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Temple oaths in Ptolemaic Egypt : a study at the crossroads of law, ethics and religion

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Citation

Massa, V. (2018, December 6). *Temple oaths in Ptolemaic Egypt : a study at the crossroads of law, ethics and religion*. Retrieved from <https://hdl.handle.net/1887/67293>

Version: Not Applicable (or Unknown)

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Issue Date: 2018-12-06

GENERAL CONCLUSIONS

Ptolemaic temple oaths are chronologically the last episode of a long history of oath-taking in Ancient Egypt. Despite the gaps in the surviving documentation, the examination of the available material in chapter two has showed both continuity and development in the use of ancient Egyptian oaths through time. Certain uses and functions of the oath originating from earlier times could be recognized in the later documentation or, on the contrary, a development of later times could be traced back to the earliest occurrences.

The majority of the preserved temple oaths are decisory; they may be seen as the end product of a long tradition of oaths used in legal disputes from the Old Kingdom onwards, as well as a new development, whose origins can be traced back to a few oaths from the Late Period (Abnormal Hieratic P. Louvre E 3228c from dyn. 25, P. Louvre E 7861 and P. Louvre E 7848 from dyn. 26 and Demotic P. Rylands 9, col. XX, ll. 16-17 from the Persian Period).

The fact that Ptolemaic temple oaths were mainly used to settle private legal disputes when written evidence was lacking or problematic (decisory oaths), and only rarely in contracts as it was mostly the case in earlier times (contractual oaths, especially promissory), may be explained with the development of the ancient Egyptian legal system through time, which influenced the use of oaths. Key factors within this development are the increasing use of written records to document verbal agreements along with the professionalization of legal scribes and procedures from the Nubian Period onwards, and the replacement of the Abnormal Hieratic legal tradition by the Demotic system by the time of Amasis.

As a result, contractual oaths (assertory and promissory), which were regularly attested in the sources from the Old Kingdom through the Nubian dynasty, were increasingly replaced by standard, fixed contractual stipulations as formulated by notary scribes in Demotic documents – despite being an element present in both the Abnormal Hieratic and Demotic legal tradition. In the Ptolemaic Period the former development was completed, as oaths were no longer included in Demotic written contracts between private parties. Contractual oaths, chiefly promissory, occurred regularly in the Greek documentation as royal oaths, in particular when the contracts concerned matters involving the state such as the royal economy or the Ptolemaic fiscal and administration system (e.g. the lease of Crown land), and, to a minor extent, in private matters (e.g. divorce). The functions of contractual royal oaths were similar to those of Egyptian oaths attested prior to the Ptolemaic Period (e.g. guarantee of a future execution of contractual obligations, or against outstanding claims). Naturally, the Demotic and Greek notarial practice sometimes influenced one another. This is demonstrated for instance by a royal oath (P. BM Reich 10079 B-C) written in Demotic and related to a divorce, which was not included in the actual document of divorce – as was usually the case in the Greek notarial practice – but drawn up separately, following the Demotic notarial practice.

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By contrast, no longer part of Demotic written contracts, temple oaths were mainly used in judicial procedures to settle private legal disputes about daily life affairs concluded without any evidence (for instance a written contract) to support the plaintiff's claims or prove the defendant's rights. Oral agreements – in particular about movables – without documentation coexisted alongside written contracts, despite the accessibility of notary scribes. Interestingly, the two options for taking or not taking the oath, standard formulae of decisory temple oaths resemble the two opposite questions asked in oracular consultations and answered by the god with yes or no, a method used e.g. in the Third Intermediate Period to also solve a dispute.

Period	Contractual oaths (promissory and assertory)	Oaths in legal disputes (assertory and promissory)
Early Pharaonic Period mainly oral agreements without written records	<u>OK, MK, NK</u> mainly from Ramesside Deir el-Medina	<u>OK, MK, NK</u> mainly from Ramesside Deir el-Medina and not <i>per se</i> conclusive of a dispute
Late Pharaonic Period professionalization of legal scribes and legal procedures; standardization of legal formulae Abnormal Hieratic and Early Demotic legal traditions	<u>3rd IP</u> rare; notably: use of oracles <u>dyn. 25-26</u> mainly in Abnormal Hieratic contracts; a few in early Demotic contracts: P. Ryl. 1 and 2, Disc Louvre N 706	<u>3rd IP</u> rare; notably: use of oracles <u>dyn. 25-26 and Persian Period</u> P. Louvre E 3228c, P. Louvre E 7861, P. Louvre E 7848 (Abn. Hier.) P. Rylands 9, col. XX, ll. 16-17 (dem.): forerunners of Ptolemaic temple oaths, i.e. conclusive of a dispute
Ptolemaic Period Demotic and Greek notarial practice with separate law courts	Demotic contracts: no oaths included; standard contractual stipulations (guarantee clauses) Greek contracts: royal oaths	<u>Late Ptolemaic Period</u> decisory temple oaths (Demotic and a few Greek)

Based on a systematic study of the formulae of temple oaths (chapter three), in addition to the information provided by P. Mattha and P. Grenf. I 11 (chapter four), we may conclude that the written format of temple oaths and the procedure underlying the swearing of such an oath were fairly standard, with some small regional variants between Thebes and Pathyris. However, some parts of this procedure and aspects of non-verbal communication that undoubtedly belonged to the oral tradition of oath swearing were not conveyed into the written oath formulae, and are therefore lost to us.

Templates of temple oaths, along with legal codes or manuals, were available to the authorities taking part in the resolution of disputes. These authorities, very much in keeping

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with Ptolemaic legal pluralism, operated at various levels of officialdom. Accordingly, temple oaths could be taken at several stages of the disputing process and be the result of both formal and informal, private and public strategies to settle a legal dispute. The swearing of such an oath, however, took always place in the context of a local temple, before the ultimate judge, the deity invoked as the guarantor of the veracity of the oath.