

Welles, C. Bradford

The Ptolemaic administration in Egypt

The Journal of Juristic Papyrology 3, 21-47

1949

Artykuł został zdigitalizowany i opracowany do udostępnienia w internecie przez **Muzeum Historii Polski** w ramach prac podejmowanych na rzecz zapewnienia otwartego, powszechnego i trwałego dostępu do polskiego dorobku naukowego i kulturalnego. Artykuł jest umieszczony w kolekcji cyfrowej bazhum.muzhp.pl, gromadzącej zawartość polskich czasopism humanistycznych i społecznych.

Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.

THE PTOLEMAIC ADMINISTRATION IN EGYPT

We are well informed about Ptolemaic Egypt. It is fifty years since the publication of the Revenue Laws papyrus¹ and fifteen since the appearance of Tebtunis Papyrus III 1 with its remarkable No 703². The publication of the Zenon archives³ is largely complete, except for the London group which the editors have generously made available to all enquirers, and the papyri of the third century B.C. are numbered by the thousands. Following the monumental Mitteis-Wilcken *Grundzüge*,⁴ the years before and during the late war have seen the appearance of numerous studies devoted to various aspects of Ptolemaic administration, notably Claire Préaux's exhaustive *Economie Royale des Lagides*⁵ and M. Rostovtzeff's masterly *Social and Economic History of the Hellenistic World*,⁶ and yet we still have no final answer to the question, what actually was the nature of this administration?

It may be said that no special study of the problem has ever been made, although opinions have frequently been expressed about it.

In 1912 Wilcken⁷ remarked that *the rule founded by Alexander the Great in Egypt in 332 B.C. was an absolute monarchy, corresponding to his dawning idea of a world-domination (Weltherrschaft),*

¹ Ed. B. P. Grenfell, Oxford, The Clarendon Press, 1896.

² Ed. Arthur S. Hunt and J. Gilbert Smyly, London, 1933.

³ Cf. Claire Préaux, *Les Grecs en Egypte d'après les archives de Zenon*, Collection Lebègue, 7th Ser., No 78, Bruxelles, 1947, pp 87—90, who lists all texts known to her. There will be some others. The Yale Collection includes a few texts from Philadelphia dating about 230 B.C. Cf. also the texts published by Marie-Thérèse Lenger, *Chronique d'Egypte*, 45, 1948 pp 109—121.

⁴ L. Mitteis and U. Wilcken, *Grundzüge und Chrestomathie der Papyruskunde*, 2 voll in 4⁰, Leipzig, 1912.

⁵ Claire Préaux, *Economie royale des Lagides*, Bruxelles, Edition de la Fondation Egyptologique Reine Elisabeth, 1939.

⁶ M. Rostovtzeff, *Social and Economic History of the Hellenistic World*, 3 voll Oxford, The Clarendon Press, 1941.

⁷ *Grundzüge*, pp 2—8.

as also to the historical tradition of the country. Under the first two Ptolemies, this conception continued. Egypt constituted a 'royalty' (βασιλεία), not a state, characterized by a fiscality necessitated by the financial needs of an imperial policy. In the centralized administration, the position of the *strategoï* (for example) was new, while the *basilikogrammateis* continued an old Egyptian institution. Further into the problem Wilcken did not go, as, of course, the purpose of the *Grundzüge* was to delineate the Ptolemaic and Roman administrations in Egypt, not to explore their origins.

In 1913, the editors of the *Dikaiomata*,⁸ without going into the larger question of Greek influence, pointed out the Greek sources of a number of the Alexandrine legal institutions, speculating on the existence of a general 'Greek' law from which they might be derived, and considered without much favor the possibility of the specific influence of Demetrius of Phaleron in the creation of the office of *nomophylax* at Alexandria.

Jouguet, discussing *La politique intérieure du premier Ptolémée* in 1931,⁹ explained that the advent of the Greeks demanded cities, Alexandria notably, but examined no further Greek requirements or Greek contributions.

Préaux in 1939¹⁰ recognized the existence in the Ptolemaic realm of Greek notions of kingship, but at the same time felt that otherwise, in essentials, the Greeks changed nothing of the traditional economy of Egypt. In 1947,¹¹ she stated in connection with the events of Zenon's time that the Greeks contributed to the complete exploitation of the country (Rostovtzeff in 1922¹² had said much the same thing). In connection with the brewing industry, for example, she wrote: *les Grecs, en l'insérant dans l'économie des revenus royaux, en ont faussé les rouages*, meaning

⁸ *Graeca Halensis, Dikaiomata*, Berlin, 1913, pp 57 f., 174—177.

⁹ Pierre Jouguet, *La politique intérieure du premier Ptolémée*, *Bulletin de l'Institut français d'archéologie orientale du Caire*, XXX 1931 p. 525.

¹⁰ Op. cit. n. 5 above, pp 559 and 570..

¹¹ Op. cit. n. 3 above, pp 7 and 40.

¹² M. Rostovtzeff, *A Large Estate in Egypt in the Third Century B.C. A Study in Economic History* (University of Wisconsin Studies in the Social Sciences and History, no 6), Madison, 1922, pp 3 f. Cf. the same author, *The Foundations of Social and Economic Life in Egypt in Hellenistic Times*, *Journal of Egyptian Archaeology*, VI 1920, pp 161—178.

apparently that while the industry was run as it always had been, it was made to produce more than ever before; hence the troubles of such unfortunate Egyptian brewers as Pais of Philadelphia,¹³ who could not adjust himself to the new tempo.

In 1941, Rostovtzeff¹⁴ expressed himself more fully: *And yet in organizing the Egyptian economy on these Oriental bases the Ptolemies were strongly influenced by their Greek training and by the Greek experience of their assistants. The new economic system of the Ptolemies was Oriental in essence, but it was strongly Hellenized. The Greek influence is seen, to begin with, in the practice of regulating the various departments by stringent written laws, orders, and instructions of an elaborate character. Written documents of this kind were not unknown to the Oriental monarchies, and some of the Ptolemaic financial and economic legislation goes back to Oriental prototypes. But the regulations are strictly Greek in their spirit, their logic, and their coherence. Greek influence is seen likewise in much of the system, terminology, and organization of taxation, in its highly diversified and inquisitorial character. From Greece was borrowed the idea of introducing between the taxpayers and the government officials a class of middlemen 'tax-farmers' (τελωναι), guaranteed by sureties (ἑγγυοι) and acting sometimes in groups or societies. They helped the State to a certain extent to collect its revenue, but their main function was to act as underwriters, guaranteeing the full collection of one or another of the kings' revenues. And, finally, the administrative control of the various royal revenues was Greek in character, especially the system of accounting, utterly different from that hitherto prevalent in Egypt and much more logical and efficient.*

In his *Summary and Epilogue*,¹⁵ Rostovtzeff added: *No doubt the bureaucratic machinery of the Ptolemies... was in part inherited from the past. To a certain extent, but to a certain extent only, it was a continuation and hellenization of Oriental bureaucracy. Of the latter we know very little, but if we compare it as it was in Egypt, where the information about it is fullest, with the bureaucratic machinery of the Ptolemies, we see how much more refined, more logical and coherent the latter was, and how many new Greek features*

¹³ Cf. most recently Préaux, *Grecs en Egypte*, pp 39 f.

¹⁴ Op. cit. n. 6 above, p. 273.

¹⁵ Op. cit., p. 1079.

it contained. This new Greek element was not confined to the Greek names of the offices, to the elaborate Greek administrative and financial terminology, vague at the outset, but becoming ever more precise as time went on; nor to the use of the Greek language in administration and taxation; nor to the Greek accounting system; it consisted above all in the general design of the administration and the spirit that permeated it.

In contrast, then, with Préaux's idea that the Ptolemies merely continued and accelerated the previously existing Pharaonic system of administration, Rostovtzeff would see a definite Greek contribution to it, in addition to the obvious considerations of language and personnel. It is that Greek contribution which the present paper sets itself to explore, not with the hope of finally settling this interesting matter, but perhaps of pointing out the direction in which the solution lies.

Most recently the Demoticist and jurist Erwin Seidl deals briefly with the question in his privately printed *Ptolemäische Rechtsgeschichte*.¹⁶ He points out the great similarity between the Ptolemaic and the Pharaonic bureaucracy, but believes that the Ptolemaic model is rather a general Middle Eastern administrative Koine, developed at the latest by Persian times, than the administration of Pharaonic Egypt itself. In addition, the Greek elements in Ptolemaic Egypt were placated by the pseudo-autonomy (*Scheinautonomie*) of the cities and by philosophical interpretations of the royal position. Seidl's familiarity with the legal institutions of both pre-Ptolemaic and Ptolemaic Egypt give his opinion much authority, and his little book will be read with profit by all who are concerned with these matters.

The solution will come only to one who is familiar not only with Ptolemaic but with Pharaonic Egypt in all of its history, and who is equally familiar with administrative theory and practice in Greece in the fifth and fourth centuries B. C. It is also useful, almost essential, that one know modern Egypt, its history and its life; it is useful to have lived in the country. This is the valuable if rather paradoxical suggestion of Bickermann

¹⁶ Erwin Seidl, *Ptolemäische Rechtsgeschichte*, Im Auftrag der Juristischen Fakultät der Universität Erlangen herausgegeben von Joachim Riegner, Erlangen, no date, pp 9-15.

(1945),¹⁷ that there is nothing strange in the Ptolemaic economy, nor was it derived from the Pharaohs (about whom the Ptolemies can have known or cared little). It was natural and inevitable to anyone who wished to extract the most out of the country, and was only repeated again in the nineteenth century by Muhammad 'Ali. This is, of course, not the place to go into the administrative measures of the great founder of modern Egypt and its dynasty, interesting as they are. There is no doubt that they throw light on ancient Egyptian practices, since the essential Egyptian economy has not changed very much since antiquity — except for the rather far-reaching effects of the construction of the Assuan barrage. We have not to enquire how much Muhammad 'Ali Pasha knew of Pharaonic or of Ptolemaic Egypt, since he was separated even from Roman Egypt, by twelve hundred years. But Alexander and Ptolemy the son of Lagus were not separated from Pharaonic Egypt at all. They took it over, and were under no necessity to study its organization out of books.

If we were in a position to know all about this organization under the last Pharaoh of the Thirtieth Dynasty, and again under the second Ptolemy, our problem would be a mere matter of subtraction. Missing items in the third century would be institutions which had been discontinued. Added items would be innovations, the sources of which could then be sought in previous Greek theory or practice, and a balance struck. But we are not in such a position.

It is unnecessary to point out that we do know quite a lot about the Egypt of Philadelphus.¹⁸ The Revenue Laws, and the

¹⁷ E. Bickermann, *L'Europeanisation de l'Orient Classique à propos du livre de Michel Rostovtzeff, Renaissance*, II/III 1945 pp 381—392. The still immensely valuable book of Edwyn Bevan, *A History of Egypt under the Ptolemaic Dynasty* (Methuen's *History of Egypt*, vol. IV), London, 1927, does not deal with our problem as such, but feels that the characteristic Ptolemaic system was a creation and by-product of the rehabilitation of the country under the first two Ptolemies, built by Greek brains on the ruins of the Pharaonic system left after generations of Persian rule and chaotic periods of struggle and rebellion (p. 132). This, however, goes beyond our knowledge, and perhaps beyond our judgment. W. W. Tarn, in the chapter on Egypt in his brilliant *Hellenistic Civilization*, 2nd ed., London, 1930 pp 155—159, is influenced by a preconceived dislike of the Ptolemies and all their works, and is hardly objective.

¹⁸ Cf. the discussion of Rostovtzeff, *Hellenistic World*, pp 255—261, and notes.

personal archives of Zenon and of the engineers Cleon and Theodorus,¹⁹ with such revealing items as Liebesny's Palestinian *protagmata*,²⁰ give us a wealth of material which has as yet been exploited only in a limited degree. To be sure, the main lines of the administration have become clear, with the help also of the wonderful P. Tebtunis 703 and other later papyri, and there is general agreement with the expositions of Préaux and Rostovtzeff. Nevertheless, in detail, there are many things which are not known, as every special study of the last several years shows. With such studies as those of Schubart,²¹ Hellebrand,²² Erdmann,²³ Lewald,²⁴ Seider,²⁵ Zaki 'Aly,²⁶ Börner,²⁷ Lavigne,²⁸ Lenger,²⁹ Van 'T Dack,³⁰ Westermann,³¹

¹⁹ In *The Flinders Petrie Papyri*, ed. J. P. Mahaffy, vol. II (1893) and III (1905).

²⁰ Herbert Liebesny, *Ein Erlass des Königs Ptolemaios II Philadelphos über die Deklaration von Vieh und Sklaven in Syrien und Phönikien, Aegyptus* XVI 1936, pp 257—288.

²¹ Wilhelm Schubart, *Das hellenistische Königsideal nach Inschriften und Papyri*, *Archiv für Papyrusforschung*, XII 1937, pp 1—26.

²² Walter Hellebrand, *Arbeitsrechtliches in den Zenon-Papyri*, *Festschrift Paul Koschaker*, III 1939, pp 241—267.

²³ Walter Erdmann, *Zum γάμος ἄγραφος der graeco-ägyptischen Papyri*, *ibid.*, pp 224—240.

²⁴ H. Lewald, *Conflits de lois dans le monde grec et romain*, *Ἀρχαίων Ἱστορικῶν Διελκίων*, XIII 1946, pp 30-78.

²⁵ Richard Seider, *Beiträge zur ptolemäischen Verwaltungsgeschichte. Der Nomarches. Der Dioiketes Apollonios*, Heidelberg, 1938 (not seen by me).

²⁶ Zaki 'Aly, *Some Aspects of the Judicial System in Ptolemaic Egypt in the Third Century B.C.*, *Bulletin de la Société Royale d'Archéologie d'Alexandrie*, 35, 1942, pp 95—108.

²⁷ Er. Börner, *Der staatliche Korntransport im griechisch-römischen Aegypten*, Diss. Hamburg, 1939 (not seen by me).

²⁸ Emiel Lavigne, *De Epistates van het Dorp in Ptolemaeisch Egypte*, Louvain, 1945.

²⁹ Marie-Thérèse Lenger, *Les lois et ordonnances des Lagides, Chronique d'Egypte*, 37, 1944, pp 108—146; *Les prostagmata des rois Lagides. Contribution à l'étude de la législation ptolémaïque*, *Revue internationale des Droits de l'Antiquité*, I 1948, pp 119—132 (not seen by me).

³⁰ E. Van 'T Dack, *La Toparchie dans l'Egypte Ptolémaïque, Chronique d'Egypte*, 45, 1948, pp 147—161.

³¹ I have given a list of W. L. Westermann's many useful papers on slavery in an article to appear in the *Mélanges F. de Visscher*, and need not repeat them here. More pertinent to the present topic is the valuable *The Ptolemies and the Welfare of the Subjects*, *American Historical Review*, XLIII 1938, pp 270—287.

Taubenschlag,³² Montevecchi,³³ Peremans,³⁴ Tscherikower,³⁵ and the other workers in the field, we shall approach the complete utilization of our evidence, if many questions will always remain unanswered.

If we, then, in spite of a wealth of evidence, know less than everything about early Ptolemaic Egypt, how much worse is our position in regard to Egypt of the Saite and Persian periods, and the Twenty-eighth to the Thirtieth Dynasties. Our evidence is not copious at best, and it has been little studied, either by Egyptologists or by Hellenists.³⁶ The studies of Mallet³⁷ and of Posener³⁸ merely show little we know, and few have set themselves seriously, as did Werner Schur in 1926,³⁹ to see how far Egyptian institutions of the fourth century anticipate those of the third. And his excellent paper shows merely that the main lines of Ptolemaic policy already existed: a strict fiscality to pay for Greek mercenaries and overseas political interests. Of the actual administrative machinery of these immediate predecessors of the Ptolemies we know little more than the existence of those perennial features of Egyptian life, the court, the temples, the feudal aristocracy in the nomes, and the long-suffering peasantry.

It is true that this picture can be filled in by inference. Egypt under the Old Kingdom and the Empire is fairly well known,

³² Notably the magisterial *The Law of Greco-Roman Egypt in the Light of the Papyri*, I, New York, 1944; II, Warsaw, 1948.

³³ Orsolina Montevecchi, *Ricerche di Sociologia nei Documenti dell'Egitto greco-romano*, appearing currently in *Aegyptus*.

³⁴ Willy Peremans, *Vremdelingen en Egiptenaren in Vroeg-Ptolemaeisch Egypte*, Louvain, 1937.

³⁵ V. Tscherikower, *Palestine under the Ptolemies*, Mizraim, IV/V 1937, pp 9—90; *The Jews in Egypt in the Hellenistic-Roman Age in the Light of the Papyri*, Hebrew University Press, Jerusalem, 1945.

³⁶ The standard histories of Egypt give this period short shrift, if any.

³⁷ Dominique Mallet, *Les premiers établissements des Grecs en Egypte (VII^e et VI^e s. av. J.-C.)*, Mémoires publiés par les membres de la mission archéologique française au Caire, XII 1; Paris, 1893; *Les rapports des Grecs avec l'Egypte de la conquête de Cambyse, 525, à celle d'Alexandre, 331* (ibid., XLVIII 1922).

³⁸ G. Posener, *La première domination perse en Egypte*. Recueil d'Inscriptions hiéroglyphiques (Bibliothèque d'Etudes publiées sous la direction de P. Jouguet, directeur de l'Institut français d'archéologie orientale, XI 1936).

³⁹ Werner Schur, *Zur Vorgeschichte des Ptolemäerreiches*, *Klio*, XX 1925/26, pp 270—302.

and has been the subject of a number of masterly expositions, notably those of Breasted,⁴⁰ Pirenne,⁴¹ Erman followed by Ranke,⁴² Moret,⁴³ Kees,⁴⁴ and many others, while Winlock⁴⁵ has recently performed a similar service for the more difficult field of the Middle Kingdom.⁴⁶ It is clear that the division of the country into nomes as administrative, military, religious, and social units goes back to a high antiquity, and continued essentially unchanged even with the centralized government and the foreign military nobility of the Empire. It is clear that the Pharaoh's central position in religion made him, as the living embodiment of the land, its processes and its gods, an absolute ruler of the country and the sole proprietor of its resources, as Wilson and Frankfort have shown,⁴⁷ while at the same time it made him incapable of governing immediately. There must always have been a "Second after the King" to exercise the military, judicial, and administrative functions which the Pharaoh alone in theory possessed. Below him was a dual administration (or two administrations when Upper and Lower Egypt were handled separately) of service and supply, controlling respectively the productive activities of the country, and the storage and disposal of their products. Royal scribes of high and low degree, professionally trained in special schools, stood

⁴⁰ James Henry Breasted, *A History of Egypt*, 2nd ed., New York, 1924.

⁴¹ Jacques Pirenne, *Histoire des institutions et du droit privé de l'ancienne Egypte*, Bruxelles, Editions de la Fondation Egyptologique Reine Elisabeth, I 1932; II 1934.

⁴² Adolf Erman, Hermann Ranke, *Aegypten und aegyptisches Leben im Altertum*, Tübingen, 1923.

⁴³ A. Moret, *Le Nil et la civilisation égyptienne (L'Evolution de l'Humanité)*, Paris, 1926.

⁴⁴ *Kulturgeschichte des alten Orients*, I. Hermann Kees, *Ägypten* (Müller-Otto, *Handbuch der Altertumswissenschaft*, III 1, 3), Munich, 1933.

⁴⁵ H. E. Winlock, *The Rise and Fall of the Middle Kingdom in Thebes*, New York, 1947.

⁴⁶ Cf. also the ever-brilliant Ed. Meyer (continued by H. E. Stier), *Geschichte des Altertums*, I 2 (5th ed., Berlin 1926); II 1 (2d end., 1928); II 2 (2nd ed., 1931).

⁴⁷ John A. Wilson, Henri Frankfort, and others, *The Intellectual Adventure of Ancient Man. An Essay on Speculative Thought in the Ancient Near East*, Chicago, 1946. Henri Frankfort, *Kingship and the Gods. A Study of the Ancient Near Eastern Religion as the Integration of Society and Nature*, Chicago, 1948.

beside the officers of administration in the court, in the nome capitals, and in the villages, keeping those records and rendering those reports which, consolidated as they went up, culminated in an annual report of the year rendered to the Pharaoh. The basis of the economy was the land tax in grain, collected at the threshing floors and stored in royal granaries. Additional taxes were paid for other services in other commodities, precious metals serving as a means of exchange and reckoning until replaced by a currency in the Saite times. Personal services were required, during the inundation when agriculture lapsed, for the king's works, buildings, canals and dykes, with the laborers organized in troops on a semimilitary basis,⁴⁸ and a corvée system existed for the forwarding of the king's agents and goods. Weaving was done in the households on a quota basis. Fisheries were operated and fowling done under government supervision. There were great landed estates of nobles, and great temples which were states in miniature. Industry and commerce belonged to the life of the capital cities of the Nile and the Delta (*metropoleis*), and were controlled by a nexus of tariffs and monopolies;⁴⁹ otherwise production was in the hands of the priests. A bulging bureaucracy tended to develop into a bourgeoisie, wherein one rose by obsequiousness. Within this world the watchword was "Learn to obey". Over this native pattern of society the Empire saw the superposition of a foreign court-butlers, bakers, cup-bearers, and so on, as in the Joseph story, and a foreign army, in considerable part settled on the land as cleruchs, especially in lower Egypt. At this time, with the extensive foreign commitments and the frequent foreign campaigns, Egypt must have become to the Pharaohs what it has been supposed to have been to the early Ptolemies, a base of operations and a source of supply, organized to produce the most possible revenue for that third part of the state which, according to the reconstruction of Hecataeus,⁵⁰ was the king's, and that second third which was the soldiers'.

⁴⁸ For the continuation of this system under the early Ptolemies cf. Hellebrand, op. cit. n. 22 above, pp 255—257.

⁴⁹ Cf. Georges Posener, *Les douanes de la Méditerranée dans l'Égypte Saïte*, *Revue de Philologie*, 3rd Ser., XXI 1947, pp 117—131.

⁵⁰ Hecataeus of Abdera, in Diodorus, I.

With the luxury, the indolence, and the shrinking frontiers and royal power of the Nineteenth and Twentieth Dynasties, the centralization declined, and a more feudal aspect of the state appeared, as it had earlier at the end of the Old and Middle Kingdoms. How much centralization was preserved or was recreated under the Ethiopian, Saite, and later dynasties, cannot, seemingly, be told in detail. It may be that more can be made of these times than has been in the past, when they have never exercised much of an attraction for Egyptologists. Nevertheless, it is precisely the flourishing times in history which have left the most remains and are, consequently, not only the most interesting but also the best known. The apparent scantiness of the records in the centuries which interest those who would explore the prehistory of the Ptolemies is itself a significant record.

Even under the strongest rulers, it is obvious that this compact, specialized, efficient state could exist only under conditions which facilitated control and denied privacy, and in that sense the physical conditions of Egypt may be thought, not only to have made possible, but actually to have caused the main lines of her economy. Wilson and Frankfort⁵¹ have argued that the religious pattern of Egyptian mentality contributed to the same end, with the emphasis on immanence and representation, on identification of king and gods and land and people. This is a notion which may perhaps be expressed by the word 'corporate'. Egypt constituted one body and one soul, and in Paul's phrase, all Egyptians were 'members'. All existed for the sake of the whole and all had separate and specialized necessary functions to perform, from the Pharaoh causing the sun to rise and the Nile to flood — and himself as sun and Nile rising and flooding-down to the peasants raising the food and cutting and carrying the stones of the royal tombs and temples. No one could complain that fortune had placed his lot in humble circumstances, since all shared in the result, which was the well-being of the whole. The foot would not say, "Because I am not the hand, I am not of the body", nor the ear nor the eye likewise, since God had set the members each one of them in the body, even as it pleased him. Each part had need of the rest. So to the extent that we may assume this spirit to have permeated the land of Egypt,

⁵¹ Op. cit. n. 47 above.

we may expect the maximum of efficiency and contentment, precisely the spirit, one may say, of the Greek ideal states from Plato down, and of the reconstructed picture of Egypt drawn by Hecataeus of Abdera for Ptolemy Soter. But as historical Egypt, under the Pharaohs or otherwise, was not always so efficient and so content, but rather prone to corruption, disturbance, and recrimination, we must accept this beatitude as somewhat theoretical.

This Pharaonic theory is recovered by reconstruction, rather than expressed in our sources, and it must be judged by the professed Egyptologists. It is not, however, that we altogether lack evidence of Egyptian political ideas. Justice was a deity, Ma't, who had a cult associated with that of the Pharaoh, and justice between individuals appears early in a developed form of private law with written instruments, deeds, contracts, wills, depositions and pleadings. This law derived, directly or by delegation, from the Pharaoh (or, in practice, from his advisers), and this curious anticipation of the Roman imperial system extended also to the forms of administrative and constitutional law expressed in the *mandata* or 'instructions' issued to officials in the name of the Pharaoh.⁵² The first Pharaoh of the Nineteenth Dynasty, Haremheb, writes of his two viziers: *I have put before them regulations in the daily register of the palace - - I have directed them to the way of life, I lead them to the truth, I teach them, saying: - - do not receive the reward of another - - How, then, shall those like you judge others, while there is one among you committing a crime against justice?*⁵³ The same precepts enter into the 'Instruction' literature. In a papyrus of the time of Thothmose III, among many items of admonition given by an unknown Pharaoh of the Herakleopolite Dynasty (Eighth/Ninth Dynasties) to his son Merikere⁴ occurs the following: *Do justice while you are on earth. Comfort the one who laments, be kind to the widow, expel no man from his ancestral possessions, and injure not the councillors in their places.*⁵⁴

⁵² First observed by Rostovtzeff in his introduction to P. Teb. 703.

⁵³ James Henry Breasted, *Ancient Records of Egypt*, Chicago 1906, III p. 31, no. 63.

⁵⁴ Adolf Erman, *Die Literatur der Aegypter*, Leipzig 1923, p. 111 f. (English translation by A. M. Blackman, London 1927, p. 77).

On the one hand, this 'Instruction' form developed into a literary type, a 'Wisdom' literature which resembles in many ways that of the Jews of the later time. Its special vogue lay in the New Kingdom, when most of the papyri were written which have preserved it, not infrequently deriving from scribal schools, where these moral exercises served to instruct in writing and in manners at the same time. The earliest in assumed time is the Instruction of Ka-gemni, addressed to his son, and dated under Huni and Snefru.⁵⁵ It sets the tone for the rest with its emphasis on caution, accuracy, and silence. Like the more-famous and better preserved Instruction of Ptah-hotep⁵⁶ (under Asosi, toward the end of the Fourth Dynasty), it couples kindness with humility. *Be kindly when you hear the plea of a petitioner. Bend your back before your superior.* This is a combination of the ideal and the practical, and characteristic of Egypt. The first part of this, at any rate, will find an echo in the injunctions of UPZ 110, of the time of Ptolemy Philometor, wherein Wilcken suspected the influence of scribal instruction of the old type.⁵⁷

On the other hand, such an 'Instruction' may develop into actual specific instructions for an official. The best example from early times is that contained on the walls of the tomb of Rekhmire at Thebes, the Vizier of the South under Thothmose III,⁵⁸ and that from later times is P. Tebtunis 703, of the late third century B.C. If we remember that the one is addressed to a vizier by the king and the other by a vizier (*dioiketes*) to a local subordinate, the similarities are striking. If we remember the conservatism of administrative methods in a largely unchanging economy, we may accept both as representatives of the same tradition although they are separated by nearly thirteen hundred

⁵⁵ Erman, op. cit. p. 99 f. There is an earlier English translation by G. Battiscombe Gunn *The Instruction of Ptah-Hotep and the Instruction of Ke'-gemni. The Oldest Books in the World*, London 1906, pp 62—66.

⁵⁶ Gunn, op. cit.; Erman, op. cit., pp 86—99 (pp 54—66 in the English edition).

⁵⁷ Ulrich Wilcken, *Urkunden der Ptolemäerzeit (ältere Funde)*, I, Berlin and Leipzig, 1927, pp 473—496. Cf. II 60—62: περὶ τοῦ μη[δ]ένα τῶν τὴν χώραν κατοικοῦντων ἀδικηθῆναι; II 74—78: παρακεκληγόντων θ' ὅπως τοῦτο τοῦ μέρους <σ>τοχα[σ]άμενοι μηθὲν <μ>ῆτε μέγιστον μῆτε ἀναγκαϊότατον ἡγγήσῃσθε (sic!) τοῦ καὶ τοῖς καιροῖς προπόντως καὶ τοῖς ἀν[θ]ρώποις ἀρμοζόντως φαίνεσθαι πεπολιτευμένους.

⁵⁸ Breasted, *Ancient Records II*, pp 266—295.

years.⁵⁹ Rekhmire⁶⁰ was concerned with the administration of justice, with the collection of taxes, with reports to the Pharaoh and to his colleague, the Chief Treasurer, none of which things came within the province of the Ptolemaic *oikonomos* (if that is the official to whom P. Tebtunis 703 is addressed). Otherwise there is the same concern for the water supply,⁶¹ the movement of royal messengers and commodities,⁶² plowing, sowing, and harvest with the collection of the king's portion of grain, all in due observance of the land registry and the sowing schedule,⁶³ timber,⁶⁴ cattle,⁶⁵ and the arts and crafts.⁶⁶ Both contain injunctions to avoid bad company,⁶⁷ to promote cheerfulness,⁶⁸ to succor the hard-pressed,⁶⁹ to do and to promote justice.⁷⁰ In fact, the only essential difference between the two instructions is, enlighteningly enough, the Ptolemaic insistence on 'fiscality'. *If you make known to everyone*, so writes in substance the Greek minister, *that they are rid of their former ills, no one having the right to do what he wishes, but all being directed for the best, then you will bring the country into security and increase the revenues no little.*⁷⁰ Egypt of the New Kingdom also was or-

⁵⁹ So already noted by Rostovtzeff on P. Teb. 703.

⁶⁰ Rekhmire⁶⁰ nos 698 and 707 (pp 279 f.); P. Teb. 703, ll 29—40.

⁶¹ Rekhmire⁶¹ no 709 (pp 280 f.); P. Teb. 703, ll 70—87, 211—214.

⁶² Rekhmire⁶² nos 686—690, 699, 703 (pp 277, 279); P. Teb. 703, ll 49—60.

⁶³ Rekhmire⁶³ no 697 (p. 278); P. Teb. 703, ll 191—211.

⁶⁴ Rekhmire⁶⁴ no 706 (p. 280); P. Teb. 703, ll 183—191.

⁶⁵ Rekhmire⁶⁵ nos 753—759 (pp 291—294); P. Teb. 703, ll 87—117 (textiles), 134—164 (oil), 174—182 (markets).

⁶⁶ Rekhmire⁶⁶ no 666 (p. 269): *Behold he is not one setting his face toward the officials and councillors, neither one making brethren of all the people.* Similar forms of the maxim *Evil communications corrupt good manners* occur elsewhere in the 'Wisdom' literature. Cf. P. Teb. 703, ll 273—274: μή συμ[πλέ]κεσθαι φαβίους ὁμιλίαις.

⁶⁷ Rekhmire⁶⁷ no 715 (p. 282) carries this implication (*Going forth over the land every morning to do the daily favors*); more express is the Instruction of Merikere⁶⁸ (Erman, p. 111): *Sei nicht böse, freundlich sein ist gut.* Cf. P. Teb. 703, ll 42—43: εὐθαρσεστέρους παρασκευάζειν.

⁶⁸ Rekhmire⁶⁸ no 715 (p. 282): *rewarding the oppressed*; P. Teb. 703, ll 60—63: καὶ ἂν τινες ὥσι κατατεταμένον... μή ἀνεπίσκεπτον ἐάσθω.

⁶⁹ Rekhmire⁶⁹ no 669 (p. 269): *The true dread of a prince is to do justice*; no 713 (p. 281): *Judging the weak and the powerful, not bringing sorrow to the one who petitioned him*; P. Teb. 703, ll 222—225: ἵνα δὲ μήτ[ε] παραλογεῖα μηδεμ[ί]α γ[ί]νηται μήτ' ἄλλο μηθὲν ἀδίκημα τὴν ἐπιμέλειαν π[ο]ιοῦ μή [π]αρέργωσ.

⁷⁰ P. Teb. 703, ll 225—234.

ganized to secure the largest possible revenues, but the purpose need be less openly stated. It was actually self-evident. And of course the economy was simpler. Such a complicated monstrosity as the Ptolemaic oil monopoly had not yet been devised. Price control also, which appears in the Greek text in striking parallel to a provision of Plato's *Laws*,⁷¹ was not yet necessary in a largely natural economy, even granted that considerable private trade existed under the Pharaohs.

Akin to the 'Instruction', as a feature of Egyptian administration and as an expression of its philosophy, was the Writ of Indulgence, or proclamation of corrected abuses. There is an excellent example of this form from the New Kingdom, which again finds its counterpart in the first two Ptolemaic centuries.⁷²

Haremheb, the first Pharaoh of the Nineteenth Dynasty, tells, of his reforms in a great decree, carved on a stele erected by one of his pylons at Karnak.⁷³ The emphasis is on justice. *His majesty took counsel with his heart, how he might expel evil and suppress lying. The plans of his majesty were an excellent refuge, repelling violence and delivering the Egyptians from the oppressions which were among them. Behold, his majesty spent the whole time seeking the welfare of Egypt and searching out instances of oppression in the land. Then the scribe came. He seized palette and roll; he put it into writing according to all that his majesty, the king, himself said. He spoke as follows: 'My majesty commands as follows concerning all instances of oppression in the land'.*⁷⁴ But

⁷¹ P. Teb. 703, ll 174—181: μελέτω δέ σοι καὶ [ἴ]να τὰ [ῶ]νια μὴ πλείονος πωλῆται τῶν διαγεγραμ[μ]ένων τιμῶν· ὅσα δ' ἂν ᾖ τιμὰς οὐχ ἔστη[κ]νίας ἔχοντα, ἐπὶ δὲ τοῖς ἐργαζομένοις [ἐσ]τὶν τ[ά]σσειν ὥς ἂν βο[ύ]λωνται, ἐξεταζέσ[θ]ω καὶ τοῦτο μὴ παρέρῳς, καὶ τὸ σύμμετρον ἐπιγένημα τάξας τῶν πω[λ]ομένων φορτίων συνανάγκασζε, κτλ.; Plato, *Laws* XI 920 C: συνελθόντας δὲ ἰδεῖν λήμματα τε καὶ ἀνάλωμα τί ποτε τῷ κατήλῳ κέρδος ποιεῖ τὸ μέτριον, γράψαντας δὲ θεῖναι τὸ γινόμενον ἀνάλωμα καὶ λήμμα καὶ φυλάττειν. This setting of a 'fair' price on commodities not of such a vital nature as grain is an unusual notion in the Greek world, though it goes back to the earliest Mesopotamian law codes; cf. Albrecht Goetze, *Laws of Eshnunna, Sumer*, IV 2, 1948, pp 69—73.

⁷² Cf. for the Ptolemaic material Seidl, *Ptolemäische Rechtsgeschichte*, pp 15—20, and for the decree of Euergetes II in Cyprus, T. B. Mitford, *Contributions to the Epigraphy of Cyprus*, *Archiv für Papyrusforschung*, XIII 1939, p. 32 f., no 14. Cf. Adolf Wilhelm, *Griechische Königsbriefe*, (*Klio, Beiheft* 48, 1943), pp 48—59; Albert Rehm, *Philologus*, XCVII 1948, pp 267—275, 369.

⁷³ Breasted, *Ancient Records* II, pp 22—33, nos 45—67.

⁷⁴ No 50, p. 25.

what were the actual commands to effectuate this high moral purpose? They assume precisely the same fiscal purpose as all the royal legislation, earlier and later; it is so taken for granted that we should be naive were we to call it disingenuous.

If the poor man made for himself a craft with its sail, in order to be able to serve the Pharaoh, loading it with the dues for the breweries and kitchens of the Pharaoh, and he was robbed of the craft and the dues, the poor man stood reft of his goods and stripped of his many labors. This is wrong, and the Pharaoh will suppress it by his excellent measures. The person who interferes with the shipment of Pharaoh's goods will be punished severely, naturally, but the case of a poor man who might be shipping something for any other purpose is not considered. Perhaps there would be none.⁷⁵

If the poor man needs wood to serve the Pharaoh, it shall be furnished him. If the poor man has been robbed, *no further exactions for dues shall be made from him, when he has nothing.* If a poor man brings offerings for the harem or for the gods, and is robbed, the robber will be punished. If tax-collectors seize the slaves of the people and compel them to do forced labor, that is wrong. If troops collecting hides steal them without applying the royal brand, so that when the tax-collectors come to collect hides, the people have none left, that is wrong. If treasury inspectors connive with local tax-collectors to defraud the treasury, that is wrong. If the officials take the best of the vegetables of the poor, saying that they are for the Pharaoh, when they are not, so that the people must pay double, that is wrong.⁷⁶ When, in the concluding sections of the decree, the Pharaoh claims: *I have improved the entire land, my majesty has done this to improve the laws of Egypt; my majesty is legislating for Egypt, to prosper the life of the inhabitants,*⁷⁷ there is no question in whose interest these reforms were effected. To be sure, *as to the obligation of silver and gold, my majesty remits it, in order that there be not collected an obligation of anything from the official staff of the South and North.*⁷⁸ There were banquets and gifts. *Every man sat down at a portion of every good thing, of good bread, of meat of the storehouses. The king appeared to the people, throwing them*

⁷⁵ No 51, p. 26.

⁷⁶ Nos 52-59, pp 26-30.

⁷⁷ No 63, p. 31.

⁷⁸ L. cit.

*gifts from the balcony.*⁷⁹ In other words, the Pharaoh was 'just' so that he might be generous.

In contrast, the great decree, or series of decrees, of Ptolemy Euergetes II dated in 118 B. C. is less theoretical and more detailed.⁸⁰ Other fragmentary decrees of the same type, earlier and later, show that the type was so familiar that it had become something of a form, and needed little rhetoric. Nevertheless, it is remarkable how many of the provisions of Haremheb's decree recur. Persons connected with the revenues of the king are to be protected from interference.⁸¹ They may not be compelled to labor privately for officials.⁸² Boats are not to be requisitioned.⁸³ Persons usefully employed are not to be arrested on private charges.⁸⁴ *No one is to collect anything whatever from the cultivators and the tax-payers and the persons connected with the revenues and the honey-workers and the rest for the benefit of the strategi or chiefs of the phylacitae or archiphylacitae or oeconomi or their agents or the other officials.*⁸⁵ Undoubtedly the intent and perhaps the effect of the decree was to improve the lot of that practically unchanging basis of Egyptian economy, the peasant. He would be particularly interested, I suppose, in the confirmation of the asylum granted to many Egyptian temples,⁸⁶ and to the provision for the settlement under native law in native courts of suits based on contracts written in his own language.⁸⁷ The Ptolemies, like the Pharaohs, were concerned to protect the people from the great third estate, the bureaucracy, but their concern was not disinterested. Like the Romans later, they may have wished to see that their sheep were not flayed, but they wished also to make sure that they were fleeced by no one but themselves.

These, we may say, are the actualities of the situation, the permanent features, throughout antiquity, of the Egyptian scene.

⁷⁹ No 66, p. 32.

⁸⁰ The Tebtunis Papyri, ed. Bernard P. Grenfell, Arthur S. Hunt, J. Gilbart Smyly, I, London, 1902, pp 17-58, no 5.

⁸¹ Ll 168-177.

⁸² Ll 178-187; 248-251.

⁸³ Ll 252-254.

⁸⁴ Ll 255-264.

⁸⁵ Ll 138-143.

⁸⁶ Ll 83-84.

⁸⁷ Ll 207-220.

What impact did it make on those inveterate theorizers and consummate businessmen which were, and are, the Greeks?

It has long been recognized that the Greeks contributed one notion to Ptolemaic Egypt, that rationalization of kingship which, appearing as far back as the fifth century B. C., was refined and systematized in the fourth, and with the third became stereotyped in the conventional forms which it was to maintain down through the Roman Empire and beyond. There is no need here to discuss this material in detail, for it is well known.⁸⁸ At least three ideas of Greek political thought coalesce in it: first, the hegemonial principle for combining various and differing political units into one state; second, the philosophical conception that the best, whether several or one, had a natural right to rule and should rule in the interest of securing the good life for everyone; and third, a practical observation of the effectiveness of the old tribal monarchy as preserved in Macedon, with the king as general, judge, and priest.⁸⁹ It is not impossible that the observation of oriental monarchies in the fourth century contributed to the development of the idea. Xenophon's *Cyropaedia* was widely read, many Greeks experienced service under kings, and even that dauntless Athenian, Isocrates, paid

⁸⁸ A full bibliography of the discussion of kingship and the royal cult is given by Rostovtzeff, *Hellenistic World*, p. 1379 f., no 83. To this may be added the book of Louis Delatte, *Les Traités de la royauté d'Ecphante, Diotogène et Sthénidas* (Bibliothèque de la faculté de philosophie et lettres de l'Université de Liège, 97, 1942); cf. the comments of Erwin R. Goodenough, *Classical Philology*, XLIV 1949, pp 129—131. Cf. also the recent papers of Julien L. Tondriaux, *Le point culminant du culte des souverains*, *Etudes Classiques*, XV 1947, 100—113; *Un thiase dionysiaque à Peluse sous Ptolémée Philopator*, *Bulletin de la Société royale d'Archéologie d'Alexandrie*, 37 1948, pp 3—11; *Princesses Ptolémaïques comparées à des deesses*, *ibid.*, pp 13—33; *Rois Lagides comparés ou identifiés à des divinités*, *Chronique d'Egypte*, 45/46 1948, pp 127—146.

⁸⁹ Discussions usually confine themselves to the second of these three points, but there can be no doubt that Isocrates, at least, was most affected by the last. The growth of the hegemonial notion in Greece as a constructive form in interstate relations has never received adequate recognition. Cf. the magisterial survey of Heinrich Triepel, *Die Hegemonie. Ein Buch von führenden Staaten*, Stuttgart and Berlin, Kohlhammer, 1938. Apparent perhaps first in the organization of the Peloponnesian League in the sixth century the principle carries through the fifth and fourth centuries until it receives terminological recognition in the League of Corinth. The state of the Seleucids, at any rate, and perhaps that of the Ptolemies in its widest extent, owes much to this conception.

his respects from afar. There came to be a religious side of the matter too, of course, though the Greek habit was first to approve and only afterwards to worship, and the ruler cults, whatever political purpose they may have served, always partook of the nature of what Livy called a *legitimus honor*.⁹⁰ And there was the other side of the picture as well, at least in the sequel. If kings were inevitable, as they seemed to be, then they might as well be good ones. This was why Demetrius of Phaleron recommended to Ptolemy I the reading of the treatises on kingship, so that he might know what was expected of him.⁹¹ Certainly, as Seidl has wisely pointed out,⁹² all this tended to make the rule of a king palatable to the Greeks in the Hellenistic monarchies, a very useful provision. The kings, like the later Roman emperors, needed the Greeks, and the Greeks might profit under the kings, but however adroit he may be, no Greek, ancient or modern, ever thought that anyone was really superior to himself.

It has been less clearly recognized that the Greeks contributed a second political rationalization which has had fully as wide an influence as that of monarchy. One of the very few to hint at this was Hans Erich Stier, the faithful follower of Eduard Meyer. In a paper read at the last great pre-war congress, that of archaeology, held in Berlin on the eve of the war which has brought so many changes,⁹³ he pointed out the fascination which Egypt exercised on the Greeks, and brings together Herodotus, Hecataeus, and the political writings of Plato, especially the *Laws*, which even in the fourth century people thought was inspired by Egypt — a charge which Crantor has perpetuated in attempting to refute.⁹⁴ It would be useless to argue again the question, whether Plato may himself have visited Egypt or not.⁹⁵ It is im-

⁹⁰ Charles F. Edson, *Legitimus honor, A Note on Hellenistic Ruler-worship*, *Harvard Theological Review*, XXVI 1933, p. 324 f.; Livy, XXXII 25, 2-4.

⁹¹ Stobaeus, IV, vii, 27; noted by Rostovtzeff, *Journal of Egyptian Archaeology*, VI 1920, p. 173; E. R. Goodenough, *Yale Classical Studies*, I 1928, p. 58.

⁹² *Ptolemäische Rechtsgeschichte*, p. 12.

⁹³ *Hellas und Aegypten, Bericht über den VI. Internationalen Kongress für Archäologie, Berlin, 21-26 August 1939*, Berlin, 1940, pp 282-291.

⁹⁴ Cited by Proclus in *Tim.* I, p. 76, 2 (Diehl).

⁹⁵ Mallet, *Rapports* (op. cit. n. 37, above), pp 125-134; J. Bidez, *Eos ou Platon et l'Orient*, Bruxelles, 1945, chap. III; A.-J. Festugière, *Platon et l'Orient*, *Revue de Philologie*, 3rd Ser., XXI, 1947, pp 5-45.

possible to prove that he did not, but, on the other hand, he need not have visited Egypt to be familiar with it, as Geffcken noted.⁹⁶ Eudoxus could have told him all he wished to know, and in Plato's last years, the Athenian Chabrias was running the Egyptian economy practically as a Ptolemaic *dioiketes*.⁹⁷ The lands of the eastern Mediterranean had become in the fourth century again one world, as they must have been in the sixth. Whatever iron curtains had existed in the period of Persian and Athenian imperialism had vanished. There was no reason why Plato could not have known all about Egypt, and there was every reason why he should have wanted to.

It is unnecessary to point out the troubles of metropolitan Greece, and of the older city states, in the fourth century. Later events amply refute those who would speak here of the 'bankruptcy' of the city state. Actually, the Greek city remained as the model of proper living down through the Hellenistic times, when the kings founded numerous cities of varying types, and through the Roman Empire, which was at its best a state of cities.⁹⁸ Details changed, but the city went on, and Plato and the rest of the 'utopiasts' only did the obvious in conceiving of the ideal community in the form of a city. But while the Greeks felt no need for a substitute for the *polis*, it was becoming painfully evident that the *poleis* must, if they were to realize the good life to which they were dedicated, learn to get on with each other or else submit to some authority which could make them do so. One solution was withdrawal. Plato's Magnesia was to lie in a remote and uninviting corner of Crete, but even so, it was to cap a tight economic system with rigid protection of the citizens from foreign ideas by a tough and effective military establishment.⁹⁹ The other solution was to combine into larger territorial units, able to maintain themselves economically and militarily. From either point of view, Egypt must have seemed to

⁹⁶ J. Geffcken, *Platon und der Orient*, *Neue Jahrbücher für Wissenschaft und Jugendbildung*, V 1929, pp 517—528.

⁹⁷ Cf. most significantly the anecdotes in pseudo-Aristotle, *Oeconomica*, II 25 and 37 (Schur, op. cit., p. 282).

⁹⁸ Cf. the useful protest of Rostovtzeff, *Hellenistic World*, pp 1119—1122.

⁹⁹ Cf. my sketch, *The Economic Background of Plato's Communism*, *The Tasks of Economic History*, being Supplement VIII 1948, of *The Journal of Economic History*, pp 101—114.

many Greeks the ideal answer, being at once remote and self-sufficient. This, in my opinion, was the rationalization, if not the discovery, of Hecataeus. Hecataeus proclaimed for Ptolemy and for the Greeks that in Egypt the ideal state of the philosophers had come true. It is remarkable how little he had to falsify to draw his picture.

Hecataeus devotes much space to Pharaonic legal institutions,¹⁰⁰ but there is no occasion here to go into the question of civil and criminal law. The actual history of Pharaonic law is still to be written. No one has undertaken it since the somewhat 'prehistoric' days of Eugène Revillout,¹⁰¹ although the lack is met somewhat by brief surveys in the general books, and by such useful if partial studies as that of Jacques Pirenne.¹⁰² The material on civil law, particularly, is ample, especially after Bocchoris, who introduced written pleadings.¹⁰³ For the Ptolemaic period, the general sketch of Erwin Seidl, and the special studies on historical principles of Kunkel,¹⁰⁴ Berneker,¹⁰⁵ Hellebrand and Erdmann,¹⁰⁶ show how fruitful the field is. Seidl¹⁰⁷ identifies in the Ptolemaic period three systems of law in Egypt; the national, inherited from pre-Ptolemaic times; the Greek, based on the comparative study of Greek law pursued in the schools

¹⁰⁰ Diodorus, I 77—80, 2.

¹⁰¹ Especially his *Précis du droit égyptien comparé aux autres droits de l'Antiquité*, 2 vols, Paris, 1899—1903.

¹⁰² Op. cit. n. 41 above. Cf. also the useful brief remarks of Erman-Ranke, *Aegypten*, pp 146—174 (on police and courts), of Kees, *Aegypten*, pp 218—227 (law and the courts), and of Seidl, *Einführung in die ägyptische Rechtsgeschichte* (part 10 of Alexander Scharff's *Aegyptologische Forschungen*; not seen by me).

¹⁰³ This was the opinion of Griffith, based on the Demotic Papyri of the John Rylands Library in Manchester, and it has been commonly accepted (cf. for example W. Kunkel, *Griechische und ägyptische Elemente im Eidesrecht der Ptolemäerzeit*, *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Rom. Abt.*, LI 1931, pp 245—256; Erich Berneker, *Zur Rechtskraft im ptolemäischen Prozessrecht*, *Festschrift Paul Koschaker*, III 1939, pp 268—280). It has been called in question, at least in this simple form, by Seidl (op. cit., n. 102 above); cf. the brief summary, Helene von Zeissl, *Aethiopen und Assyrer in Aegypten. Beiträge zur Geschichte der ägyptischen „Spätzeit“*, part. 14 of Alexander Scharff's *Aegyptologische Forschungen*, J. J. Augustin, Glückstadt und Hamburg, 1944, p. 75 f.

¹⁰⁴ Op. cit. n. 103 above, pp 229—276.

¹⁰⁵ Op. cit. n. 103 above.

¹⁰⁶ Op. cit. n. 23 above.

¹⁰⁷ *Ptolemäische Rechtsgeschichte*, pp 15—20.

of Plato and Aristotle; and the royal, promulgated through the king's *protagmata*, *diagrammata*,¹⁰⁸ etc., designed to enforce the king's interest and to mediate between the other two systems — to resolve those conflicts of law to which Lewald has drawn attention.¹⁰⁹ This is a useful reminder of how large an element of continuum there was in Ptolemaic Egypt, and the legal section of Hecataeus' account would repay a closer analysis than it has received.

Briefly, however, it may be observed that this part of Hecataeus' narrative also displays that dual purpose which has led moderns either to defend his accuracy or to brand him as a writer of a utopia. Actually, of course, he was both, since his material coincided with his ideas, and since, as a follower of Plato, his purpose was entirely practical. By describing the realm which Ptolemy had won, he would point out its true character and potentialities. Some of the legal institutions he describes seem to be literally correct, the use of written pleadings just mentioned, the decisive role of the oath in suits,¹¹⁰ and the protection of the person against seizure in civil claims.¹¹¹ Others have more of a theoretical look, especially the 'poetically' just punishments for false-witness, for forgery, and for betrayal of secrets to the enemy.¹¹² The prescribed penalty for desertion, disgrace, is reminiscent of Plato.¹¹³

Another reminiscence of Plato, which may well nevertheless be entirely historical if certainly over-simplified, is the reference to medicine. Medical treatment was free, but drastic, and the author may have had in mind Plato's scorn of hypochondriacs. He, too, seems to have shared the feeling that ailing persons should die or get well promptly.¹¹⁴

On the subject of population, Hecataeus was in a dilemma. He could go with Plato on the subject of public nurseries, making the rearing of children painless and without cost to the parents,

¹⁰⁸ Cf. Lenger, *op. cit.* n. 29 above, and on the *diagrammata* in particular, C. B. Welles, *American Journal of Archaeology*, XLII 1938, pp 245—260.

¹⁰⁹ *Op. cit.* n. 24 above.

¹¹⁰ Diodorus I 79, 1; cf. Kunkel, *op. cit.* n. 103 above.

¹¹¹ Diodorus I 79, 3.

¹¹² Diodorus I 77, 4; 78, 3.

¹¹³ Diodorus I 78, 1—2; Plato, *Laws*, XII 943.

¹¹⁴ Diodorus I 82; Plato, *Republic*, III 406 D/E.

but he could not hold to the principle of restriction of population.¹¹⁵ Ptolemy certainly took over an underpopulated land. The Zenon papyri bear eloquent witness to the shortage of labor.¹¹⁶ Consequently Hecataeus must preach the doctrine of large families. Even women condemned to death for a crime were to be allowed to give birth before being executed.¹¹⁷

Hecataeus lists five classes in the state,¹¹⁸ as Herodotus earlier, though without any special reason, had listed seven.¹¹⁹ Modern writers list more or less.¹²⁰ Actually, of course, what had prevailed in Egypt from the early times, and what was also duly noted by Herodotus,¹²¹ was an expectation that professions would be hereditary in the family. Plato's interest in enlisting the 'best brains' for the service of the state was represented by the possibilities of a scribal career, the advantages of which are repeatedly emphasized in Egyptian literature.¹²² A bright child could, seemingly, without too much difficulty, be entered in a scribal school, from which after stern years of study under a master and his rod he would go forth with a knowledge of reading and writing, and his future advancement was limited only by his own abilities. But otherwise, son followed father, learning his skills. Only the children of priests, according to Hecataeus,¹²³ would have such an education as Plato contemplated, arithmetic, geometry, and astronomy. Thus a kind of fixed class or caste system prevailed, and the number of the classes or castes depended on how you counted them. Hecataeus' list of priests, warriors, herdsmen, husbandmen, and artisans is as good as any, though where he would have put, for example, the numerous and

¹¹⁵ Diodorus I 80, 3—6.

¹¹⁶ Cf. Hellebrand, *op. cit.* n. 22 above.

¹¹⁷ Diodorus I 77, 9/10.

¹¹⁸ Diodorus I 73—74, 7.

¹¹⁹ Herodotus II 164—168.

¹²⁰ Cf. Breasted, *History of Egypt*, p. 246; Moret, *Le Nil*, p. 307 f.; A census conducted under Thutmose IV listed soldiers, priests, royal serfs, and craftsmen (Breasted, *Ancient Records*, II p. 165, n. a).

¹²¹ He calls them *γενηαί* rather than *τέχνηαι*, II 164, 1.

¹²² Notably in the Instruction of Duauf, which dates about 2000 B. C. (Erman, *Literatur der Aegypter*, pp 100—105; pp 67—72 in the English translation of Blackman).

¹²³ Diodorus I 81; cf. Mallet, *Rapports* (*op. cit.* n. 37 above), p. 132.

important cemetery workers is not so clear.¹²⁴ He does not consider, also, the merchants of the nome capitals, traders, importers, and exporters;¹²⁵ this may be due to Platonic 'indoctrination' (to use a favorite word of the modern bureaus) against such activities.

As to the country's economy, Hecataeus was, certainly in the main lines of his description, quite correct, as well as faithful to the theoretical conceptions of Plato. Productive activity was in the hands of specialists, artisans who made things, husbandmen who cultivated the land — all the land — and herdsmen who reared and cared for all the livestock (whether two or four-legged).¹²⁶ We might add also a host more, fowlers, fishermen, bee-keepers, quarry and mine-workers, transport workers, and so on, but for the general pattern, Hecataeus gives enough; he was sufficiently Greek, sufficiently Platonic, to be unwilling to clutter up his picture with too much detail, and for the categories of activity which he omits, the same system of operation prevailed. To be sure, he would not or could not characterize these groups as citizens of a lower order, or as not citizens at all;¹²⁷ there was no citizenship in Egypt, either in the times he described or in the times in which he lived. Nevertheless, quite as in Plato's notion, these workers made up a supporting basis for the supported classes which had other things to do, the priests with their obligations to serve the gods and to advise the king, and the warriors with their obligation to unhampered military service. Each of these was assigned a third of the grain land, the remaining third going to the governing group, the king and the bureaucracy. By this system, in Hecataeus' euphemistic phrase, these were supported, without the necessity of levying taxes.¹²⁸ This is, of course, an agreeable fiction, in both respects, since we know otherwise that the peasants in Pharaonic¹²⁹ as in Ptole-

¹²⁴ Such as those of the Theban necropolis who had trouble collecting their salaries under Ramses III (Erman-Ranke, p. 141; Kees, p. 214). For the Ptolemaic period cf. for example the *choachytæ* documents published by Ulrich Wilcken, *Urkunden der Ptolemäerzeit*, II 2, 1937, pp 128—193.

¹²⁵ Erman-Ranke, pp 571—619; Kees, p. 103 f.

¹²⁶ Diodorus I 74, 3—5.

¹²⁷ In the *Laws*, Plato conceives of the farm laborers as serfs, and of the artisans as metics.

¹²⁸ Diodorus I 73, 6.

¹²⁹ Cf. Breasted, p. 237; Erman-Ranke, p. 171; Ed. Meyer, I 2, p. 193 f.

maic Egypt¹³⁰ did pay actual taxes of various sorts, and to call the government's share of the harvest an ἐκφόριον did not necessarily make it any easier to pay. It is a pity that Hecataeus did not specify the size of this governmental portion. We have only the authority of *Genesis* that it was a fifth.¹³¹

Two points in Hecataeus' narrative are less useful to our, and to his, purpose. The description of Pharaonic Egypt called obviously for the exaltation of the Egyptian priests,¹³² but they fit in neither with Plato's ideas nor with Ptolemy's. A Greek had little interest, theoretically or practically, in a hereditary and professional priesthood,¹³³ although a Greek scholar might respect the Egyptian priests as the bearers of an age-old wisdom, and Ptolemy wished neither to allow the priests a third of his arable land nor to subject himself to their advice.¹³⁴ Equally little, I suppose, would Ptolemy have wished to subject himself to the restraints and the routine which Hecataeus describes as making up the life of a Pharaoh.¹³⁵ To be sure, this last description does contain the kind of injunction to act justly which appear alike in the Egyptian literature and in the Greek treatises περὶ βασιλείας.

My suggestion is, therefore, that the history of Hecataeus was a 'command performance,' an interpretation of Pharaonic Egypt in the terms of Greek political philosophy.¹³⁶ That it was so successful in both respects is a tribute to the close intellectual relations which prevailed between Greeks and Egyptians in earlier centuries, culminating in the school of Plato in the fourth century.

There is no doubt that the Greeks made a third contribution also to the life and thought of Egypt in the third century, although

¹³⁰ Wilcken, *Grundzüge*, pp 169—173.

¹³¹ *Genesis* 47: 26. The figure is accepted by Breasted, p. 237, and by Ed. Meyer, II 1, p. 67f, but the general silence of our sources from Herodotus down leads one to suspect that the percentage was not always the same.

¹³² Diodorus I 73, 1—5. Cf. Ed. Meyer, II 2, p. 42 f.

¹³³ But Meyer calls attention to Plato's remark in the *Politicus* 290 D.

¹³⁴ Rostovtzeff, *Hellenistic World*, pp 280—284, and elsewhere.

¹³⁵ Diodorus I 70—71.

¹³⁶ So F. Jacoby, *Real-Encyclopaedie*, VII 1912, 2763 f. Cf. W. Schubart, op. cit. n. 21 above, p. 3: *Alle späteren zehren im Grunde von Platons Gut*. In this place Schubart seemed on the point of saying much of the contents of this paper, but confined himself to the problem of kingship only.

as Schur¹³⁷ and others have recognized, it was a contribution which begins as far back as the Saite times, when Greeks began again coming to Egypt as merchants, and also as soldiers and advisers. It was a contribution concerned with that practical rather than theoretical Greek interest, money.

We may suppose that Egypt used money as early as the Twenty-Sixth Dynasty, when Greek mercenaries were first employed, but, if so, this must have been Greek money. The earliest Egyptian minting which seems certain occurred under Tachos.¹³⁸ With Alexander and Ptolemy, minting came to stay, and the possibilities of exploiting the country, either by the government or by an enterprising individual, began to be fully recognized.

To discuss this matter in any detail would be a long matter, and the material for only one phase of it is at hand. Studies in the papyri of the mid-third century will certainly make it possible to see, eventually, what were the possibilities of personal advantage for a Greek in Egypt under Soter and Philadelphus and Euergetes. Obviously government service was one way, but not the only one. Government servants certainly engaged in business for themselves, and there were certainly Greeks in Egypt doing well for themselves in a private capacity; witness Zenon and many of his friends in and around Philadelphia in the forties and thirties.¹³⁹ Zenon had not abandoned a brilliant career at court to vegetate on a sand-heap at the edge of Fayum for nothing. One could do business there, become prosperous and live a good life, but we have not yet collected the evidence. There was a profitable retail trade in goods and services, and there was a place for middlemen to dispose of government surpluses locally under contract, an operation which could be more than ordinarily profitable if you enjoyed political influence.¹⁴⁰ All of

¹³⁷ Schur, op. cit., n. 39 above.

¹³⁸ Schur, p. 282. On the Athenian coins in Egypt cf. E. S. G. Robinson, *Numismatic Chronicle*, 1947, pp 115-121. On the Neb-Nefer gold of Tachos, Arpag Mekhitarian, *Sursaut d'un Empire agonisant. L'Aube du système monétaire en Egypte*, *La Revue du Caire*, 1944, pp 514-527. On the early satrapal coinage, E. T. Newell, *Miscellanea Numismatica, Cyrene to India* (*Numismatic Notes and Monographs*, 82 1938), pp 60-75.

¹³⁹ Rostovtzeff, *Large Estate* (op. cit. n. 12 above), pp 158-161.

¹⁴⁰ In such a transaction as that in William Linn Westermann, Elizabeth Sayre Hasenoechl, *Zenon Papyri I*, New York, 1934, pp 144-149, no 55, I suspect that the nomarch Etearchus is acting for himself, in negotiating

the money to be made in Egypt did not go into government coffers, or even as graft into the hands of corrupt or complaisant officials.

The governmental economy of the Ptolemies has received ample and detailed treatment, though there is still room for much monographic investigation. But we may hope also for analytical as well as descriptive studies, and especially for the use of the historical method. So much, even of the governmental economy of the Ptolemies, goes back to earlier times.

It is easy to point to the organization of the 'monopolies' as Greek in conception, or at least to the tax-farming features of them. This was one of the most characteristic, as well as one of the least desirable, features of Greek public life. I can not feel that the Ptolemaic *telonai* had their activities so effectively circumscribed in practice as they are in theory in the Revenue Laws.¹⁴¹ I suspect that there will be found many other fiscal elements, also, which can be traced to Greek ingenuity. In addition to their natural aptitude in this direction, we may remember that the Greeks of the fourth century, especially in connection with the encyclopaedic activities of the Peripatos, had made a special study of the subject of governmental finance, on the most practical and least idealistic plane. The actual collection of financial prestidigitations which we have in the second book of the pseudo-Aristotelian *Oeconomica* is later than the administration of Demetrius of Phaleron at Athens, and however excellent were the finances of this distinguished pupil of Theophrastus,¹⁴² we cannot think of him as thumbing through its pages in the prytaneum, or of smuggling out a copy of it when he was compelled to remove himself to the court of Ptolemy Soter. It can hardly even have been his vademecum when he composed for that monarch the code of laws which we

a transfer of surplus government wine at Philadelphia to the merchants of Bacchias and Hephaestias. Editors have been too little ready to look for this sort of interpretation, or indeed, to think of Egypt from the point of view of the people who lived and made their livings there. It is in this respect that the remarkable book of Franz Cumont, *L'Egypte des Astrologues*, Fondation Egyptologique Reine Elisabeth, Bruxelles 1937, is so useful. It makes it possible for us to view the country through the eyes of its inhabitants.

¹⁴¹ Rostovtzeff, *Hellenistic World*, pp 328—330.

¹⁴² Cf. W. S. Ferguson, *Hellenistic Athens*, 1911, p. 58 f.

should like to well to know.¹⁴³ But the collection springs from the activities of Demetrius' school, and testifies to his familiarity with the problem of raising money. This problem was Ptolemy's necessity, and we must recognize that Demetrius' financial experience must have been largely drawn upon in planning the economy of Ptolemaic Egypt.

To sum up, then. My suggestion is that, as regards Egypt, Ptolemy took over a going concern, and did not change it very much,¹⁴⁴ except as was necessary to adapt it to Macedonian control and to the Greek monetary economy. His governmental philosophy, the rationalization of his own position and of his state socialism (or whatever we may choose to call it), was supplied by the Greek speculation of the fourth century.

C. Bradford Welles

[Yale University]

¹⁴³ *Real-Encyclopaedie*, IV 1901, 2821/2.

¹⁴⁴ Even the *strategoï* of the nomes were hardly an innovation, since they rather superseded than supplanted the old nomarchs. Other such standard features of the Ptolemaic economy as the *dioiketes* and his agents, the *oikonomoi*, the cleruchs, the tariffs and monopolies, the gift-estates, and the census, were all previously existing under the Pharaohs. Of that great institution, the cadaster and the land records, of the early times, we shall know more when the material in Sir Alan Gardiner's monumental publication of *The Wilbour Papyrus* (Oxford, 1942-1948) has been thoroughly studied.