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Ad Papyrus Hibeh 198

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AD PAPYRUS HIBEH 198

One of the questions on which P. Hib. 198 throws light is the protection of river transport in ancient Egypt. The information contained in col. V recto of this papyrus supplements other data to such an extent that it is now possible to outline the system of protection in traffic on the Nile in the Ptolemaic and Roman times.

The transport on the Nile was not probably very safe in the Pharaonic Egypt. From times immemorial the Egyptian peasants would seek escape from the unendurable conditions; they would run away from their homes and often would form gangs of robbers, living on the border of the desert or in the swamps¹. Especially the swamps of the Delta were the refuge of all kinds of fugitives². Even legend chooses these swamps for the hiding-place of the young Horus, and Herodotus relates that in result of an Ethiopian invasion the blind pharaoh Anysis (?) was put to flight „in the swamps” of the Delta where he lived for fifty years on an isle the level of which was elevated by spreading its surface with ash³. This material was delivered by the population with the supplies of corn. But humble refugees or gangs of robbers had to seek food and indispensable commodities. All that was necessary for them could be found in abundance in the ships sailing on the Nile and her tributaries and canals. For that reason as well as for the necessity of water the destitute fugitives and gangs of robbers used to have their hiding-places chiefly near the river banks and were a constant danger for the river traffic. In the Pharaonic and Persian times the task of ensuring the safety of river transport was probably imposed on the regular police and that usage came down to the epoch of the Ptolemies⁴.

¹ The existence of organized gangs of thieves in Pharaonic Egypt is testified by Diodorus I, 80. The great tomb robberies under Ramses IX prove the insolence of the robbers in these times. Cf. J. H. Breasted, *Geschichte Ägyptens* 46, 273 and *Ancient Records of Egypt*, IV, 499-556. Cf. also M. I. Rostovtzeff, *Ét. Andréades*, 370; *idem*, *Social and Economic History of the Hellenistic World*, II, 898; H. I. Bell, *Byzant. Zeitschrift* 28, 3-4, 285.

² The Delta was often the refuge of the Egyptian rebels. Cf. for the times of Persian domination: *Précis de l'histoire d'Égypte*, I, 216 ff.; for the Ptolemaic times: *ibid.* I, 291, 293; A. Bouché-Leclercq, *Histoire des Lagides* I, 254 n. 1-255, 316, 365, 395; Rostovtzeff, *op. cit.* II, 719-720, 892.

³ II, 137, 4-5; 140. Herodotus reports also that the marshes of the Delta were twice the refuge of the Pharaoh Psammetichus. Cf. II, 151-152.

⁴ Cf. C. B. Welles, *JJP* III, 47. Rostovtzeff, *Ét. Andréades*, 370.

P. Hib. 198 recto, col. V testifies that in the III-rd century B.C., under the reign of Philadelphus⁵, the insecurity of river transport attracted attention of this king who with success endeavoured to reform the Egyptian police⁶. The ordinance in question contains the measures for the repression of piracy and robbery and the prevention of the corruption of the police as well as for the protection of river communications. In the lines 85—92 it is emphasized that the police has to arrest offenders who are „sailors marked with the royal brand”, i.e. slaves, prisoners of war and branded criminals belonging to the royal fleet⁷. The police's duty is also to arrest offenders who are „[other members] of the royal fleet”; probably they are free Egyptians recruited as sailors⁸. Then there is ground to suppose that the gangs of Nilotic pirates consisted not only of the exasperated peasants who resorted to „the immemorial Egyptian device” of ἀναχώρησις (or ἐκχώρησις)⁹ and of professional criminals but also of sailors deserting from the royal fleet (οἱ βασιλικοὶ ναῦται)¹⁰. Moreover in line 93 there is an expression: „οἱ λοιποὶ κακοῦργοι.” which can comprise also Egyptian rebelling patriots.

The policemen convicted of the neglect of their duty were liable to heavy penalties. The φυλακίτης who failed to arrest an offender and convey him to the police station was considered an accomplice and underwent the same penalty as the offender. If the latter was a sailor deserting from the royal fleet the careless policeman was to be sent to the ships. Those who gave shelter to deserting sailors incurred the danger of the punishment for theft committed against the crown.

Offenders were excluded from the benefice of the immunity in whatever asylum. Any person who obstructed their arrest „wherever they may be” would undergo „the same fines as the brigand or the deserter from his ship”. The receivers of stolen goods or those who concealed „brigands or any other malefactor” are also to be punished¹¹.

P. Hib. 198 recto, col. V contains other matters besides the repressive measures destined mainly to check the collaboration of the police and native population with the robbers. In the lines 110—122 there are set forth the methods of control which aim at restricting the opportunities of the Nilotic piracy. The sailing on the river at night is in principle forbidden. Those who sail on the river are

⁵ Cf. P. Hib. II, p. 77. M. Th. Lenger und E. G. Turner).

⁶ Cf. Theocritus XV, 46—50 and Bouché-Leclercq, *op. cit.* IV, 56 n. 3.

⁷ Cf. J. Lesquier, *Les institutions militaires de l'Égypte sous les Lagides*, 256—258.

⁸ Cf. Lesquier, *op. cit.*, 257—258.

⁹ Cf. e. g. P. Tebt. 5, 6 ff.; P. Tebt. 742, 26 f., 32 f. Cf. also Rostovtzeff, *op. cit.* II, 724, 898—899; V. Martin, *Les papyrus et l'histoire administrative de l'Égypte gréco-romaine in the Papyri und Altertumswissenschaft, Münchener Beiträge* 19, 144 ff.; Préaux, *Économie royale des Lagides*, 500 ff.; *Chronique d'Égypte*, 530.

¹⁰ Cf. P. Tebt. III, 99—100, comm. ad lines 215—222 of P. Tebt. 703.

¹¹ P. Hib. 198 recto V, 96—100.

obliged to moor overnight in an appointed place¹². In case of a bad weather and enforced mooring to the bank, the sailor had „to go before the competent authorities”, i.e. to the chief officer of the nearest police post; the posts (φυλακαί) were situated along the banks of the river¹³. The commandant of the post (ὁ ἀρχιφυλακίτης) who had received from the sailor an information concernig „the reason and place of mooring” has to send an adequate number of guards to the mooring-place in order „to prevent any act of violence”. Only the messengers of the king in case of urgency could sail at night with an escort given them by the police. Then in times of Philadelphus the protection of river transport was the task of the regular police authorities who in principle performed this responsibility only on the land.

The measures taken by Philadelphus soon became unsatisfactory. The conditions of life of the people were, as writes Rostovtzeff, „far from satisfactory” and under Philopator there began a long series of internal disturbances and revolts which would continue to break out until the end of the Ptolemaic period¹⁴. In this situation the Lagids on the one hand tried to apply the means of appeasement but on the other they began to place the security forces on the Nile.

Probably under the reign of Euergetes on board of the ships which transported governmental cargoes on the Nile there were stationed armed guards (μάχιμοι) who became an established institution of freight convoy (ἐπίπλοοι)¹⁵. In the times of Philopator or Epiphanes it was necessary to organize a special group of μάχιμοι, the ναυκληρομάχιμοι¹⁶ and send them as the crews of guard ships (φυλακίδες)¹⁷ to patrol the Nile, her tributaries and canals.

A document from the I Cent. B. C.¹⁸ permit to assume that the water ways under the care of this river guard (ποταμοφύλακες)¹⁹ were divided into sections each patrolled by one guarding ship. In each section there was established a station of the river guards. As well as the police the ποταμοφύλακες had not only to secure public order but also to perform many functions²⁰. So the

¹² i.e. in a place on the river guarded by the police, perhaps in a place where was located a police post.

¹³ The col VI of the P. Hib. 198 recto seems to contain a list of police posts situated along the Nile in middle Egypt from Memphis to Hermopolis.

¹⁴ Cf. Rostovtzeff, *op. cit.*, II, 877–878; *idem*, *Ét. Andréades*, 372–373.

¹⁵ P. Lille 25, 46. Cf. C. H. Brecht, *Zur Haftung der Schiffer im antiken Recht*, 45; H. Zilliacus, *Aegyptus* 19, 68.

¹⁶ Cf. Rostovtzeff, *op. cit.* II, 715, 721, 1494 (docum.); Lesquier, *op. cit.*, 257–258; Bouché-Leclercq, *op. cit.*, IV, 7; E. Kiessling, *Pauly-Wissowa RE*, XVI₂ 1937 s.v.

¹⁷ UPZ 110, 22; Cf. Lesquier, *op. cit.*, 258.

¹⁸ BGU. 1784. Cf. Rostovtzeff, *Ét. Andréades*, 371; M. Merzagora, *Aegyptus* 10, 122.

¹⁹ P. Amh. II, 32; BGU. 1743 l. 16 ff. Cf. Kiessling, *Pauly-Wissowa RE* XXII₁, 1029–1030, s.v.; Merzagora, *l.c.*; P. M. Meyer, *Griechische Texte aus Ägypten* 160.

²⁰ Cf. Lesquier, *op. cit.*, 262 ff.; Bouché-Leclercq, *op. cit.* IV, 56–62; Kiessling, *l.c.*

river guard aided in the collection of customs and other duties on the waterways²¹. According to Josephus Flavius²² the Ptolemies handed the *fluminis custodiam* over to the Alexandrian Jews. This statement, the exactness of which has been questioned by Wilcken²³, can be confronted with a sentence from *Bellum Alexandrinum* (XIII, 1): *Erant omnibus ostiis Nili custodia exigendi portorii causa dispositae*. Then it seems to be sure that the *totius custodia fluminis* performed by the Alexandrian Jews meant only a collection of the portoria at the *omnibus ostiis Nili*²⁴. The custom houses were situated in the same places as the stations of the river guards²⁵ and therefore confused with the latter.

The river guards being a constituent part of the Ptolemaic navy²⁶ were also unable to safeguard river communications and under the reign of Philometor there appeared on the Nile regular men of war of the royal fleet (πλοῦα θαλάσσια) as convoy vessels placed under the orders of the dioecetes and, perhaps, under those of other high officers²⁷.

The state of security in the 1st century B.C. in Egypt found its characteristic in an expression contained in BGU 1858: ὡς ἐν πραγμάτων ἀναρχία. The rebels and organized robbers has been so dangerous that for maintaining „some degree of order” it was necessary to station strong detachments of soldiers in many villages and cities and charge the squadrons of the royal fleet with the patrolling of the Nile²⁸.

All these measures were undertaken by the Ptolemies chiefly to ensure the safety of the royal transports and before all the safety of the transports of corn which were prevalent on the Nile. In the Ptolemaic Egypt it had been then an established principle that the safety of river traffic was warranted by the State and for that reason the captains who transported the royal corn as well as these who transported private goods were not responsible for any loss and damage caused by an attack of Nilotic pirates²⁹.

In the Roman Egypt the Ptolemaic system of the protection of river traffic remained almost unchanged. The Romans had also to deal continually with the gangs of robbers reinforced by a great number of fugitive peasants ruined by ruthless fiscal oppression³⁰. The new masters of Egypt endeavoured also

²¹ Cf. Wilcken, *Ostraka* I, 283-284; Bouché-Leclercq, *op. cit.* III, 323.

²² *C. Apion.* II, 5, 44.

²³ Cf. Wilcken, *l.c.*

²⁴ Cf. Wilcken, *l.c.*

²⁵ Cf. Strabo, XVIII, p. 800; Bouché-Leclercq, *op. cit.* III, 323; UPZ, p. 593, comm. ad line 7 of UPZ 125.

²⁶ Cf. Lesquier, *op. cit.*, 258.

²⁷ P. Tebt. 856, 11ff. Cf. Rostovtzeff, *op. cit.* II, 715.

²⁸ Cf. Rostovtzeff, *op. cit.* II, 877.

²⁹ Cf. Brecht, *op. cit.*, 44-47.

³⁰ Cf. Martin, *op. cit.*, 146 ff.; Rostovtzeff, *Kolonat*, 209; O. Reinmuth,

to reorganize the regular police, made them personally and materially responsible for arresting criminals and tried to prevent the harbouring of brigands by the native population³¹. The governmental cargoes on the Nile were conveyed as before by at first (in the I-st century A.D.) military and then (in the II-nd and III-rd century A.D.) by quasi-military liturgical ἐπίπλοοι³². The Nile, its tributaries and canals were patrolled by the river guards sailing in the ποταμοφυλακίδες³³. The river guards as well as the fleet stationed in Alexandria which had also to protect the transport of corn were under command of the *praefectus classis Alexandrinae et potamophylaciae*³⁴. The waterways were divided into sections, each of which was patrolled by one ship³⁵. The post of the river guards in each of these sections was also a custom house managed as before by the Alexandrian Jews³⁶. The service in the river guards became in the II-nd century A.D. a liturgy of a quasi-military character³⁷. For the costs of maintenance of the river guards there was collected a special poll-tax (ὕπερ ποτ(αμοφυλακίδων)³⁸ and a tax for the construction and conservation of the river guard stations (ὕπερ στατίωνος ποταμοφυλακίδων)³⁹.

The measures applied by the Ptolemies and the Romans never proved to be fully effective⁴⁰. The protection of river traffic in Egypt required a constant vigilance of the State and was a heavy burden imposed on the population.

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The Prefect of Egypt from Augustus to Diocletian, 125-126; Bell, *Chronique d'Égypte* 26, 353 ff; F. Cumont, *L'Égypte des astrologues*, 65-68.

³¹ Cf. BGU 372; P. Oxy. 1408. Cf. e.g. P. Osl. II, 20; BGU 325.

³² Cf. F. Oertel, *Die Liturgie*, 260f., 367, 384 f.

³³ Cf. Lesquier, *op. cit.*, 258; Wilcken, *op. cit.* I, 282-283.

³⁴ CIL II, 1970; cf. Wilcken, *Grundzüge*, 392.

³⁵ PSI. 734.

³⁶ Josephus *c. Apion.* II, 5, 44. Cf. Wilcken, *op. cit.*, I, 294n. 2.

³⁷ Cf. Oertel, *op. cit.*, 272f.; Kiessling, *Pauly-Wissowa RE* XXII₁ 1030.

³⁸ Cf. Wilcken, *op. cit.* I, 284-285; Kiessling, *op. cit.*, 1029; Meyer, *l.c.*

³⁹ Cf. Wilcken, *op. cit.* I, 294-295; Kiessling, *op. cit.*, 1030; Meyer, *l.c.*

⁴⁰ Cf. Reinmuth, *op. cit.*, 126 and e.g. P. Michigan III, 214, 31-33.