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Carroll A. Nelson

PROTEST AGAINST NOMINATION TO A LITURGY
(P. BEROL. INV. 25609)

The medium to large-sized upright writing of this light brown papyrus runs along the fibers; there is no writing on the back. A break at the left side has resulted in the loss of the beginning half of all the extant lines of the document, and the break at the bottom has destroyed the end of the text. Lost also are the final words of lines 1 and 2, although these words can be partially restored.

Despite the loss of at least half of the document, enough text is extant to indicate its general contents. A petition has been offered to an epistrategos by an individual whose name has been lost. The intent of the petition, it seems, is that of protesting the individual's nomination and selection to the liturgical office of overseer of confiscated property (*ἐπιτήρησις γεννηματογραφουμένων ὑπαρχόντων*) in the Arsinoite village of Nilopolis.

Due to the loss of the beginnings of lines 6-9, it is difficult to ascertain exactly why the villager is seeking exemption or dismissal from this liturgical service. From other sources, however, we are well-informed about the possible reasons for claiming exemption or dismissal from liturgical service. Naphtali Lewis' monograph, *Leitourgia Papyri* (1963), offers seven documents in which a petitioner protests nomination to a liturgy or seeks relief from burdensome liturgical obligations.¹ Among the arguments offered by the petitioners are the following: old age (*P. Leit.* 4); ἀπορία or lack of the minimum means (πόρος)²

¹ Papyri 4, 5, 6, and 10 are protests against nomination. Papyri 7, 8, and 9 request relief from consecutive obligations, from simultaneous responsibilities, and from prolongation of compulsory service.

² For discussion of the meaning and significance of πόρος in connection with liturgical service, see *P. Leit.* 1 (introduction). According to Lewis, "used in the context of

for holding the office (*P. Leit.* 5); official exemption from liturgical service (*P. Leit.* 6); exemption from consecutive liturgies (*P. Leit.* 7); freedom from simultaneous liturgies (*P. Leit.* 8); and prolongation of obligations beyond the required time for the service (*P. Leit.* 9).³

liturgy in Roman Egypt the term has its more basic sense of ‘means’ — i.e. resources, wealth, property.”

³ For old age as a basis for exemption from liturgy, see *P. Leit.* 4 (ca. A.D. 161; pp. 9-10 list additional documents citing old age as the reason for protesting nomination). In *P. Leit.* 4 the petitioner is 72 years old. According to Lewis, p. 9, “the qualifying age appears to have varied at different periods of Roman rule, and also with respect to different types of service. In general, there appears to have been a trend toward lowering the age of exemption in the late Principate and early Dominate.” Other papyri which advance old age as the ground for exemption include: *P. Flor.* I I I 312 (A.D. 91; old age plus ill health); *P. Flor.* I I I 382 (A.D. 200-16; those over 70 are exempt); *PSI X* 1103 (III A.D.; individual over 70 claims 65 is the age of exemption); *PSI VI* 685 (ca. A.D. 300; petitioner over 70); and *P. Oxy.* VI 889 (ca. A.D. 300; 73 year old claims age 60 is age of exemption).

Ἄπορία, or lack of minimum means for holding the office, is discussed by Lewis in *P. Leit.* 5 = *SB VIII* 10196 (ca. A.D. 180; see especially note 7). Other documents in which ἄπορία is offered or mentioned as the basis for exemption are *P. Oxy.* XLVI 3273 (I A.D.; refers to the improper nomination of someone described as πενιχρός or poor); *P. Lond.* III 846 (A.D. 140); *P. Wisc.* II 81 = *SB VI* 9315 (A.D. 143); *SB XIV* 11613 (A.D. 173); *P. Petaus* 12 (A.D. 185); *P. Osl.* III 81 (A.D. 197; the petitioner also says that he is ἐπὶ ξένῃς); *PSI X* 1103 (II A.D.); *P. Oxy.* XVII 2131 (A.D. 207); and *PSI XII* 1243 (A.D. 208). For a document offering several grounds for exemption, including ἄπορία, see *PSI XII* 1245 (discussed in the paragraph below).

For more information about official exemption from liturgical service, see the introduction to *P. Leit.* 6 (A.D. 216-17; cameleers claiming exemption offered both by an epistrategos and by two or three prefects of Egypt). *P. Mich.* III 174 (A.D. 145-47) indicates that workers called ναυτοκολυμβηταί (“sailor-divers”) were granted exemption from liturgical service (see *P. Mich.* III 174. 4 note).

Protests against consecutive obligations are discussed in *P. Leit.* 7 (A.D. 219-24). See also *PSI XII* 1245 = *SB XIV* 11980, a complex petition in which Kopres, the protester, claims that he has served consecutive appointments and has served simultaneously in a second position for which no successor was appointed. He also points out that he has been nominated for service outside his toparchy. As a final argument, Kopres pleads to be released from all liturgical obligations because he has insufficient means (διὰ τὸ ἄπορόν με εἶναι). In *BGU I* 180 (II/III A.D.), a veteran complains about serving year after year in liturgical offices, despite the fact that he is very old and that he was guaranteed a 5 year respite from liturgical service when he was discharged. He notes that, in violation of that guarantee, after only 2 years of freedom from service, he was selected annually for liturgical work.

Of the grounds for complaint listed above, the one most likely to have been offered by our petitioner is ἀπορία or lack of proper means for fulfilling the office. The extant words in line 6 suggest this basis for protest (see commentary note 6 for discussion of this point). Other grounds for protesting could also have accompanied this appeal based on lack of resources. As our brief survey of documents listing the reasons for protesting liturgical appointments shows, complainants often cite more than one reason for claiming exemption or dismissal.⁴ But our petitioner may have done more than protest his assignment. It is possible that he actually fled from his village in order to avoid the liturgical office to which he had been appointed. For discussion of this possibility, see commentary note 9 below.

Because of damage to the papyrus, several other pieces of information which we would like to have had are missing and cannot be restored. The date is uncertain, although the dates for the office of overseer of confiscated properties set the earliest and latest possible dates (A.D. 88 and A.D. 270-75).⁵ Names of epistrategos and petitioner are also missing and cannot be restored.⁶ For the type of information and phraseology which may have appeared in missing parts of our document, see especially *PSI* XII 1243 and 1245, both of which are protests for nomination to the same office as that listed in our document.

P. Berol. inv. 25609

10.3 cm x 9 cm

Nilopolis

II/III A.D.

Plate

[NN (dative) τῶι κρα|τίστῳ ἐπ|ιστρατηγῶι]
 [παρὰ NN, τοῦ NN, τ|ῷ καλουμέ|νου NN, ἀπὸ]
 [κώμης Νείλου πόλεως (?) τῆς Ἡρα|κλείδου μερίδος Ἄρσινο-
 4 [εἴτου νομοῦ ± 15]εὺς ἀνάδοθεὶς εἰς ἐπιτήρη-

Petitions for relief from simultaneous service include *P. Leit.* 8 (ca. A.D. 250; see the introduction for discussion of this topic); *BGU* XI 2064 = *SB* XVI 12500 = *SB* X 10761 (A.D. 171); *PSI* XI I 1245 (discussed above); and *PSI* XI I 1243 (A.D. 208; the petitioner also pleads ἀπορία). In *P. Fay.* 106 (ca. A.D. 140), a physician requests dismissal from the oversight of confiscated properties partly because of his ill health and partly because he is a physician.

⁴ See note 2 for these documents. *PSI* XII 1245 is a good example of a protest based on more than one ground of complaint, including that of ἀπορία.

⁵ See commentary note 4-5.

⁶ The petitioner's name may end with the letters *-eus*. See commentary note 4.

[σιw γενηματογραφουμένων] ὑπαρχόντων κώμης Νείλου
 [πόλεως (verb) ἐμὲ ἄπορον (?) παλντελῶς τυγχάνειw μόλις
 [± 25]νος καὶ οὐ δυνηθεῖς τὸ
 8 [± 23 ἐ]μφανῆς μέχρι τούτου ἔστιw
 [± 25] πατρός μου ἀπέστηw καὶ οὐ
 [± 25].ε...]

“[To NN,] most powerful epistrategos, [from NN, son of NN,] also called [NN, from the village of Nilopolis(?) of the] division of Herakleides of the Arsinoite [Nome. I, ...]eus, having been nominated for the post of overseer of [confiscated] property of the village of Nilopolis, (claim?)] that I happen to be completely [lacking in means] scarcely [...] ... and have not been able to [...] the [...] is manifest up to this time [...] I have kept away from my father’s [...] and not [...]”

- 1 Approximately 25 letters have been lost at the beginning of all lines except line 5 from which only about 23 initial letters are missing. Since this document lacks an imperial date and other information which could be used to determine when it was written, it is impossible to identify the epistrategos to whom it was addressed. Other petitions protesting liturgical nomination addressed to an epistrategos include *P. Leit.* 5, *BGU XI* 2064 (= *SB X* 10761 and *XVI* 12500), and *PSI X* 1103.
- 2 This line identified the petitioner. Standard information provided in other liturgical protests includes the individual’s name and his father’s name. A surname apparently came at the end of the line.
- 3 The village name has been restored from lines 5-6. It is, of course, possible that no name was given or that the petitioner came from another village and was nominated for service in the nearby (?) village of Nilopolis. Nilopolis was located near Soknopaiou Nesos on the north or east side of Lake Moeris. See *P. Tebt.* II, p. 391, and A. CALDERINI, *Dizionario dei nomi geografici e topografici dell’Egitto greco-romano* III.4 (1983) 328.
- 4 []eus may be the final letters of the petitioner’s name. “I, [...]eus, having been nominated for the post of overseer, etc. “
- 4-5 εἰς ἐπιτήρη[σιw γενηματογραφουμένων] ὑπαρχόντων: for this office and the appointment of the overseer, see R. TAUBENSCHLAG, ‘Γενηματογραφία in Greco-Roman Egypt’, *Opera Minora* II (1959) 695-701 (= *JJP* 4 (1950) 77-82), N. LEWIS, *P. Leit.* 11 (note 4), and N. LEWIS, ‘Starting Dates of Liturgies’, *TAPA* 100 (1969) 255-60. The office is attested in *P. Fay.* 106 (ca. A.D. 140); J. SHERIDAN, ‘Revised Bid for the Lease of Confiscated Property’, *BASP* 24 (1987) 103-8 (A.D. 162); *BGU IX* 1896 (A.D. 166) and 1897 (A.D. 166); *P. Fay.* 23 (II A.D.) and 304

(II A.D.); *P. Lond.* II 164 (II A.D.); *P. Mich.* IV 224. 5605 (A.D. 172); *SB* III 7173 (II A.D.); *P. Tebt.* II 327 (late II A.D.); *PSI* XII 1245 = *SB* XIV 11980 (A.D. 207); and *SB* XII 1243 (A.D. 208).

A major responsibility of this overseer seems to have been that of receiving payments due on confiscated properties. For receipts issued by the overseer, see *SB* I 4416 (A.D. 157); *P. Osl.* III 117 (A.D. 159/60); *BGU* XIII 2287 (A.D. 162); *SB* VI 9427 (A.D. 162); *SB* XIV 11712 = *StudPal* XXII 114 (A.D. 164); *BGU* III 851 (A.D. 161-69); and *BGU* I 490 (A.D. 178-80). This overseer also appears in several Theban ostraka. Other documents in which the office seems to be attested include: *P. Fay.* 26 (A.D. 150); *P. Princ.* II 22 (A.D. 246-49); and *PSI* XIV 1441 (III A.D.). N. LEWIS, *Inventory of Compulsory Services* (1968) *s.v.* ἐπιτήρησις, lists as the earliest and latest dates for this office A.D. 88 and 270-75. It became compulsory around A.D. 136.

6 This line probably contains the basis for the petitioner's protest (ἀπορία or lack of means). The missing beginning of the line perhaps provided the verb on which the infinitive τυγχάνειω depends ("I claim or assert"), and the subject accusative for the infinitive (με or ἐμέ along with the predicate adjective ἄπορον). For similar phraseology in protests, see *PSI* X 1103. 7-8 (ἄπορος παντελῶς τυγχάνων) and *P. Leit.* 5. 6-7 (διὰ τοὺς παντελοὺς μου ἀπορίας).

7 I am not sure what was contained in the beginning of this line. The adverb μόλις suggests that a verb form, perhaps a participle, appears somewhere in the line.

While μή is the more common negative with the participle, οὐ does appear with δυνάμενος in *BGU* I 159. 5, *P. Mich.* IX 575. 5, and *SB* IV 7468. 11.

7-8 The definite article τό could belong to either βάρος or λειτούργημα. Perhaps [βάρος ὑποστήναι ...], [λειτούργημα ὑποστήναι....], or a similar phrase. The petitioner seems to be indicating that he is having, has had, or expects to have some difficulty performing his service.

8 For the restoration [ἐ]μφανής with μέχρι τούτου, see *P. Berl. Leih.* II 46, Fr. A. 2. 30 (ἐπεὶ δὲ μέχρι τούτου οὐδὲ ἕτερος αὐτῶν ἐμφανής ἐγένετο ...). ἐμφανής is also a term frequently used in the liturgist's oath of office (see, for example, *P. Oxy.* XLIII 3097. 19). It is also possible that []φανής is the final part of a proper noun, since several common names end with these letters (e.g., Θεοφάνης). I am not sure how this line or these phrases are connected with the petition or protest.

9 The loss of the line's beginning again makes the surviving text difficult to interpret. I do not think that the petitioner is indicating that he has kept away from his father, although the syntax allows that interpretation. More likely, he has kept away from his father's home or village. The situation in this document may be similar to that of *BGU* I 159 (A.D. 216) in which an individual says that he has been forced to leave his village because he has not been able to undertake the burdensome liturgy assigned to him (ἀπέστην τῆς κώμης οὐ δυνάμενος ὑποστήναι τὸ βάρος τῆς λειτουργίας). Perhaps our petitioner has fled from his village and home

and now is offering an explanation in his petition to be released from the liturgical service he could not perform. According to Lewis (*P. Leit.* 5, note 7), "recourse to flight in order to escape from liturgy was common in Egypt. "

10 Only traces of letters can be seen at the break. Presumably, the document continued with the petitioner's discussion of his situation and his reason(s) for claiming exemption from this liturgical service.

[Bloomington]

Carroll A. Nelson