

Archives and Archival Documents in Ancient Societies: Introduction

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The importance of archives, whether they consist of documents written on inscriptions, papyri, or cuneiform tablets, can hardly be overstated for the study of many questions in ancient history, including, among other things, law, especially as it affected family relationships, the ancient economy, and the administration of empires. The study of archives has long been a basic feature of ancient history, but in recent years, scholars have approached archives employing new methodologies adapted from other fields, particularly in the social sciences. This is certainly so in papyrology, the field represented in this volume with which I am most familiar, but it is also the case with epigraphy and cuneiform studies. This increasingly sophisticated use of archival material helps us to ask new questions in many fields in ancient history, and the sharing of methodologies across disciplines makes it possible for scholars in diverse fields to learn from one another, even though they often have little regular contact because of the specialized nature of their work. This was certainly the case at the Legal Documents in Ancient Societies meeting in which I participated, the conference in Washington in 2009 on transaction costs in ancient economies, which brought together Egyptologists, legal scholars, and ancient historians. The papers at the conference in Trieste now collected in this volume remind all of us how much scholars can learn from colleagues working in very different disciplines. In what follows, I would like to sketch out what I understand to be some important developments

in the use of archival material, and then, on that basis, to try to place the papers collected in the present volume in a broader perspective.

To begin with papyrology, collections of documents, perhaps, on occasion, inaccurately termed archives, have provided a basis for investigating many issues, from administrative and economic history in Ptolemaic, Roman, and Byzantine Egypt, to private family law and legal history. In the field of economic history, the Zenon papyri, the Heroninos archive, and the Apion papyri represent the most important sources of evidence for analyzing the development of estates and the political economy of Egypt in the Ptolemaic, Roman, and Byzantine periods. However, our understanding of the rural economy has been enhanced by other less heralded archives. Two important examples are the Soterichos archive (OMAR 1979), which documents the affairs of a small-scale tenant farmer in the Fayum in the late first century CE, and the archive of Aurelius Isidorus (BOAK & YOUTIE 1960), which allows us to trace the challenges affecting landowners and liturgists in Karanis in the Fayum at the turn of the fourth century CE.

The chief advantage of private papyrological archives like these for studying the rural economy of Greco-Roman Egypt is that they allow us to trace in detail the individual situations of farmers, both tenants and landowners, particularly in terms of their relationships with landlords, laborers, and other landowners, as well as the state. Since archival material by its very nature concerns the affairs of discrete individuals, we cannot automatically generalize from patterns revealed in them. However, what we can do is trace basic economic relationships, which can add depth to or alter more overarching models of the ancient economy. The study of archives is especially valuable when their evidence can be placed in a broader historical context, one that is properly based on models developed from other ancient evidence and from comparative material from better documented pre-industrial economies. At the very least, comparative evidence allows us to appreciate what kind of economic relationships were likely to have occurred in antiquity, what levels of production might be feasible in an ancient economy, and how later societies confronted similar legal issues resulting from economic activity and familial relationships.

We can see how our understanding of economic relationships can be changed by archival material by considering the Heroninos archive, a collection of some 450 letters, orders, and accounts that document in great detail the management of a large estate in third-century CE Roman Egypt. Dominic Rathbone, in his ground-breaking 1991 book, undertakes a detailed investigation of this material. Rathbone's study traces to the degree possible the development of large estates belonging to Aurelius Appianus, an equestrian and councilor at Alexandria, thus a member of Egypt's provincial elite, and other persons of his circle. But more important, the Heroninos archive allows us to trace the management of an estate to a degree of detail unparalleled elsewhere in the Roman Empire. Rathbone's study shows that at least some landowners employed wage labor on a scale not heretofore recognized, and it also provides evidence for how such workers were deployed

and paid. In addition, the detailed accounts that Heroninos and other administrators submitted to the estate's central administration suggest that the owners of this and comparable estates could calculate the profitability of the various crops they cultivated. However, when interpreted against a broader model of an agrarian economy with little annual growth and limited opportunities for investing large amounts of wealth, the evidence from the Heroninos archive provides evidence for how a landowner sought to profit under such constraints by, among other things, developing a rigorous management system to control the costs of producing basic staples such as wine and wheat, and thereby gaining economies of scale that gave them competitive advantages over smaller-scale farmers.

Since Rathbone's work on the Heroninos archive, a number of scholars have engaged in the intensive study of a comparable body of material from late antiquity, the documentary papyri concerned with the organization and management of the estates of the Flavii Apions in sixth-century Oxyrhynchus. Although the material connected with the Apions does not constitute a coherent archive in the way that many contributors to the present volume would define one, the fifth-century and sixth-century papyri do provide a coherent body of material that allows us to study in some detail the organization of a large estate belonging to a member of the Byzantine imperial aristocracy. We can also trace both how this estate grew over time and how its growth affected the agrarian economy in the surrounding Oxyrhynchite villages. Among the scholars who have studied this material in recent years are Jairus Banaji (2001), who has traced how aristocratic landowners took advantage of their role in tax collection to accumulate wealth, Roberta Mazza (2001), Peter Sarris (2006), and Todd Hickey (2012).

The numerous papyri associated with the estate of the Apions make it possible to study not only the organization and management of the estate, but also the estate's relationship with the surrounding agricultural communities, the villages in the Oxyrhynchite nome in which the Apions owned property. This is a subject that Giovanni Ruffini (2008) has taken up in his recent book, a work that suggests the possibilities of examining now familiar documentary material from a new theoretical perspective. In his study, Ruffini seeks to come to a better understanding of the economic and social role that the Apion estate played in the Oxyrhynchite nome, and on that basis to draw broader conclusions about the role of large estates in the Byzantine Empire. He does this by drawing on an emerging field in the social sciences, social network theory, to map the connections and relationships among individual persons associated with the Apion estate. This material allows Ruffini to test the hypothesis that the estate stood at the top of a centralized hierarchy in Oxyrhynchus, which would mean that the estate occupied a dominating position in the region. In an alternative model, associated with the Egyptian village of Aphrodito, contemporary with sixth-century Oxyrhynchus, which Ruffini also examines, small farmers and tenants seem to have established relationships directly among themselves, without having a large estate or an economically dominant house serve as the point of contact.

Ruffini is one of several young scholars to use network theory to make sense of a vast array of data in order to ask new questions about an ancient society. Another scholar using this methodology is Caroline Waerzeggers (Leiden), who has applied social network analysis to neo-Babylonian cuneiform archives so as to map the relationships among elite in Babylon (Waerzeggers, forthcoming). In a very different field, my own colleague at Tulane University Margaret Butler is applying social network theory to an archaeological data base of burials from Macedon and other locations in ancient Greece. Butler uses changes in burial customs as proxy evidence for changing social institutions in fourth-century Macedon, and network theory allows her to determine how certain artifacts found in graves might cluster.¹ Testing the strength of links between various burial practices enables Butler to trace changing burial customs in a rigorous rather than largely impressionistic fashion. It is interesting to see that a similar methodology can be applied both to interpreting material culture and to documentary evidence. To return to Caroline Waerzeggers, she presented a paper on network theory at a conference in 2008 organized by Michael Jursa of Vienna as part of his project on the “Economic History of Babylonia in the First Millennium BC.”² For this conference Jursa sought out scholars working on various periods in Babylonian history as well as ones working in the Hellenistic and Roman economies. The Babylonian scholars, in my understanding, are confronted with masses of documents in numerous cuneiform archives, and so Jursa sought to establish a scholarly dialogue with Greek and Roman historians to offer both sides a broader perspective as they pursue their individual topics. The scholars presenting papers on the Babylonian world at the Vienna conference demonstrated a great deal of ingenuity in applying new methodologies to their evidence and in drawing compelling conclusions about the nature of ancient Near Eastern economies.

The papers in this volume approach archives from a somewhat different perspective, with a focus on understanding them as coherent bodies of evidence and on that basis drawing historical conclusions, for example, about the governmental policies in ancient city states or empires, about economic relationships in the ancient Near East, or about the role of law in the administration of justice.

Several of the papers are concerned directly with establishing criteria for defining an archive and on this basis interpreting one. Thus Klaas Veenhof, “The Archives of Old Assyrian Traders: their Nature, Functions and Use,” examines a collection of some 23,000 clay tablets kept by Old Assyrian traders in the city of Kanesh in southern Anatolia from about 1900 BCE until the city was destroyed in 1835 BCE. Many of the traders kept archives of documents in their houses in Kanesh, and they apparently had advance warning about the impending doom

1 In a book project titled *The King's Canvas: The Transformation of Ancient Macedon*.

2 The conference *Too much data? Generalizations and model-building in ancient economic history on the basis of large corpora of documentary evidence* was held July 16-17, 2008 at the University of Vienna.

of their city, since they were able to take some documents, presumably ones concerning still outstanding obligations, with them when they abandoned their houses. The surviving archives are thus far from complete, but they do offer a great deal of information about the economic activities of merchants engaging in commerce far from the capital of the empire, in one of as many as forty trading stations in Anatolia. These archives seem to offer a great deal of evidence for how such merchants were able to enforce obligations and resolve disputes, which would have been absolutely vital to their being able to conduct business. Of particular interest is the governing body that loomed over the traders, the *karum*, a hierarchical organization that served to regulate relationships among traders. Did it also play a role in enforcing contracts into which the Assyrian traders entered with local people from whom they acquired gold and silver? The paper of Antoine Jacquet, "Family Archives in Mesopotamia during the Old Babylonian Period," is part of a broad project to consider archives from the first dynasty of Babylon, in the 20th to the 17th centuries BCE, in their context as they are discovered archaeologically, to learn what one can from the ensemble of documents rather than from documents considered individually. Jacquet's paper describes the variety of people who kept archives, including many women. One of his important points is that one should distinguish between documents kept for the long term, often concerned with real estate sales, juridical decisions, marriage, inheritance, adoptions, and manumissions, and documents recording short-term obligations, such as debt contracts, which would be destroyed when the obligation was completed or at least be eventually purged. Short-term arrangements, which might offer an insight into the scale of commerce in which traders would be involved, are likely to be under-represented in the archives. Moreover, both Veenhof and Jacquet raise the troubling point that it is difficult to see how ancient people navigated among their archives to retrieve important information in a timely fashion.

To turn to papyri and Ptolemaic Egypt, Lucia Criscuolo, "Copie, malacopie, copie d'ufficio e il problema della titolarità di un archivio nell'Egitto tolemaico," distinguishes between archives proper, that is, collections of documents deliberately collected and maintained and kept by an individual for a specific purpose, and other dossiers of documents, sometimes assembled in antiquity, but without the direct purpose of an archive. In her paper, Criscuolo emphasizes the importance of understanding the conditions under which documents were produced, especially copies of official documents, which may not display a professional appearance. Clearly the phenomenon of copying documents produced for official purposes was widespread, since it could be important for an individual to be able to have available the information from official enactments. From another perspective, in his paper on Aramaic archives from the Persian period in Egypt, Ingo Kottsieper explores the reasons why individuals maintained archives. In the case of Nakhthor, an official of the Persian satrap Arsames, the preserved papers concern Nakhthor's duties and those of his predecessor, and their collection

of documents served to establish Nakhthor's political authority. Other archives that Kottsieper examines might serve to establish people's personal legal status or rights, as is the case with the archives of Jedaniah and Anani.

To return to the ancient Near East, Susanne Paulus, "The Limits of Middle Babylonian Archives," examines archival material concerning the Kassite dynasty to reconstruct landownership patterns, important both for the economic history of the period and for understanding the power of the king, which to a large extent derived from his capacity to bestow land on loyal or favored subjects. The archival material, however, does not permit drawing a complete picture of changes in landownership, and many documents remain unpublished. However, Paulus finds a promising way forward by examining stone inscriptions, or *ku-durrus*. These stones, which invoked divine protection against anyone who might disturb the rights of the temple or individual who erected them, included texts recording land donations. So they help to fill in gaps in the incomplete archival material. For example, the king, as the highest judge, would adjudicate property disputes, but there is no royal archive documenting such decisions, since it fell to the individuals involved in the dispute to preserve their documents. The *ku-durrus* provide an important source of information to reconstruct the economic history of this period.

Preserving documents in public archives was a common activity for Greek city states, and Christophe Pébarthe, "Les archives de la cité de raison: démocratie athénienne et pratiques documentaires à l'époque classique," examines the role of local and centrally maintained written records and the relationship between them to address the broader issues about the nature of Athenian democracy. One issue concerns the degree to which 'rationality' rather than traditional social ties characterized the organization of Greek city states. In addition, Pébarthe's study raises questions concerning the degree to which writing (as opposed to orality) was central to classical Greek democracy. If, as Pébarthe argues, the use of writing was an integral part of a broadly rational organization of the city state, it is still not always clear precisely what purpose the publication of a document on stone served, or the relationship between an inscription that could be publicly viewed and the original documents maintained by the city. Shimon Epstein addresses this issue in his paper, "Attic Building Accounts from *Euthynae* to *Stelae*," concerned with the inscriptions recording the public building accounts from the Periclean building program in fifth-century BCE Athens, the later construction of the Erechtheion, and fourth-century building accounts from Eleusis. By analyzing the information that was in all likelihood presented when the officials in charge of these building programs underwent their auditing process, but did not appear on the inscriptions, Epstein makes a convincing argument about the political purposes of the inscriptions. For Greek cities in the Hellenistic and Roman periods, Laura Boffo, "La 'presenza' dei re negli archivi delle poleis ellenistiche," and Kaja Harter-Uibopuu, "Epigraphische Quellen zum Archivwesen in den griechischen Poleis des ausgehenden Hellenismus und der Kaiserzeit," investi-

gate the preservation of documents concerned with both the administration of the cities and with private legal arrangements. Boffo examines the epigraphic archives kept by cities as a way of understanding the evolving relationship between city and king in the Hellenistic world. Her thesis is that the preservation of archives involving royal enactments was a sign of the king's power. The kings exercised their power not only through imposing taxes on the cities and rewarding favored individuals with honors, but also through acts of generosity toward a city, such as funding cults or even the education of children.

Harter-Uibopuu considers the well-known manumission documents from Delphi as well as grave regulations from Roman Asia Minor to address how cities changed their practices in preserving documents from Hellenistic times. This paper raises important questions for how people in Roman provinces sought to enforce private legal arrangements. Arranging the manumission of a slave as a sale to the god at Delphi carried with it a kind of protection that the owners of the slaves involved apparently did not expect to gain from the more conventional legal institutions of their cities. The publication on the temple wall, in abbreviated form, of the manumission document preserved in the archive was surely meant to emphasize both the validity of the manumissions and the authority of the god in enforcing them. In Asia Minor, by contrast, the grave regulations show that private individuals were confident of being able to call upon public authorities to enforce their wishes about the ways in which their tombs would be used over generations long after they were deceased. The prescription that a violator of the tomb would be compelled to pay a public fine is paralleled in Greek wills from Roman Egypt, in which the testators also include public fines for people who violate the terms of the will.

Archives could play a much more basic role in resolving legal disputes, as emphasized by Edward Harris' paper on the "The Plaint in Athenian Law and Legal Procedure." Harris challenges the widely held belief that decisions in Athenian courts were reached more by rhetoric or social considerations than by following the strict requirements of the law. Roman civil procedure tried to limit the scope for going outside of the strict requirements of the law through the formulary system. Athenian law did this by requiring public and private actions to be drawn up specifically in accordance with existing statutes (Roman law did not require this, but instead required a remedy to exist), and the plaint carefully outlined the statute violated, the precise nature of the violations of the laws, and the amount of damages caused and sought. Harris' focus on the plaint as a feature of Athenian law that brought order and predictability to the adjudication of disputes raises some broader questions. One is whether other Greek city states applied a similar requirement to court cases, or whether the Athenian court system applied a unique reform that made legal business qualitatively different from other Greek cities. A more fundamental issue concerns the difference between ways in which Greek law developed in the classical period, closely tied as it was with the legislation and thus the political processes of Greek democracy. In contemporary Rome,

by contrast, as Aldo Schiavone (2012) emphasizes, the development and interpretation of Roman law remained largely in the hands of aristocratic legal experts, who struggled to remain independent from immediate political pressures. To return to Athenian law, a further incentive for trials to be conducted in accordance with the law consisted in the penalties that might be imposed on magistrates who allowed cases in violation of these prescriptions. That the administration of Athenian law, then, might be more predictable than other scholars, most notably Adriann Lanni (2006), would suggest, has important implications for understanding the Athenian economy in the fourth century, a period for which we also have substantial evidence for the development of commercial banking.

Publicly maintained archives could play a crucial role in deciding legal issues that had wider implications for the administration of cities, as Thomas Kruse emphasizes in his paper “Bevölkerungskontrolle, Statuszugang und Archivpraxis im römischen Ägypten.” If Roman rule in Egypt to a large extent involved defining the population in terms of various legal statuses with corresponding privileges, it could be crucial both for the state and private individuals to have access to records that could prove status. In many areas of classical Roman law, it was not necessary to have written documentation to prove a case or enforce a contract, although written evidence would obviously be helpful. In the case of marriage, for example, the absence of documentation was not a hindrance to asserting that a marriage was legitimate, as the emperor Probus, in a constitution preserved in the Code of Justinian, responded in a third-century rescript, as long as there were witness who could verify that a marriage existed (C. 5.4.9). In the later empire, a series of constitutions by the emperor Justinian makes clear a growing preference for written documentation. In Roman Egypt, proof of status was greatly facilitated by the ability of cities to maintain public archives with *epikrisis* documents and other indications of status, such as the house-by-house census declarations. Rudolf Haensch offers a very different perspective in his paper on the types of archives kept by provincial governors in the later Roman Empire, “Die Statthalterarchive der Spätantike.” Haensch takes the view that, in the earlier empire, when it is generally assumed that provincial governors maintained extensive archives, the types of documentation to which governors could have recourse were limited. But the situation changed in late antiquity, as governors maintained for decades court protocols and other important records. These might be available in the provincial capital, as well as in a central store of archives in Constantinople. The best evidence for the long duration of extensive archives is the ability of Augustine to quote decisions made in the early fourth century when he discusses the relations between Catholics and Donatists. Haensch’s investigation has important implications for the administration of justice both under the principate and in late antiquity; an important question concerns whether the administration of justice in the Roman Empire was enhanced by the access on the part of provincial governors and other judges to relevant legal decisions,

or whether it was largely incumbent upon the litigants to produce the relevant documentation to support their cases.

To conclude, the papers in this volume use comparable methodologies to address common questions in the field of ancient history writ large. The focus on the exact nature of archival material and the uses to which it might be put provide new perspectives to make more precise the types of conclusions that can be drawn in future work on this type of evidence. The papers in this volume point the way to new ways in which archives from the ancient world can be studied, as well as to the benefits of bringing together scholars working in diverse fields with common interests and methodologies.

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