hib. I 96* (= *CPJ I*, 18), from ca. 260 BCE, a contract between Andronikos, *Ioudaios* (?), and Alexander, son of Andronikos, *Ioudaios*. From the second or first century BCE there are some stelae from a Jewish cemetery in Sedment, only 7 km from Herakleopolis. See Cowey and Maresch, *Urkunden*, 1–2.

width, as it was needed for one column (9–15 cm). Most are inscribed on both sides (*i. e.*, with some lines of endorsement on the reverse). Some also display some words couched on the margin. Most papyri are written in the upright, but nos 18–20 are turned to the horizontal (*charta transversa*).⁷

Although they were written by different hands, the papyri evidently belong closely together and may paleographically be dated to the later half of the second century BCE. As juridical documents, they bear dates, which range from the 27th to the 38th year of the ruling king. As the reign of Ptolemy VI ended in its 36th year, the dates must refer to the rule of Ptolemy VIII Euergetes,⁸ and in all likelihood all the papyri were indeed written in his days, *i. e.*, between 144/3 and 133/2 BCE.⁹

2. The Jewish *Politeuma*

In view of the long-standing debate about the reality of a Jewish *politeuma* in Alexandria as mentioned in the Letter of Aristeeas (§ 310), a most interesting information of the documents is that the Jewish community in Herakleopolis formed a *politeuma* with its own officials. In the Letter of Aristeeas the new translation of the Thora into Greek is presented to the Jewish community, which is called the *politeuma*. Whereas it is doubtful that the Jewish community was already a *politeuma* during the reign of Ptolemy II (286–246 BCE), the mention of this institution in the Letter would hardly make sense unless there indeed was one in the time of the author (around 125 BCE) and presumably already some decades earlier.¹⁰ There are other mentions of Jewish *politeumata*, but they belong to later Ptolemaic or to Roman times.¹¹

⁷ Cowey and Maresch, *Urkunden*, 33–34.

⁸ Counting his rule from 169 to 116 BCE.

⁹ Cowey and Maresch, *Urkunden*, 1.

¹⁰ See also Cowey and Maresch, *Urkunden*, 4–5: “Der Bericht ist zwar von zweifelhaftem historischem Wert, aber der Brief konnte ein Politeuma der Juden wohl nur erwähnen, wenn es ein solches zumindest zur Lebenszeit des Verfassers tatsächlich gegeben hat.” Moreover, to my mind, it must have been established for some decades at least, to explain that the readers would believe that it existed also in the time the letter tells about. (For Fikhman, *CPJ* IV, 87, the *politeuma* of Herakleopolis “proves the historicity of the *politeuma* of Alexandria mentioned in the letter of Aristeeas 310,” evidently for the time of Ptolemy II already, which is questionable if regular *politeumata* were established only around 200 BCE; see n. 12, P. Sängner).

¹¹ Cowey and Maresch, *Urkunden*, 6.

While the papyri show that a well-functioning *politeuma* was established in Herakleopolis, thereby confirming the existence of *politeumata* in Alexandria and some other places, the question remains of when this institution was created. Patrick Sanger in his detailed research on the *politeumata* in the Hellenistic period has shown that in their specific form the *politeumata* were most probably instituted in the early second century BCE. It seems that they first emerged in military communities and were aimed to ensure that their members, especially soldiers, would feel at home in the Ptolemaic state and identify with it. The *politeuma* did not contravene to state law: as an institution, it was fully incorporated within the Ptolemaic empire and its administration. However, even though membership in a *politeuma* did not entail a different status compared to the rest of the population, it evidently was a matter of prestige and therefore also of identification with the specific community.¹²

2.1 The Area of Influence

The Herakleopolis papyri refer to individuals belonging to the Jewish community in Herakleopolis, but also to others in town as well as to people living outside it. The center of the affairs reported in the papyri is the town of Herakleopolis and its Jewish community. As only the inhabitants of Herakleopolis referred to themselves as members of the *politeuma*, it seems to have encompassed only the area of the town.

However, it also had considerable influence beyond it, as evidenced by the mentioning of several villages from the area (Onnes, Peempasbytis, Tebetnoi).¹³ Jews from these villages applied to the *archontes*, and the *archontes* could entrust the *presbyteroi* from these places with specific assignments, which means that they had some authority beyond the limits of the town and the *politeuma*. In three papyri it is mentioned that the *archontes* travelled outside Herakleopolis.¹⁴

12 P. Sanger, *Die ptolemaische Organisationsform politeuma: Ein Herrschaftsinstrument zugunsten judischer und anderer hellenistischer Gemeinschaften* (Texts and Studies in Ancient Judaism 178; Tubingen: Mohr Siebeck, 2019), passim, esp. 68–72 and 187–207. See also M. McGlynn, “The *Politeuma*: Guardian of Civil Rights or Heavenly Commonwealth in Ptolemaic and Roman Egypt,” *BN 161* (2014): 77–98 (esp. on Alexandria and the later development). (Sanger’s book is not yet known in *CPJ IV*).

13 There are some variations in the way the (place) names are written, especially Peempasbytis.

14 These observations may indicate that there was no other nearby *politeuma*. Probably the number of Jewish *politeumata* was not big, and *politeumata* were established

The people mentioned in the documents are Jews, as is often indicated by the addition *Ioudaios* to the personal names. They lived mainly in the town, but also at places in the vicinity. Interestingly, in some cases also a non-Jewish individual is mentioned. This means that also non-Jewish persons accepted or were expected to accept the decisions of the Jewish authorities.¹⁵

2.2 The Structure

The papyri do not inform us about the structure of the Jewish community in general, but they nonetheless disclose the structure of the *politeuma*'s court and some further institutions. The officials addressed to in the papyri are the *archontes*, who were headed by the *politarches*. The *archontes* are identified by the year, which indicates that they were elected annually (which would not rule out that some or many of them were reelected for a number of years). The same seems to be the case with the *politarches*. P.1 and P.2 address the *archontes* and the *politarches*, P.17 refers to a directive that was given by the *archontes* and the *politarches*. Probably the *politarches* was (also) elected for a year.¹⁶ He may have been a *primus inter pares*, so to speak. The number of the *archontes* remains unclear. In an inscription about a *politeuma* from Illyria, four *archontes* are mentioned besides the *politarches*.¹⁷ In the context of synagogues, sometimes ten elders are mentioned.¹⁸ However, concerning

at important towns with a larger Jewish population only. See Cowey and Maresch, *Urkunden*, 20.

- 15 In a paper that appeared after the completion of this article, K. Czajkowski and S. Wackeniier suggest that people were free to appeal to the state authority or to the *politeuma*, and that they turned to the *politeuma* because it would act faster. This is not impossible, but at least for the members of the *politeuma* with its own court, such a free approach seems unlikely; K. Czajkowski and S. Wackeniier, "Legal Strategies of Judaeans in Herakleopolis, Middle Egypt, according to the Archives of the Politeuma," *HeBAI* 9 (2020): 415–434.
- 16 This may be supported by the observation that this was the case with the *politarchai* in Macedonia; see Cowey and Maresch, *Urkunden*, II, n. 40.
- 17 Cowey and Maresch, *Urkunden*, II.
- 18 Interestingly, the famous Jewish inscription from Aphrodisias mentions a *dekania*, evidently a group of ten men who were responsible for the *patella*, i. e. a table for the poor people in the congregation and for travelers. However, this inscription is from Asia Minor and from a much later time (ca. 200 or even ca. 400 CE). J. Reynolds and R. Tannenbaum, *Jews and God-Fearers at Aphrodisias: Greek Inscriptions with commentary* (Cambridge: Cambridge Philological Society, 1987), 26–38. On the origins and the development of synagogues see S. Kreuzer, "Entstehung und Funktion(en) der Synagoge – zum Stand der Diskussion," in *Tempel, Lehrhaus, Synagoge: Orte jüdischen Gottesdienstes, Lernens und Lebens: Festschrift für Wolfgang Kraus* (ed. Christian Ebehrhart et al.; Paderborn: Schöningh, 2020), 1–31.

the number of *archontes* in a *politeuma* we can only assume that it may have varied from a few to probably not more than ten, depending also on the size of the community and maybe also on the duties ascribed to them. One has to keep in mind that the texts shed light on juridical matters only.

In most cases, the petitioners (and also the other persons) are explicitly identified as Jews.¹⁹ This may also serve as an indication that the petitioners had the right to apply to the *archontes* and that the *archontes* had the right to judge (and, if necessary, to coerce) them (see P.3).

The *archontes* have *hyperetai* (armor-bearers), aids who are authorized to fetch people and bring them to the court. Moreover, P.9 mentions an *hyperetes* in Peempasbytis who should send the culprit to the court in Herakleopolis, and evidently there are such persons also in the other communities. According to P.2, a petition to be released from the jail (cf. also P.17), there was also a jail to coerce people.

As the papyri by their very existence indicate, there must have been scribes, who must have served both for the court decisions and for writing the petitions. As noted above, the employment of several scribes may be induced from the observation of different scribal hands in the papyri and also from the fact that the handwriting of some of the petitions is quite irregular and hence looks rather unexperienced. Moreover, the writing material is of uneven quality.

2.3 The Names in the Papyri

While, as mentioned above, in many cases the persons are expressly identified as Jews, most of the names would not indicate this. According to the list given by Cowey and Maresch, there are 52 different names.²⁰ That Jews in Egypt bear Greek names is not new, however the Herakleopolis papyri strongly confirm this phenomenon.²¹ Many of the names, especially those comprising the element *theos* (8) fit a Jewish person quite well and

¹⁹ The exceptions can be explained in most cases: P.3 reflects the continuation of a conflict, which means that the identity of the persons was clear already. In P.4 and 5 their identity as Jews may be inferred from the fact that the *archontes* were addressed, and in P.4 the context further makes it clear. See Cowey and Maresch, *Urkunden*, II, n. 42.

²⁰ Cowey and Maresch, *Urkunden*, 30–32.

²¹ On the development and the relevance of Jewish names, see S. Honigman, “The Birth of a Diaspora: The Emergence of a Jewish Self-Definition in Ptolemaic Egypt in the Light of Onomastics,” in *Diasporas in Antiquity* (ed. S. J. D. Cohen and E. S. Frerichs; Brown Judaica Series 288; Atlanta: Scholars Press, 1993), 93–127. See also W. Ameling, “Die jüdische Gemeinde von Leontopolis nach ihren Inschriften,” in *Die Septuaginta – Texte, Kontexte, Lebenswelten* (ed. M. Karrer et al.; WUNT 219; Tübingen: Mohr, 2008),

look like the translation of a Hebrew name (e. g., Yonatan = Yhwh has given), but are religiously neutral as well: Dorotheos, Dositheos, Theodosios, Theodote, Theodotos, Theodoros, Theomnestos, Timotheos.

As in other sources, there are dynastic names (10): Alexandros, Antipatros, Berenike, Demetrios, Lysimachos, Nikaia, Ptolemaia, Ptolemaios, Philippa, Philippos. These names seem to express loyalty to the Ptolemaic dynasty. The largest group of names consists of other Greek names (27): Aithon, Ammonia, Andromachos, Andronikos, Apollodoros, Archagathos, Gelos, Euphranor, Zenon, Hippalos, Kriton, Marcyas, Nikanor, Onesandros, Plousia, Poly[...], Polyktor, Protomachos, Stephanos, Straton, Sostrate, Tryphon, Philagros, Philista, Philotas, Chaireias, Charimyrtos. Two Greek names are similar to Semitic names: Iason and Simon, and two are genuinely Jewish names: Jakoubis and Iona. Interestingly, there is one Thracian name: Seuthes, and two Egyptian ones: Petau[to]s and Talous.

The names show that one has to be careful in deducing ethnicity and even religion: From the names one would hardly deduce that all these persons are Jews. We may assume that the families of the said persons had been living in Egypt for some generations – or that a fair number of them was quite willing to adapt to the Egyptian-Hellenistic environment. Strikingly, moreover, there is also one Apollodoros,²² and while the name Ammonia may be Greek, it may as well refer to the Egyptian god Amun.²³

Even if we leave aside Apollodoros (and Ammonia), the onomasticon shows an amazing degree of adaptation to the Egyptian-Hellenistic world, while at the same time almost all the names are religiously neutral and therefore do not contradict the Jewish faith.

3. The Texts and their World

The documents deal with various matters: general problems of living together, business relations, and family, especially marriage affairs. The following quotations will offer some impression about the texts and their world.²⁴

117–133, here 123–127, who, for the names from the cemetery of Leontopolis, also shows the difficulty to identify the persons as Jews by their name only.

²² See the discussion in Cowey and Maresch, *Urkunden*, 31, n. 102.

²³ Such cases are not surprising if one considers that the name of the famous theologian Origen, who came from a Christian family, means “born from Horus.” This indicates that names were not always chosen as a confessional statement, but also for reasons of aesthetics, family tradition, and the like.

²⁴ They are based on the so far unsurpassed edition of the Greek text and the comments

P.1: To the *politarches* Alexandros and the *politeuma* because of *hybris*²⁵

This petition refers to a street strife: “To the *politarches* Alexandros and the *politeuma*, from Andronikos, a member of the *politeuma*: On the 12th of the present month, Nikarchos, one of the inhabitants of the port, intentionally began a quarrel in the street. He insulted me long and badly, and he accused me without reason in the presence of several persons, both, members of the *politeuma* (*politai*) and ‘of other stock’ (*allophyloi*).²⁶ Therefore I ask to summon him and make a decision against him.

[second hand:] In the 36th year, on the 12th Thoth, in the (port?).

[Verso:] In the 36th year, on the 12th Thoth, Andronikos against Nikarchos.”

P.2: To the *politarches* and to the *politeuma* for being set free from prison

“To the *politarches* Alexandros and the *politeuma*, from Petaus, son of Philippos, a Jew, who is detained in the prison. As I have been now duly rebuked, and have made acquaintance with the prison, and as I am perishing sufficiently, especially as I am away from home and have no wherewithal, I am pleading as one who seeks protection, not to overlook me, but to take care of me and, if it seems fair, to give order to call me out [of the prison] ...”

Evidently, Petaus was not from Herakleopolis or nearby. He may have been summoned from abroad or was working in Herakleopolis and fell under the jurisdiction of the *politeuma*, but there is no indication why he was imprisoned.

and German translation by Cowey and Maresch, *Urkunden. Sanger, Politeuma*, 275–289, follows Cowey and Maresch with only minor changes. Joseph Meleze Modrzejewski gives an English translation of P.1, 3, and 4, in J.G. Keenan *et al.*, “The judicial system in theory and practice,” in *Law and Legal Practice in Egypt from Alexander to the Arab Conquest: A Selection of Papyrological Sources in Translation, with Introductions and Commentary* (ed. J.G. Keenan *et al.*; Cambridge: University Press, 2014), 470–540, at 477–481. Also the editors of *Corpus Papyrorum Judaicarum* (ed. N. Hacham und T. Ilan; Berlin: de Gruyter Oldenbourg; 2020) basically follow Cowey and Maresch.

25 Here and in the following, I use the superscriptions from Cowey and Maresch, *Urkunden*.

26 CPJ IV, 91, identifies the *politai* as residents and the *allophyloi* as non-residents and therefore translates: “Some people were present, both *politai* (residents) and *allophyloi* (non residents).” This is problematic because *allophyloi* not only in the Septuagint but also in other Greek sources designates ethnic groups and not geographic differences.

P.3: To the *archontes* because of a vineyard in connection with a marriage contract

“To the *archontes* of the year ...,²⁷ from Protomachos, son of Demetrios. In [the month of] Pharmouti of the 30th year I submitted a petition against Euphranos, because he made an oath that with regard to the dowry which he brought [into marriage] he would give me a part of the vineyard with the worth of 3,000 silverdrachmas [as soon?] as I would have composed the marriage contract and that he would allocate it through the notary’s office.”

While the petitioner had fulfilled his duties, Euphranor did not fulfill his part, even as he already had been summoned to court and a decision (*hypographē*) had been made, Euphranor still has not fulfilled his duty.

“[...] Therefore, as Euphranor neither allows that I take possession of the mentioned part of the vineyard, nor does justice to me but decries me [...] so I am asking, if it appears just, to let him come and coerce him to fulfill accordingly (to his oath) and according to the *hypographē*. If this will have happened, I will have attained your help.”

The marriage contract as such is not quoted, but only referred to. The dowry is not the (Hebrew) *mohar* of older times but the gift to the bride. This corresponds to the usage in the texts from the Judean desert but also in the Greek world and it is reflected in the Septuagint where the *phernē* (φερνή) is mentioned (Gen 34:15; Exod 22:15–16).²⁸

P.4: To the *archontes* because of the dissolution of an engagement

“36th year, 19th Choiak. About a marriage. We have ordered to summon:

To the *archontes* from Philotas, son of Philotas, a member of the *politeuma*. During this year I courted for Nikaia, the daughter of Lysimachos. Her father, whom I just named, vowed that he would give her to me, and also the dowry, with which I agreed. Because in this way there were not only promises, but also the ...²⁹ according to the law, under these promises we went apart. Yet, soon after that, Lysimachos without any justification

27 ... indicates missing words or a missing passage; – – indicates unreadable words. (xxx) indicates an explanation, mainly following Cowey and Maresh, *Urkunden*; [...] indicates an omission by the present author.

28 Cowey and Maresch, *Urkunden*, 52. See H. M. Cotton, “The Rabbis and the Documents,” in *The Jews in a Graeco-Roman World* (ed. M. Goodman; Oxford: Clarendon Press, 1998), 167–179.

29 Fragmentary word that cannot be completed convincingly; see the discussion in Cowey and Maresch, *Urkunden*, 66–67.

joined³⁰ Nikaia to another man, before he had received the usual letter of divorce from me. Therefore I ask, if it seems just, to write to the Jews in the village, to summon Lysimachos to come to you, so that, if it is as I write, it will be decided according to the law, to coerce (him), to ...

[Verso]: 36th Year, 19th Choak. Philotas against Lysimachos.”

The first line is written by a different hand and records that (the petitioner and the others?) should be summoned to the court. The papyrus was in a bad state already when the text was written, and some readings are uncertain. The case as such is clear: The marriage is assumed to take place in the two usual stages: the engagement as a first step and the marriage proper when the bride moves to the home of the husband. The main point of discussion in the letter and also in scholarship is the letter of divorce which is called τοῦ ἀποστασίου [[τὸ] βυβλίον which is practically the same expression as βιβλίον ἀποστασίου in Deut 24:1.

In some studies, this passage has been understood as evidence that the petitioner refers to customary Jewish law³¹ and of knowledge of the Septuagint text of Deut 24:1. It was even used as an argument that the Septuagint was translated because of juridical reasons, *i.e.*, especially in order that the Jewish law would be available, not the least for the Ptolemaic administration when dealing with Jews.³² At first glance, this idea of so to say an imperial authorization – an analogy to the assumed imperial authorization of the Pentateuch by the Persian empire³³ – seems to be confirmed by our text. However, on closer examination this seems doubtful. Firstly, one has to distinguish between the reasons for translating the Hebrew Holy Scriptures in the first half of the third century BCE and its probable use about a hundred years later.³⁴ At the time of the Herakleopolis papyrus, the Septuagint existed for a long time already. Most probably, it was known

30 *Synharmozo* means “to bring together, to join.” I think that the petitioner intentionally uses a neutral verb and not “to betrothe” as this would refer to a legal status and contradict the intention of the petitioner.

31 Cowey and Maresch, *Urkunden*, 69–70.

32 This theory was especially emphasized by J. Mélèze-Modrzejewski. E.g. “The Septuagint as *Nomos*: How the Torah became a ‘Civic Law’ for the Jews of Egypt,” in *Critical Studies in Ancient Law: Comparative Law and Legal History: Essays in Honor of Alan Watson* (ed. J. Kerns and O. Robinson; Oxford: Oxford University Press, 2001), 329–345.

33 On this thesis, advanced by Peter Frei, and on its discussion, see the papers in *Persia and Torah: The Theory of Imperial Authorization of the Pentateuch* (ed. J.W. Watts; SBLSymS 17; Atlanta: SBL Press, 2001).

34 On the reasons for translating the Septuagint, see S. Kreuzer, “The Origins and Transmission of the Septuagint,” in *Introduction to the Septuagint* (ed. S. Kreuzer; Waco: Baylor University Press, 2019), 3–56, here 11–20.

and also used in Herakleopolis and surroundings. Marriage evidently was performed in two steps as described, and a letter of divorce may have been the usual custom in the case of divorce. But, as we will see concerning the interest rates and slavery, not all the Torah was followed. Whereas Deut 24 refers to the divorce of a marriage, the dissolution of an engagement is not necessarily the same thing. Beyond that, one may expect a petitioner to adduce any argument that might help his case.³⁵ Unfortunately, we do not know how the judges responded to the argumentation. Anyway, we should not lend too much weight to this document with regard to customary Jewish law in Egypt.³⁶

P.5: To the *archontes* because of *parachoresis* of a house in connection with a marriage contract

The text comprises 16 lines, but it is not complete and not very clear. The petitioner acquired a house. The term *parachoresis* is unusual in this context; it may mean the official registering of the acquisition. The petitioner's name is Polyktor, son of Polyktor, a Macedonian. The persons mentioned are not explicitly called Jews, but they most probably were, with "Macedonian" probably referring to the military unit in which Polyktor was serving.³⁷

P.6: To the *archontes* because of a not finalized investigation after a death

The petition refers to a pending case, therefore the *archontes* are already informed and important aspects are omitted in the extant text. Theodotos is the guardian of his mother Berenike. The issue at stake is a girl who had been given to a relative for service and had died. Evidently a decision had already been made but was not followed, hence the request to investigate the case anew.

"To the *archontes* of year 36 from Theodotos, son of Theodotos, a Jew who has been entrusted by his mother Berenike as her guardian.

There has taken place a negotiation for me and the orphans against Timotheos from Onnes in the matter of the *paidion* (child or slave?) that has died

³⁵ Furthermore, Cowey and Maresch, *Urkunden*, 68–69, point out that according to a Mishna preserved in the Tosefta (referring to Rabbi Hillel from the 1st cent. CE) there were also marriage contracts with the formula that the female becomes the wife according to the law of Moses and Israel upon entering her husband's house (and not before).

³⁶ Czajkowski and Wackener, "Legal Strategies," 430, say that "*P.Polit.Iud* 4 presents the most distinctive, perhaps most obvious, case in which Judaeon legal norms are employed in the papyri," but at the end they remain somewhat undecided..

³⁷ Also in *CPJ* IV, 102, it is assumed that "Macedonian" or "Persian" are not ethnic but military designations; see also below, n. 38.

while working. Timotheos tried to thwart the decision by saying that the elders of the village had obtained a decision and a *hypographē*. But we have not obtained a decision and no one has undertaken the effort to write down a decision (*hypographē*). Theodoros, and Straton and Iakubis, who were invested as Judges, came to my formerly mentioned mother, asked some questions, and left, without a *hypographē*.

Therefore I ask, if it seems just, to command that these and Timotheos be summoned, and, if things are in this way, to take care that we obtain justice, (by ... Timotheos – –), (and?) to conduct a careful investigation.

[second hand?]: – – –

[third hand?]: 2nd Mecheir of the 36th year. should appear in the 14th of Pha[menoth] and be ready in view of this matter.”

P.7: Petition concerning the servant relation of a girl and decision of the *archontes*

The petitioner Dorotheos, member of the *politeuma*, had taken Seuthes, the sick brother of his wife, into his house and later on also his daughter Philippa. He paid much for Seuthes' care. For this, Philippa became a servant girl to (the household of) Dorotheus. Later on, the girl was taken away by her mother who brought her to Philippa's sister in Paanamei. Now, Dorotheos wants her back.

The verso records the decision of the *archontes*. The papyrus is hard to read, but probably the judges agreed. Seuthes is a Thracian name, but evidently he was also a Jew.³⁸

P.8: To the *archontes* in case of a loan

The petitioner Theodotos had given a loan to the Jewess Plousia and her son Dorotheos. He now wants it paid back. Theodotos does not live in Herakleopolis but in the Oxyrhynchites, in the village Teis. Dorotheos was – fictitiously! – called a *Perses*, because execution of the judgement against this group was easier.³⁹ The case has a long prehistory that is partly mentioned.

³⁸ Cowey and Maresch, *Urkunden*, 88.

³⁹ The origin of this fictitious designation is debated. One explanation is that the designation was originally used for descendants of Persian soldiers, others think of a designation of a specific (civil?) status of a person. So far, Jewish *Persai tēs epigonēs* were known from Roman times only. See Cowey and Maresch, *Urkunden*, 98–99; and W. Clarysse, “Greeks and Persians in a bilingual census list,” in *Acta Demotica: Acts of the Fifth International Conference for Demotists* (Egitto e Vicino Oriente 17, Pisa: University Press, 1994), 69–77.

There was a compromise that half of the debts should be paid now, and the other half, including interests, one year later. The petition is made after about half a year, because the debtor had not kept her obligations.

The regulations, mentioned explicitly or implicitly, conform with Greek-Hellenistic juridical rules and also with the usual interest rate of 24 % per year.⁴⁰ There is nothing about a Jewish ban of interest.⁴¹ The *archontes* returned the case to the local authorities and, evidently, suggested a compromise that was reached and accepted by both sides.

“[Note by the second hand:] 37th year, second Mecheir ... we have commissioned to write to the Jews in Temei (?) ...

[First hand:] To the *archontes* of the *politeuma* of the Jews in Herakleopolis, who are in office in the year 37; from Theodotos, son of Theodotos, Jew, from those in the Oxyrhinchites, – – – the village or Teei in the same district.

In the 33rd year I gave a loan of 12 bronze talents with 24 % of interest to Plousia, the daughter of Apollodoros, Jew, in the contract designated as inhabitant of Gargara, and her son Dorotheos, alias Zenon, Jew, in the contract designated as *Perses tes epigones*. As mortgage (was set) a vineyard near Palosis in the Oxyrhinchites, with the size of 1 ½ Arures, which I have transcribed to my wife Philista.

Without having received vine, I renewed the contract in the year 34.”

In the following time, the debtor paid some of her duties and there was an agreement that she would pay her debts within two years but without interest. The debtor paid some vine and some money, but not the rest.

“Therefore I am asking, if it appears to be just, to write to the Jews in Teei, that they may coerce her, that justice may befall me, or that she is sent to you in company of ushers, so that I may obtain justice. Be well!

[Verso:] 37th year, 2nd Mecheir, Theodotos against Plousia and Dorotheos.”

P. 9: To the *archontes* because of a buying and nursing contract

The petition refers to a contract by which a slave called Rome and her child were sold by Berenike to Demetrios from Peimpabytis. The contract in-

⁴⁰ “Interest rates for money loans under the early Ptolemies may be inferred to have been 30 per cent, reduced to 24 per cent per annum by the legislation of Ptolemy II, and later to a maximum of 12 per cent in the early Roman period.” J. G. Manning, “Coinage as ‘Code’ in Ptolemaic Egypt,” *SSRN Electronic Journal* (2006), n. 59; https://www.researchgate.net/publication/228247256_Coinage_as_'Code'_in_Ptolemaic_Egypt; April 15, 2020 (accessed on February 03, 2023) with reference to P. W. Pestman, “Loans Bearing no Interest?,” *Journal of Juristic Papyrology* 16–17 (1971): 7–29.

⁴¹ This is correct as such. However, for evaluating this interest rate, one would need to relate it to inflation which was, at least temporarily, high.

cluded nursing the child, and a *misthos* (remuneration) was agreed upon. As the remuneration was not paid, the petitioner, probably the mistress of the slave woman, now demanded payment inclusively the *hemiolia* (penalty for delayed payment) and the *poros* (earnings). It is interesting that the contract was *epistolē horkou patriou* and breaking it was breaking a *patrios nomos*. While this is unusual in a private contract, the terms of the contract and the expressions are the usual ones for such a case.⁴²

“To the *archontes* of the 38th year, from Berenike, daughter of Archagathos, Jew, from those in Aphroditis polis.

In [the month of] Pamenoth of the 37th year, Demetrios gave me a letter with an oath according to the customs of the fathers, in which he confirmed to pay me the price we had agreed upon 8 bronze talents for the slave woman Rhome, whom he had purchased, and her child, in the month Pauni of the same year. If he would not pay, he would pay in the following month Epeiph one and a half of the amount and to the pay office of the king the penalty of 78 silver drachmas, without any court decision and procedure. And he would give to the nurse as monthly remuneration for clothing 2,500 bronze drachmas until the 15th of Phamenoth and three artabas and two *metra* wheat, monthly (?) in the [first] four months; furthermore two Kotyla of oil, from Pauni onwards monthly one Artabe of wheat and two Kotyla of oil.

This, among other things, was the content of the letter. Philotas (sic!, probably by mistake instead of Demetrios) so far has paid nothing, he has broken the law of the fathers. Therefore [...] I am asking, if it appears justified, to commission the hyperetes to send Demetrios here and, after he was summoned [to the court], to force him to pay immediately [...]

P.10: To the *archontes* because of wool

“To the *archontes* of the 33rd year from Ptolemaia. I have given to the tradeswoman Tetoys, belonging to the inhabitants of the harbor, one Statmion of wool for spinning it. From the wage we had agreed upon she received half of it. As she does not hand over her work to me and as she makes excuses, I ask to summon her and to coerce her to give me (her work) as soon as she will have received the full wage, so that I will get justice. Be well.”

Ptolemaia evidently was a tradeswoman who also did some work by herself. This petition once again mentions inhabitants of the harbor area.

42 Also in *CPJ* IV, 115, it is now stated that the contents “reflect common Hellenistic-Greek practice. The ancestral oath and law are mentioned here only as the performative acts that bind the parties in the contract.”

P.11: To the *archontes* because of vine that was not paid

“To the *archontes* from Ptolemaios, son of Simon, Jew. I suffer injustice from Arsame (?), belonging to the inhabitants of the harbor. She owes me as payment for vine (one) talent and 3,000 drachmas. She does not pay but just makes excuses. Therefore I ask to summon her in order to coerce her ... (few lines missing)

[Verso:] In the 38th year.”

Although it seems that Arsame is not a Jew, it is expected that she can be summoned to the *archontes* of the *politeuma*. We may assume that the *archontes* had some authority in the harbor area. Evidently, this was accepted (or welcomed?) by the state administration.

P.12: To the *archontes* because of rent

“To the *archontes* of the 35th year from Nikanor, son of Tryphon, Jew. Andromachos, son of Nikanor, owes to me, according to the letter that he had composed under oath according to the customs of the fathers eleven artabas of wheat as rent for three aruras of land in the kleros of Andronikos, which he had rented for the year 32 from my father. So far he has not paid ...

[Verso:] 35th year, 14th Pauni. Nikanor against Andromachos.”

P.13: To the *archontes*

Fragmentary beginning of a petition. Three Jews from Peempasbytis submit a petition against Euphranor. Its subject was most probably a dispute about rent.

P.14: To the *archontes*

Very fragmentary rest of a petition. Only the upper and left margin are preserved and hard to read.

“To the *archontes* of the thirty ... year. From Ammonias against ... Theodot ...

[Verso:] 13th of Pauni, Ammonia against ... Theodote.”

P.15: To the *archontes*

Report and dispute about advance payment by the petitioner while the other person did not keep his liability.

P.16: To the *archontes*

Fragmentary text, end of a petition. The accused person did not deliver or pay something.

P.17: To the *archontes*

Letter of an official ordering to set free some persons from prison.

“Straton greets Chaireias, Theodotos, Antipatros, and Theodosios. As the *politarches* Euphranor and the *archontes* in Tebetnoi have written in favor of the people around Alexandros, son of Stephanos, from the same village – – – you will do well to set them free from prison. Be well!

27th year, 1st Tybi.”

P.18: Alexandros and the judges in Peempasbytis to Straton and the judges in Herakleopolis

The right half of the papyrus (written as *charta transversa*) is missing, and therefore it is not possible to understand all the details of the matter. However, it is clear that at the beginning of the New Year, on the second of the intercalary days, there occurred an unpleasant incident, caused by drunkenness. In order to deal with it, the judges in Peempasbytis addressed the *politarches* and the judges, *i. e.*, the *archontes*. The fact that the *archontes* are addressed specifically as judges suggests that they may have had other functions as well.

P.19: Report of the Elders of the village of Penei

The Elders of the village of Penei report that those ten persons who should appear before the court were summoned. The second part of the text lists ten persons, most probably those summoned to the *archontes*. It is written as *charta transversa*.

P.20: Information of the Elders from Tebetnoi

Like P.19, this fragmentary letter seems to be about summoning some persons to the court. It is also written as *charta transversa*. Lines 4–5 may mean that the said persons did/could not come to the court on the set day, but that they will come.

Summary

The papyri from the *politeuma* at Herakleopolis present interesting insights into Jewish life in Egypt in Ptolemaic times, especially around the middle of the second century BCE.

1) The papyri confirm the existence of a *politeuma* not only in Herakleopolis but also in other places, such as the *politeuma* in Alexandria mentioned in the Letter of Aristeas. However, this is true only for the time of the author of the Letter – the second half of the second century – and some generations before, explaining why both the author of the Letter and its readers took for granted that the *politeuma* existed also at the time when the Septuagint was translated.

2) The institution of the *politeuma* was evidently created around 200 with the aim to integrate Jewish and other ethnic groups into the Ptolemaic state,⁴³ probably originally especially for military personnel that had come to and lived in Egypt. A *politeuma* was an institution within the Ptolemaic state and administration, however, it gave some freedom for the self-governing of a community. Even if it did not create a different legal status, being member of a *politeuma* was attractive and probably also granted some status.

We may assume that the organization of the Jewish (and other) communities, including elders and other leading persons, served as a forerunner to the *politeuma*.

3) The *politeuma* was led by a *politarches* and a number of *archontes* and *presbyteroi*. The Jewish communities in the surrounding villages apparently had elders (*presbyteroi*) who could also function as judges. At the same time, they could delegate difficult matters to the *archontes* as judges in the *politeuma*. Conversely, the *archontes* could reach out to the villages and to other areas, and could, for instance, summon people to the court and even to prison.

4) We need to keep in mind that the papyri deal with juridical matters only. They allow only selected insights into everyday life, and offer no information, for instance, about religious life in the community. Likewise, we cannot rule out that alongside their juridical power the *politarches* and the

⁴³ T. Kruse, "Das *politeuma* der Juden von Herakleopolis in Ägypten," in *Die Septuaginta – Texte, Kontexte, Lebenswelten* (ed. M. Karrer et al.; WUNT 219; Tübingen: Mohr, 2008), 166–175, here 174. As noted above, "folgte die Integration der Juden in den Staat der Ptolemäer mittels solcher politeumata dem auch für andere Ethnien erprobten Muster." See also the subtitle of P. Sänger's book (above, n. 13): "Ein Herrschaftsinstrument zugunsten jüdischer und anderer hellenischer Gemeinschaften."

archontes had other functions in the community for instance as *presbyteroi* in the religious community.

5) The everyday life in the Jewish community does not appear to be different from life in Ptolemaic Egypt in general. No specific Jewish rules or laws can be observed: In spite of the biblical prohibition, loans were charged with the usual high rate of 24% per year. People could buy and sell slaves, including Jewish ones. Likewise, the *hemiolion* – the rule according to which an additional 50% had to be paid for a delayed payment – is mentioned in the contracts and could be executed by the representatives of the *politeuma*. Altogether, the contracts were couched in the usual Ptolemaic legal terms and the petitions used the usual forms and phrases.

6) It is remarkable that a number of contracts and agreements are said to be confirmed by an oath “according to the customs of the fathers.” This oath giving is unusual, or at least less common, in the (Greek) Hellenistic world.⁴⁴ However, taking an oath was an important aspect of juridical procedures in Egypt. Especially the so-called temple oath was important in juridical context, and there was also the oath by the deified Ptolemaic king.⁴⁵ This juridical tradition will have enforced the oath in the Jewish juridical tradition in the *politeuma* as well. Of course, the oath by a Jew “according to the customs of the fathers” was certainly not given at the temple of an Egyptian goddess, nor was an oath by the king acceptable to a Jew. Therefore, the phrase “according to the customs of the fathers” most probably referred to an oath that was acceptable to the Jewish religion.⁴⁶

⁴⁴ Cf. Cowey and Maresch, *Urkunden*, 26

⁴⁵ Sylvie Honigman thankfully made me aware of the importance of oath taking in Egypt in juridical context, see e.g.: K. Vandorpe and S. P. Vleeming, *The Erbstreit Papyri: A Bilingual Dossier from Pathyris of the Second Century BC* (Studia Demotica 13; Leuven: Peeters, 2017), esp. nos 12 (pp. 112–115), 19 (pp. 160–164); V. Massa, *Temple Oaths in Ptolemaic Egypt: A Study at the Crossroads of Law, Ethics and Religion* (Doctoral Thesis, Leiden University, December 6, 2018), esp. ch. 2: “juridical oaths from the old kingdom through the Ptolemaic period: an overview (ca. 2600–30 B.C.)” (The so-called temple oaths served to confirm statements and decisions and were considered decisive for court decision. They were taken at the gates of a temple which therefore also were called the Gates of Justice).

However, there was also the oath by the king, and swearing and giving or taking an oath is used in different situations and was evidently widespread throughout all phases of Ancient Egyptian History, from everyday life to juridical oaths and promises to the gods; cf. J.A. Wilson, “The Oath in Ancient Egypt” *JNES* 7 (1948): 129–156; and P. Kaplony, “Eid”, *LÄ* 1:1188–1200.

⁴⁶ Besides the juridical cause and context of the oaths mentioned in the papyri, it may be mentioned that in Jewish tradition (and in a polytheistic context) swearing an oath not only had a juridical side, but also an aspect of confession to God. For this confessional aspect see, e.g., Deut 6:13; 10:20.

The analogy to the Egyptian oaths raises the question of the existence of a Jewish holy place, most probably a synagogue. However, the oath may as well just have been a solemn procedure at the court or in the situation of concluding a contract. Unfortunately, we neither know the wording of such an oath nor where it took place.

7) There is one reference to a specific biblical expression and regulation, namely the reference to a letter of divorce (*biblion apostasiou*) as mentioned in Deut 24:1, 3. The petitioner of P.4 claims that it was necessary that he would hand out such a letter of divorce before the betrothal could be dissolved by the bride's father. However, the biblical text refers to marriage, and there is not enough information whether it was really required for dissolving a betrothal as well. In my view, the petitioner only summons all the arguments he can think of in order to support his case. Unfortunately, we do not know how the judges valued the arguments and how they decided.

Besides the specific case, a letter of divorce may have been a specific tradition within the Jewish community. It certainly originated from Deut 24, most probably in its Septuagint version, but it may have been transmitted on its own (i. e. without constant reference to the Septuagint).

8) The reference to a letter of divorce cannot be used as evidence that the Holy Scriptures were translated into Greek for juridical reasons so that the Jewish people would have their own laws that could also be applied by the Ptolemaic government.⁴⁷ The Septuagint (i. e., in regard of Deut 24:1: the Greek Pentateuch) originated about a century before the Herakleopolis papyri were written. The Septuagint may have influenced the Jewish community in Herakleopolis, but not in juridical matters. In legal matters the Jews of the *politeuma* rather followed the rule that was much later expressed in the Talmud: "The law of the state is the law."⁴⁸

47 This would be kind of a "Imperial Authorization" of the laws of a specific group (cf. above, fn. 33). On the debate about the reasons for translating the Septuagint see Kreuzer, "Origins," 11–20, esp. 15–16.

48 Babylonian Amora, Mar Samuel (early second century CE), see Cowey and Maresch, *Urkunden*, 28, n. 95.

In a number of papers, Robert Kugler has tried to show that many specific Jewish rules underpin the Herakleopolis papyri and other ones. While some of his arguments are interesting, others are rather far-fetched, like his claim that there was no interest taking in the Jewish community, and that the 24% interest rate was applied because (as indicated by the name Philista) a non-Jewish person was also involved: R. Kugler, "Judean Marriage Custom and Law in Second-Century BCE Egypt: A Case of Migrating Ideas and a Fixed Ethnic Minority," in *Minderheiten und Migration in der griechisch-römischen Welt: Politische, rechtliche, religiöse und kulturelle Aspekte* (ed. P. Sänger; Studien zur historischen Migrationsforschung 31, Paderborn: Schöningh, 2019), 123–131, here 128–129. See also his "Uncovering Echoes of LXX Legal Norms in Hellenis-

9) Even if the law applied was basically the law of the state, the *politeuma* gave the possibility to resolve conflicts within the Jewish community. This was certainly an advantage because specific inner aspects and traditions could at least be considered alongside the official laws. On the other hand, it allowed to handle problems within the community and not to impair its image. This aspect will have influenced also other Jewish communities, even if they were not organized as *politeumata*. It may also explain why Paul in 1 Cor 6:1–6 so strictly exhorts his congregation in Corinth to solve their conflicts by themselves within the community.

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tic Egyptian Documentary Papyri: The Case of the Second-Century Herakleopolite Nome,” in *XIV Congress of the IOSCS, Helsinki, 2010* (ed. M. K. H. Peters; SBLSCS 59; Atlanta: SBL Press, 2013), 143–153, here 147–148. However, the contract under discussion is between persons that are explicitly called Jews, while the loan giver passed on the pawn to his wife Philista. Most importantly, Kugler does not say why Philista would be a non-Jewish person. Her name may have led him to think of the Philistines, but φίλιστος is superlative to φίλος. Philista is simply “the most beloved” or the “most lovely one.” In favor of Kugler’s claim one could try to distinguish between the different realms of life. That is to say, in trade and commerce and in official areas, there was a more or less full adaptation to the host culture, while in more private and certainly in religious matters adherence to specific Jewish traditions may have been stronger.