



The Greek Papyri from the Cave of the Letters

Author(s): H. J. POLOTSKY

Source: *Israel Exploration Journal*, Vol. 12, No. 3/4, THE EXPEDITION TO THE JUDEAN DESERT, 1961 (1962), pp. 258-262

Published by: Israel Exploration Society

Stable URL: <http://www.jstor.org/stable/27924912>

Accessed: 12-02-2018 15:39 UTC

JSTOR is a not-for-profit service that helps scholars, researchers, and students discover, use, and build upon a wide range of content in a trusted digital archive. We use information technology and tools to increase productivity and facilitate new forms of scholarship. For more information about JSTOR, please contact support@jstor.org.

Your use of the JSTOR archive indicates your acceptance of the Terms & Conditions of Use, available at <http://about.jstor.org/terms>



JSTOR

Israel Exploration Society is collaborating with JSTOR to digitize, preserve and extend access to *Israel Exploration Journal*

The Greek Papyri from the Cave of the Letters

H. J. POLOTSKY

Hebrew University, Jerusalem

THE Greek papyri consist entirely of legal documents, extending from A.D. 110 to August 19, 132. Apart from a gap between the earliest document and the rest, we have a continuous series of at least 15 documents starting in A.D. 124.

These documents constitute the family archive of Babatha (Βαβαθα or Βαβαθας Σίμωνος τοῦ Μαναήμου) and of her second husband Judas (Ἰούδας Ἐλεαζάρου τοῦ καὶ Χθουσίωνος). While Judas was originally a resident of En-gedi where his father Eleazaros owned property, Babatha's home was at Ma(h) oza (Μαωζα מאחא) in the Provincia Arabia, probably somewhere on the south-east shore of the Dead Sea, and it was here that most of the Greek documents were written. They thus shed a welcome light on certain aspects of life in that interesting but inadequately known province.

Most of the documents are fully dated by the regnal years of Hadrian. Moreover, in addition to the years of the consuls and the Roman months and days, several pieces bear dates by the era of the 'new' Provincia Arabia, (κατὰ τὸν ἀριθμὸν τῆς νέας ἐπαρχίας Ἀραβίας) which began in A.D. 106 (not 105), the Aramaic months being rendered as usual by their Macedonian equivalents; in one case the Macedonian and the Aramaic forms appear side by side: μηνὸς Ὑπερβερεταίου λεγομένου Θεσερί.

We are introduced to administrative centres like Petra, the μητρόπολις τῆς Αραβίας and Παββαθμωαβα and we encounter the names of high Roman officials.

The list of the governors of Arabia, defective for the time of Hadrian, receives some welcome additions:

¹ The large work of R. E. Brünnow and A. v. Domaszewski: *Die Provincia Arabia*, 3 vols., Strassburg, 1904, 1905, 1909, is a *summa* of what was known at the beginning of this century; see in particular Brünnow's chapter 'Überblick über die Geschichte der Provinz Arabia' in vol. III, pp. 249–360, esp. the 'Chronologische Tabellen', pp. 308 ff.

125: Julius Julianus, who cannot be identified with certainty with any of the known bearers of that name.

127: T. Aninius Sextius Florentinus, whose name, somewhat damaged, has long been known from his tomb at Petra² where one of his titles is *leg(atu)s le-g(ionis) VIII Hispanae*. By skilful use of epigraphical evidence P. v. Rohden³ had already conjectured that he must have held office under Hadrian.

130: Haterius Nepos, either the well-known T. Haterius Nepos whose career included the prefecture of Egypt in 121–4⁴ or possibly his son, who was consul suffectus in 134.⁵

Our papyri make a modest contribution even to the *Fasti Consulares*:

128: In two documents the colleague of M. Annius Libo is given as P. Metilius Nepos II (Πουπλίου Μετειλίου Νέπωνος τὸ β̄). P. Metilius Nepos is believed to have been *suffectus* in 91.

132: There is some uncertainty about the praenomen of Trebius Sergianus, both C. and M. being attested; one of our documents furnishes a third variant, P. (Πουπλίου).

The following brief account will introduce the reader to the *dramatis personae* and provide some notion of the contents of our papyri.

In 124 there is still no indication of a union between Judas and Babatha. Each of them appears separately — Babatha only implicitly — without any mention of the other.

On May 6, 124, Judas, of En-gedi, borrows from Magonius Valens, centurio of the *cohors I miliaria Thracum* (ᾧ σπείρης πρώτης μειλιαρίας Θρακῶν) the sum of 60 (Corr. from 40) *denarii*, equalling 15 *stateres*, against a mortgage on his father's house, 'of which I have the authority of hypothecating and letting from the said Elazaros' (ἧς ἔχω ἐπιτροπὴν ὑποτιθέναι καὶ ἐγμισθοῖν παρὰ τοῦ αὐτοῦ Ἑλαζάρου). This house is described as situated across the road from the Roman military post, the *praesidium* (πραισιδιον) and flanked by (presumably military) tents (σκηναί). The document resembles in some of its details and in general character *Murabba'at* No. 114.⁶

² Brünnow-Domaszewski, *op. cit.* (above, n. 1), III, p. 297.

³ P. v. Rohden: *De Palaestina et Arabia provinciis Romanis quaestiones selectae*, Berlin, 1885, p. 49: Cum legio VIII Hispana sub Hadriano imperatore in Britannia periisse videatur, cf. *Corpus Inscriptionum Latinarum*, VI, 1549, Florentinus vix post eum Arabiam obtinuit.

⁴ *Prosographia Imperii Romani*, 2nd ed., IV, p. 50, § 29. ⁵ *Op. cit.*, p. 51, § 30.

⁶ P. Benoît, J. T. Milik, R. de Vaux: *Discoveries in the Judaean Desert*, II, (*Les Grottes de Murabba'at*), Oxford, 1961, pp. 240–243.

To the same year belongs an official extract from the *acta* of the City Council (or Senate) of Petra (ἀπὸ ἄκτων βουλῆς Πιτραίων τῆς μητροπόλεως) which would have been quite unintelligible by itself. The extract runs 'And of Iassouos the Jew, son of Iassouos, of the κώμη of Maoza, Abdobdas Illoutha and Ioanes Eglas' (καὶ Ἰασσοῦου Ἰουδαίου υἱοῦ Ἰασσοῦου κώμης Μαωζα Αβδοβδας Ἰλλουθα καὶ Ἰωάνης Εγλας). From other documents we know that Ἰωάνης (Ἰωσή-που τοῦ) Εγλα and Αβδοοβδα Ελλουθα (a Nabatean) were appointed by the βουλὴ Πιτραίων to be the guardians of Jesus son of Jesus, the orphan son of Babatha. The document is therefore an extract from the register of guardians; the entry consisted of the name of the ward in the genitive, followed by the names of the guardians in the nominative (Pl. 48B).

Problems of guardianship are dominant among Babatha's legal preoccupations. To begin with, one of the two guardians — the Jew, as it happens — seems to have been remiss in his monthly payments for the food and clothing of his ward, and Babatha had to go to law for the paltry sum of two *denarii* per month. The whole arrangement, in fact, seems to have been financially unsatisfactory to her. In a document dated October 12, 125 she suggests a new arrangement, the gist of which seems to be that the money held in trust by the guardians be transferred to her against an adequate mortgage, in exchange for which she offers to pay interest to the guardians. In this document Judas appears as Babatha's ἐπίτροπος *ad actum* (τοῦδε τοῦ πράγματος χάριν). He is not expressly described as her husband, but we have evidence that in one other case a husband acts as ἐπίτροπος for his wife without explicit reference to his marital status. At any rate the suggested cessation of the guardianship appears more plausible, if Babatha had re-married.

Of the documents referring to the affairs of Babatha and Judas three well-preserved pieces are worth mentioning.

On December 2, 127 Babatha, with Judas acting as her guardian, declares her property at Rabbath-Moab (ἐν Ραββαθμωβοῖς). An interesting detail is the fact that she confirms her declaration, as a matter of course, with an oath by the τύχη of the 'Lord Caesar' (ὄμνυμι τύχην κυρίου Καίσαρος καλῇ πίστει ἀπογεγράφθαι).

On February 20, 128 Judas receives from Babatha, now expressly described as 'his wife', a deposit (παραθήκη) of 300 *denarii*. Such deposits are suspected of being disguised marriage-gifts.

Judas had a grown-up daughter by the name of יְיִצְחָק, Σελαμψιώνη. On April 5, 128 she is given in marriage to Judas ἐπικαλούμενος Κίμβερ, the son of Ananias, from En-gedi.

Judas did not survive his daughter's marriage very long. By 130 Babatha was again a widow.

The death of Judas causes Babatha prolonged litigation with certain members of his family, who enter at this point and force the widow to defend her rights. These troubles come from two quarters. First of all, it appears that Babatha had a rival wife at En-gedi, by the name of Μαριάμη Βεϊανοῦ. In a document of A.D. 131 the two women accuse each other of unlawful acts regarding the estate of their deceased husband.

The other adversaries are 'the orphans of Jesus the son of Eleazaros Χθουσίων i.e. of a member of Judas' family. We hear of them only as a group, not individually. They are legally represented by their guardian Βησαῖς Ἰησοῦν Ἡγαδηνός. He contests in the name of his wards Babatha's right to a certain palm-grove (...κήπου φοινικῶνος ἀνήκοντα [sic] τοῖς αὐτοῖς ὀρφανοῖς ὃν βία διακρατῖς).

Besas is in some way associated with a Roman woman by the name of Julia Crispina, whose personality is not the least interesting feature of our papyri. She is described as ἐπίσκοπος, but the documents throw no light on the nature of her 'overseership'. Nor is the nature of her association with Besas stated in clear terms. In a document of June 19, 130 Besas and Julia Crispina, who appends her own signature in Greek,⁷ jointly cede to Judas' daughter, here called Σελαμισιοῦ (dative), a compound (αὐλή) at En-gedi 'from the estate of your grandfather Eleazaros'; and in the summer of 131 (June 7 or July 9) she appears in lieu of Besas, who is prevented by illness (ἀσθενέστερός ἐστιν καὶ οὐκ ἠδυνάσθη [π]αραγγέλλω) in a legal dispute with Babatha (whose ἐπίτροπος on this occasion is a Nabatean of Petra), in which the two women summon (παραγγέλλω) each other to a law-suit before the governor. Unfortunately this long and interesting document is in a tantalizingly incomplete state of preservation.

In a papyrus at Berlin published nearly 70 years ago,⁸ dated July 24, 133, a [J]ulia Crispina declares her property in the village of Dionysias in the Fayyûm. It would be a strange coincidence indeed if two women of the same Roman name had been living at about the same time in the same area. The dates would seem to suggest that after the spread of the Jewish revolt Julia Crispina broke off her Jewish connections and transferred her activities to Egypt.⁹ The question of iden-

⁷ Ἰουλιὰ Κρισπείνα ἐπίσκοπος ὁμολογῶ συνεχωρηκένε ἀπο/λο[ύθ]ως.

⁸ *Berliner griechische Urkunden*, I, No. 53.

⁹ If indeed they had not extended to Egypt even before. The Egyptian name Βησαῖς is perhaps significant.

tity could have been decided if both documents bore signatures. But what the first editor had thought was 'a rather illegible signature' was read quite differently by Wilcken.¹⁰

The last document in our series brings us back to the orphan Jesus and his guardians. On August 19, 132 Babatha acknowledges the receipt of 6 *denarii* for the three months Panemos to Gorpaios (August to October). The guardian is Simon the hunchback (ὁ κυρτός), the son of Ἰωάννης Εἰλα, i.e. the son of the unsatisfactory guardian appointed in 124.

¹⁰ *Op. cit.* (above, n. 8), I, at the end of the volume; F. Preisigke: *Berichtigungsliste*, I, p. 12.