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## Protective interventions by local elites in early Islamic Egypt

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## Chapter 4: Problems Solved

In section 1.5.3 I stated that the Coptic protection letters were problem-solving instruments in the village context in which they were produced and circulated, and that they moved at the crossroads of administration, law, and social relationships. Each protection letter solved a particular set of problems for a certain amount of actors involved, and it is around these problems that this chapter is centered. Protector, protectee, and intermediaries could benefit from the document, as well as possibly actors who were not mentioned in the evidence, e.g. family members or other dependents of the protectee. In this chapter I examine the nature of the problems solved. These seem to have revolved around the overlapping areas of taxation, fugitives, and travel on the one hand, and on the other hand around arbitration and mediation of legal conflicts, including prisoners and their release. However, the Coptic protection letter was only one instrument among different instruments which were used by locals and local elites in order to solve certain problems with taxation, fugitives, and legal issues. Moreover, due to their connection with taxation, travel, and fugitives, the Coptic protection letters are embedded in governmental policies regarding the control of movement, which generated types of documents similar to protection letters. Examples of such documents with similar functions were request letters or petitions, travel permits, and guarantees. Thus, the goal of this Chapter is to understand the place of the Coptic protection letters in the Early Islamic documentation regarding the problems they are trying to solve. Therefore, the discussions in this chapter open up towards the documentation in Greek, Arabic and Coptic, extending beyond the corpus of Coptic protection letters.

In order to achieve this goal, the Chapter divides the problems solved by the Coptic protection letters into four closely interrelated areas of society and administration in Early Islamic Egypt: taxation (4.1), travel (4.2), private legal issues (4.3), and the release of prisoners (4.4). There is an especially strong link between taxation and travel. Much of the evidence is related to taxation, and in different ways. Therefore I will start with problems and protective interventions related to taxation. For each of the areas, I discuss how the Coptic protection letters are linked to these issues, as well as how these issues were being addressed in other types of documents from Early Islamic Egypt, and how the Coptic protection letters related to those other contemporary documents.

Before we turn to the first area, taxation, I want to remark that the problems solved by the Coptic protection letters are not always easily recognized, due to the fact that these

documents do not explain these problems, they do not explicitly state the reasons why the protectee is in need of a protection letter. In many cases, we can infer what the problem was from the language used in the documents, but in other cases the language does not give us such clues, and different interpretations are possible. Moreover, in many cases the text of the document is not complete, and relevant information might be lost. While the Coptic protection letters as a whole solved problems in the areas I will discuss, it is not possible to say for each protection letter in the corpus in which area it was aiming to solve a problem. The following paragraphs list how many protection letters in the corpus can be tied explicitly to the areas of taxation, travel, and private legal issues.

### *Taxation*

Of the Coptic protection letter corpus, 45 documents can be linked with certainty to fiscal practice, because of specific references in the text, discussed in 4.1.1.1. There might be more documents in the corpus which solved a problem related to taxation, but this link is not made explicit (see below).

### *Travel and fugitives*

In 10 letters, maybe 11,<sup>425</sup> the protection letters mention that the protectee had fled, 5 of which are in the group of those explicitly related to taxation. Some form of freedom of movement (going North and South, being allowed to leave again) is mentioned in 7 documents, 1 of which belongs to the group of those explicitly related to taxation.

### *Private legal issues*

In 3 cases, the language in the protection letters point to a context of litigation, without any mention of fiscal issues, or even money, but rather family disputes or property issues. Similarly, fiscal issues do not play a part in the documents in which protection letter formulas are used in permissions to till a plot of land or work with someone's camels (5 cases). Those are cases in which private parties felt it necessary to add this layer of protection to an agreement.

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<sup>425</sup> *SB Kopt.* V 2234 states that the protectee had “gone away”, using the verb *ⲉⲟⲕ ⲉⲃⲟⲗ* rather than *ⲛⲱⲧ* (“to flee”) which is used in the other cases.

### *Uncertain*

The majority of the Coptic protection letters, however, do not contain language that clearly indicates which type of problem they are aiming to solve. Underlying issues with litigation, private debt, or taxation are not made explicit. This is the case in the protection letters that mention amounts of money, e.g. in an exception clause (11 cases, see section 4.3.1.1), or which contain a promise clause “not to ask anything” without any other clear references to the fiscal system (E.g. *SB Kopt.* V 2292). Those are clearly related to financial issues, but not necessarily to fiscal issues. A protection letter mentioning money but not referring to the fiscal system, issued by the *lashanes* of Djeme (*SB Kopt.* V 2249), is likely related to taxation, but might possibly be referring to their judgement about a debt, as both fell in their areas of authority in the village.

Another ambiguous group are the protection letters which contain expressions about a conversation which should take place or an agreement/settlement which should be reached between the protectee and the protector, or between the protectee and another party. Because such expressions almost exclusively occur in documents which are not explicitly linked to the fiscal system, it is likely that they are instruments in mediation in legal issues, and I discuss them in section 4.3.1. However, when a *lashane* asks a bishop to issue a protection letter for a family, and states he wants to talk with them, this might be related to taxation as well as litigation, since the village heads had responsibilities in both those areas in the village.

Lastly, it is impossible to say which kinds of problems are solved by the protection letters which contain instructions and promise clauses, but lack specificity (“we will not let any harm befall you”) or added details which could clue us in about the situation at hand.

### *4.1 Taxation*

Taxation played various roles in protection mechanisms: the pressure of taxation could create a problem, it could be something to be protected from, but payment of taxes could also be a condition for a certain protection, especially related to travel (see section 4.2.3.3). In the present section I will first discuss the multifaceted relationship between the Coptic protection letters and taxation (4.1.1). I will explore the different ways in which the documents indicate this relationship. Then I will discuss the various ways in which taxation created problems for several actors in the society of Early Islamic Egypt, and the situations in which protection against those fiscal problems was sought or offered through written

documents (4.1.2). As many different people were involved in the administration of the fiscal system, in the capital as well as the pagarch's office, the monasteries and the villages, these problems ranged from e.g. abuse by local officials, to the pressure to comply with orders from one's superior, and inability or unwillingness to pay one's taxes.

Protection mechanisms related to taxation are visible not only in the Coptic protection letters, but also in e.g. administrative letters warning subordinate officials not to abuse tax payers, in tax-demand notes containing warnings against abusive officials, in documents offering tax exemption, and in replies to petitions about abuse. I will show how the Coptic protection letters fit in this landscape of documents, which characteristics they shared with other documentary types and how they were different from them (4.1.3).

#### *4.1.1 Taxation in the Coptic protection letters*

The large majority of the Coptic protection letters from which we can infer which type of problem they are trying to solve, are dealing with fiscal issues. However, the Coptic protection letters' link to taxation is not straightforward. They cannot as a whole be grouped together within the category of fiscal documents like tax-receipts or tax-demand notes. They were produced to solve certain problems in their specific context, and many, if not all, of those problems seem to have been tax-related.

There are two aspects to how taxation and references to the fiscal system appear in the Coptic protection letters: protection against taxation was offered to the protectee (4.1.1.1), or tax-payment was a condition for protection (4.1.1.2). These two aspects could appear together in a protection letter, as I will show below. Tax-payment as a condition for protection is a characteristic which the Coptic protection letters shared with the travel permits in Arabic and Greek which I will discuss in section 4.2.3.3. In the paragraphs below, I will discuss Coptic protection letters which illustrate the various ways in which references to taxation are made in these documents. These references varied in their degree of explicitness, but they all link these documents, and the underlying situations, to the fiscal system.

##### *4.1.1.1 Offering protection against taxation: (partial) tax exemption*

Many protection letters exempt, completely or partially, the protectee from having to pay their taxes. This mechanism is visible in the protection letters in different ways. References to taxation as something to be protected from appear in the Coptic protection letters through the names of certain taxes, references to fiscal procedures such as the fiscal year or tax

instalments, and the appearance of tax officials. Examples are given in the paragraphs below. The protectors promised the protectees in these tax-related protection letters not to “ask”, thus offering (partial) tax exemption, but also not to “prosecute” or even more generally not “to harm”. It is unclear whether these promises were made preemptively before tax collection, or rather after the protectee had already defaulted on their payment after which they were offered a certain amnesty. This (partial) tax exemption solved problems in the fiscal system in two ways. First, it offered protection against fiscal demands which forced or would force the tax-payer in question to flee. Second, it supported the fiscal system because it ensured contributions to the revenue through partial payment. The following paragraphs provide examples of the fiscal references mentioned above, but first, I discuss a specific way in which protection letter formulae were integrated in fiscal documents, i.e. as additions to tax-receipts.

#### *4.1.1.1 Tax-receipt + protection letter*

A strong link between a tax payment and the issuance of a protection letter features in the tax-receipts which are, on the same ostrakon, followed by protection letter formulae.<sup>426</sup> E.g., *SB Kopt. V 2280* reads:

*+ One holokottinos, reckoned came to us from you, Patermoute son of Abraham, for your capitation tax for the first payment (katabolè) of the 9th year. Written in the month Phaophi (...) Elias son of Zacharas, I sign; and here is the promise by God (logos mpnoute) for you, to not prosecute you on account of anything in this 9th year, except for this holokottinos, and we will not permit anyone to prosecute you. We, Severus and Johannes the lashanes, sign this promise. I, Komes, wrote this promise by my hand and I sign it. +*

Patermoute only had to pay his capitation tax for the first payment that year. It seems plausible that these tax-receipts with protection letter formulae were the result of a negotiation about the conditions for the protection offered.<sup>427</sup> These documents do not have an instruction clause mentioning coming home or any other travel. The protectees did not need to “come home”, as they were in the village to pay their taxes, which is reflected in the wording of the documents. With regard to Patermoute’s tax-receipt + protection letter,

<sup>426</sup> *SB Kopt. V 2280, 2281, 2282, 2283, 2284; O.Crum VC 10, P.Stras.Copt. 66.*

<sup>427</sup> See section 3.2.

Patermoute might in fact have threatened to flee or negotiated this deal with the village authorities in another way as part of the negotiations leading to the issuance of the protection letter. Does this mean that the sums or taxes mentioned in the exception clauses of the Coptic protection letters in general had also been paid already, or were they just negotiated or decided upon and would a separate receipt be issued upon payment?

Again, here the conspicuous absence of the “Come home” or “Appear” instruction clause in the tax-receipts with protection letter formulae seems significant. In those cases, the protectee was already “home”, paying the village authorities, whereas in protection letters with a “Come home” instruction clause and an exception clause, the protectee was elsewhere. It is plausible that the amounts in the exception clauses needed to be paid upon arrival. Unfortunately, there are no documents clearly testifying these procedures, but I choose to interpret the structural differences in formulary as reflecting differences in procedure, due to different circumstances (see Chapter 3). The following paragraphs discuss other references to the fiscal system in the Coptic protection letters.

#### 4.1.1.1.2 Names of taxes

The frequent references to names of taxes are an obvious link between the protection letters and the fisc. In nine protection letters a specific tax is mentioned.<sup>428</sup> In *SB Kopt.* V 2247 the protectors mention specific taxes which the protectee should or does not have to pay.<sup>429</sup> The protectors, four men named by name only, promise to “not ask of you the *diagrafon* tax nor the *dipla* (?) except for the *démosion* tax only.” ΔΗΜΟCΙΟΝ (*démosion*) in Coptic documents can refer to the general tax in money, of which the ΔΙΑΓΡΑΦΟΝ (*diagrafon*) or capitation tax was a part, but here it probably refers to the land tax (ΔΗΜΟCΙΟΝ or ΔΗΜΟCΙΑ ΓΗC (*démosia gès*)).<sup>430</sup> The document explicitly states that the protectees had fled, and the mention of the

<sup>428</sup> The taxes are the *diagrafon* (capitation tax) and the *démosion* (general tax in money, or land tax). An unknown tax *diplè/dipla* is mentioned in one document in the corpus. *SB Kopt.* V 2247 (*diagrafon*, *démosion*, *diplè*), *SB Kopt.* V 2260, 2274, 2301, 2244 and *SB Kopt.* II 916 all mention *démosion*. OTorino S. 5911 mentions the *diagrafon*. *SB Kopt.* V 2245 and 2228 mention *dioikèsis*, a tax known from Theban tax-receipts: Albarrán Martínez et al., “Ostraca. Le Dossier Des Reçus”, 217. One further protection letter (*O. GurnaGorecki* 69) mentions that they will not prosecute the protectee 2Δ 6ΕΛΔΔΥ 2Ν | ΝΕΝΟΥΒ ΝΑΙ ΝCΔ | ΟΥΤΕΡΜΕCΕ ΟΝ: “on account of anything concerning these gold (taxes), except one more *trimession*”. For the interpretation of ΝΕΝΟΥΒ as referring to taxes, as a Coptic equivalent to the Greek χρυσικά, see commentary to I.8 in the edition.

<sup>429</sup> List all the taxes mentioned in the corpus.

<sup>430</sup> Albarrán Martínez et al., “Ostraca. Le Dossier Des Reçus”, 216. Because of its reference to the capitation-tax, this document can be dated without a doubt to the post-conquest period. *Dipla/diplè*

three taxes allows us to interpret quite clearly the situation behind the document: the protectee had fled because they could not or simply did not pay their taxes, and the village authorities offered them partial tax exemption, allowing the protectee to return to the village without facing negative consequences.

#### 4.1.1.1.3 Limitation clauses related to taxation: (fiscal) year and payments or instalments

Besides direct references to the fisc in the form of names of taxes, several protection letters contain an indirect reference in the form of a mention of the term which the payment due refers to. Some Coptic protection letters have a limitation clause “in/on account of this year”  $\text{ⲛⲏ}/\text{ⲛⲏ} \text{ⲧⲉⲓⲣⲟⲙⲛⲉ}$  or a variation of this. The limitation clause in the Coptic protection letters is described in more detail in section 2.4.3. E.g., in *SB Kopt. V 2257*, a fragmentary document, Pape issues the following promise to Samu(el?).

✠ *Here is the promise by God for you, Samu(el?). Come to your house, that I will not ask you anything ( $\text{ⲭⲉ ⲛⲉⲓⲭⲛⲟⲩⲕ ⲉⲗⲗⲁⲩ}$ ) in the entire year ( $\text{ⲛⲏ ⲧⲣⲟⲙⲛⲉ ⲧⲏⲣⲥ}$ ), except for [...]* I swore [...] Pape, I sign.<sup>431</sup>

The validity of the protection is limited to one year, plausibly the year in which the protection letter was issued.<sup>432</sup> In that year, Pape promises not to ask anything from Samu(el?), except for a certain amount of money or something else. The addition of “entire” to the limitation clause gives emphasis to the statement, which might have instilled in the protectee some confidence about the promise. In any case this was not a standard addition in the Coptic protection letters, reflecting again the variety within the formulary of these documents. A plausible explanation for these limitation clauses is that they were related to the yearly taxation cycle.<sup>433</sup> This explanation is supported by documents such as the tax-

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is not certain. Foerster, *Wörterbuch*: “a tax”, but *SB Kopt. V 2247* is mentioned as the only attestation of this meaning in the Coptic documents. In the Greek papyri a tax named *diplo* is attested for the Roman period, and in the Greek papyri after 500 CE there is one attestation where the term seems to have been used as a tax: a Greek ostrakon with a debt acknowledgement from Elephantine with strong linguistic and scribal Coptic influence (Worp, “Berliner Ostrakon”), which has been dated to the 6th – seventh century: *SB XX 14230*.

<sup>431</sup> +  $\text{ⲉⲓⲥ ⲡⲗⲟⲓⲥ ⲛⲡⲛⲟⲩⲧⲉ | ⲛⲧⲟⲟⲧⲕ ⲛⲧⲟⲕ ⲥⲁⲙⲟⲩ | ⲛⲉⲓ ⲉⲥⲟⲩⲛ ⲉⲡⲉⲕⲏⲓ ⲭⲉ | ⲛⲉⲓⲭⲛⲟⲩⲕ ⲉⲗⲗⲁⲩ ⲛⲏ | ⲧⲣⲟⲙⲛⲉ ⲧⲏⲣⲥ ⲉⲓⲙⲏⲧⲉ | ...} \text{ⲛⲱⲛⲧ} \text{..ⲥⲡⲉ ⲁⲓⲱⲣⲕ | ...} \text{ⲛⲁ ⲡⲁⲛⲏ ⲧⲥⲧⲟⲓⲭⲉ}$ .

<sup>432</sup> This is clearer when the clause has “*this* year”,  $\text{ⲧⲉⲓⲣⲟⲙⲛⲉ}$ , instead of “*the* year”,  $\text{ⲧⲣⲟⲙⲛⲉ}$ , which we have in this case.

<sup>433</sup> The limitation of the year is also reminiscent of the letter in which the sender asks the receiver to get him his protection letter, and mentions that the receives one every year, *O. Medinet Habu Copt. 167*, discussed in 3.2 Procedure. The letter does not mention fiscal issues.



receipt with protection letter cited above in section 4.1.1.1.1, in which both the tax-receipt and the protection letter mention the ninth year, as the fiscal year in which the tax was paid, and the year in which the protection letter was valid, respectively. Another link between the limitation of a year and taxation is made explicit in the fragmentary ostrakon *SB Kopt. V 2260*, which I partially cite here.

*Come to your house, and we will not ...because you fled nor will we sign anything bad for you, and we will not ... demosion of the eleventh (year) (ΔΕΜΩΣΙΟΝ ΝΕΝΔΕΚΑΤΗΣ), except for ...and we will not make you pay a holokottinos ... instalment ([...ΚΑΤΑ]ΒΟΛΗ), we drew up this promise for you...<sup>434</sup>*

In spite of the fragmentary state of the document, it seems that the protectors promise that the protectee will not have to pay the *demotion* tax (either generally taxes levied in money, or the land tax specifically, see section 4.1.1.1.2) for the eleventh year, except for either a certain sum or a specific tax, as in *SB Kopt. V 2247* discussed above in 4.1.1.1.2. Whether this is the current year or another, previous or following, year is not clear, as no date has been preserved on the ostrakon. The mention of an instalment, apparently related to a *holokottinos* or gold coin, further ties the document to taxation. On terms for instalments in the protection letters, see below. In the 2 cases cited above, an exception clause was added to the promise, which meant that the protectee still had to pay or do something to ensure their protection. However, in other cases, no such exception was included in the document. E.g., in *SB Kopt. V 2264*, the protectors, *lashanes* of Djeme, promise “not to prosecute you on account of the eighth indiction year”.<sup>435</sup> In this case, it seems that the protectee has been exempted from tax payment for the eighth year, but it is not clear whether the eighth year was the current year or another (previous) year.

Other limitation clauses do not mention a (fiscal) year, but rather a tax instalment. Tax-payers paid their taxes often in various payments or instalments throughout the year. The two main yearly payments were the *katabolai* (s. *katabolè*. See e.g. ΚΑΤΑΒΟΛΗ in *SB Kopt. V 2260* cited above), which could be divided into smaller *exagia* (s. *exagion*).<sup>436</sup> The specific payment or instalment could be indicated on the tax-receipt, although this was not

<sup>434</sup> [...].ΝΓΕΙ ΕΞΟΥΝ ΕΠΕΚΗΙ ΧΕ ΝΝΕΝ| [...ΧΕ] ΔΚΗ[Ω]Τ ΟΥΔΕ ΝΝΕΝΣΤΟΙΧΕΙ| [...]ΠΕΘΟΟΥ ΝΑΚ ΔΥΩ ΝΝΕΝ| [...]ΔΕΜΩΣΙΟΝ ΝΕΝΔΕΚΑΤΗΣ ΝΣΑ | [...]ΔΥΩ ΝΝΕΝΕΙ ..Κ†. ΣΟΛΛΟΚ(ΟΤΤΙΝΟ) Η | [...ΚΑΤΑ]ΒΟΛΗ ΔΝΣΜΝ ΠΕΙΛΟΓΟΣ ΝΗΤΝ.

<sup>435</sup> ΕΤΜΠΑΡΑ|ΓΕ ΜΜΟΚ 2Δ ΟΚΤΟΗΣ ΙΝΔ(ΙΚΤΙΩΝΟC).

<sup>436</sup> Crum in intro to *P.Lond. IV 1412*. On the use of these terms in Coptic documents see also Cromwell, “Managing”.

always the case.<sup>437</sup> Both *katabolè* and *exagion* appear in the Coptic protection letters.<sup>438</sup> E.g. in *SB Kopt.* II 917, the protectors, Mercurios and Theodoros, the *lashanes* of Djeme, promise the protectee Thomas, son of An[...], that they will not “prosecute you on account of my payment (ΤΑΚΑΤΑΒΟΛΗ), except for 2 *trimessia*”.<sup>439</sup>

#### 4.1.1.1.4 Tax officials

If a number of Coptic protection letters were connected to taxation, we should also see agents/actors within that system operate in these documents. That is indeed the case. Most Coptic protection letters were issued by village authorities responsible for the running of the village, and as part of that they also handled the organization of tax distribution and collection in the village. More specifically, two official titles appear in the corpus which are particularly tied to the fiscal system: *ape* (ἀπε) and *shaliou* (σάλιου). The *ape* was especially in Djeme, where the majority of the Coptic protection letters come from, an official involved in tax collection. An *ape* is often the signatory of tax-receipts.<sup>440</sup> Five protection letters in the corpus are signed by an *ape*.<sup>441</sup> Two of these are tax-receipts with protection letters, which fits the fiscal responsibilities of the office.<sup>442</sup> A *shaliou*, another fiscal official, is mentioned in *SB Kopt.* V 2261, neither as protector or protectee, but in the exception clause: the protectee has to pay what he owes to the *shaliou*.<sup>443</sup>

<sup>437</sup> Cromwell, *Recording*, 94.

<sup>438</sup> Both *SB Kopt.* III 1367 and *SB Kopt.* III 1368 have a limitation clause with *exagion*, meaning that the protection offered is limited to the present *exagion*, but exceptions are included: of 1 *trimession* + ½ *holokottinos* and ½ *holokottinos*, respectively. A *katabolè* or partial payment, seemingly of 2 *holokottinoi* is the content of the exception clause of *SB Kopt.* V 2267. This is the highest amount among the exceptions expressed in amounts in the Coptic protection letters. Two *holokottinoi* could constitute the total amount of capitation tax paid in a year, see Cromwell, “Managing”. The two *holokottinoi* then are probably a contribution to another tax, or a group of taxes (e.g. the *demosion* or taxes paid in money).

<sup>439</sup> To compare with the capitation tax paid by a certain Daniel during one year in the mid-8th century (Cromwell, “Managing”), the two *trimessia* asked for in *SB Kopt.* II 917 would have been 2/3 of a *katabolè* for Daniel’s capitation tax.

<sup>440</sup> Delattre and Vanthieghem, “Sept reçus”. The *strategos* mentioned there as a plausible synonym for *ape* does not appear in the corpus. An *ape* is a protector in Pap. Congr. XXIII (Vienna 2001) 176-177 (= *P.Akoris* 36); *SB Kopt.* V 2242; *SB Kopt.* V 2266; *SB Kopt.* V 2283; *SB Kopt.* V 2284.

<sup>441</sup> *SB Kopt.* V 2242; *SB Kopt.* V 2266; *SB Kopt.* V 2283; *SB Kopt.* V 2284; Pap. Congr. XXIII (Vienna 2001) 176-177 (= *P.Akoris* 36).

<sup>442</sup> *SB Kopt.* V 2283; *SB Kopt.* V 2284.

<sup>443</sup> The *shaliou* has been interpreted as the Coptic equivalent of the term *pistikos* in Greek. While the exact responsibilities of the tax official *shaliou/pistikos* are not clear, they seem to have been attached to regional administration, or to the governor himself. *P.Bal.* II 303b, n. to l. 9. On monastic

But we also recognize individuals with fiscal duties in the Coptic protection letters because of certain descriptions in the documentation. The letter *SB Kopt.* V 2286 reports on the search for the person who ought, or had the authority to, issue a protection letter for a certain protectee, concluding that it should be the person who imposed the taxes on the protectee:

*“Your paternity asked me: go to Apadios on account of the matter of Petros. Now, I went and I spoke with him (i.e. Apadios). He said: the matter does not concern me, but Taammonikos. Now, please, write and bring Taammonikos to you so that he (i.e. Taammonikos) issues a promise (logos) for him (i.e. Petros) that he (i.e. Petros) should go to his (i.e. Petros’/Taammonikos’) residence, since he (i.e. Taammonikos) imposed taxes on him (i.e. Petros).”*<sup>444</sup>

However, village officials could act in the Coptic protection letters in their function of representatives of the fiscal administration, without using a title: in *SB Kopt.* V 2247 (discussed in 4.1.1.1), the protectors mention several taxes that they will and will not ask the protectee to pay, which indicate that they were officials involved in taxation. However, they are mentioned by name only.<sup>445</sup> As a private person one would not decide on someone’s tax payments, the protectors here clearly are village officials acting in that role. Thus, a village official could issue a protection letter without mentioning his title. What is more, he could issue, without mentioning his title, a protection letter which offered protection related to fiscal matters, i.e. the protectee’s tax payments, rather than a private debt (see section 4.3.1.1).

In all of these cases, the fact that these authorities acting as protectors and intermediaries, are mentioned in connection with and performing their role in the fiscal system, shows that the protection letter in question, the underlying situation, the problems it was solving or trying to solve, were related to taxation.

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headmen and churchmen in the role of *shaliou* (and *pistikos*), see Palombo, “Christian Clergy”, 109-203.

<sup>444</sup> “...since he (i.e. Taammonikos) imposed taxes on him (i.e. Petros)”:  $\chi\epsilon\ \nu\tau\omicron\varphi\ \alpha\upsilon\tau\alpha\ |\ \alpha\varsigma\varsigma\epsilon\ \nu\mu\omicron\varphi$ . *SB Kopt.* V 2286, Theban region, undated. It is not clear whether it is meant that Petros should go to his own residence or to Taammonikos’ residence. On the basis of the formulary of the Coptic protection letters, the former is somewhat more likely.

<sup>445</sup> *SB Kopt.* III 1367 has a limitation clause mentioning an *exagion* (installment, see 4.1.1.1), tying it to taxation. Again, the protector is not named with a title. The examples given by Palme might very well have been issued by village officials: in both documents there are a pair of protectors. The documents were issued in Djeme, where the village heads often worked in pairs.

An especially good example of the integration between the fiscal procedure and the Coptic protection letter mechanism is *SB Kopt. V 2261*. With this protection letter, he *lashane* of the village of Longine offers the protectee Viktor, son of Elias, partial and limited tax exemption. Viktor still needs to contribute what he owes to the *shaliou*, according to the exception clause of the document. Moreover, the limitation clause in this protection letter does not mention the (fiscal) year, but “until has been allotted the next payment (*katabolè*)”, a clear reference to fiscal procedure.<sup>446</sup> This document shows how the tax payers often paid their tax by instalments, and that the tax burden was allotted in instalments. This verb *χωρ*, “to allot (taxes)” is used a second time in the document, in a promise clause: “we will not allow anything to be allotted upon you on account of the great men, and again if we come again we will observe the just thing for you, according to the authority (of the promise?)”.<sup>447</sup> Till interprets this phrase as referring to the role of the “great men” as arbiters in village disputes.<sup>448</sup> If this is the case, the *lashane* thus promises that any fines or amounts imposed on the protectee in the resolution of disputes by the “great men” will be annulled by the protection letter. The promise clause also seems to point to a further meeting between protector and protectee (“if we come again”) in which the protection letter would be valid and respected by the protectors. The wording is unclear to me. Might it refer to a further moment of tax collection? This document shows how embedded the protection letters could be in fiscal procedures, with the promise clause, exception clause, and limitation clause all related to taxation.

The protection letters show that their recipients could count on promises of (partial) tax exemption, shown most clearly by the documents which combine an “I will not ask you” promise clause with a limitation of a (fiscal) year or a tax instalment. However, most often the exemption was not complete, as an exception to the exemption was in place. Moreover, in certain cases where the limitation of a fiscal year is mentioned, the document does not explicitly promise that the protectee does not need to pay anything, but e.g. that they will not be mistreated, or that nothing evil will befall them. In those cases the link between taxation and protection is still likely, even though the nature of the protection is more vague. It is possible that in these cases the protectees were implicitly exempted from paying tax,

<sup>446</sup> Il. 9-11: *ⲱⲁⲛⲧⲟⲩⲥⲱⲣ ⲧⲙⲉⲥϥⲛⲧⲉ ⲕⲁⲧⲁⲃⲟⲗⲁ ⲉⲃⲟⲗ*.

<sup>447</sup> Il. 12-22: *ⲁⲅⲱ ⲛⲛⲉⲛⲓⲕⲁⲁⲅ ⲉⲓⲥⲱⲣ | ... | ⲕⲁⲁⲅ ⲛⲓⲛⲱⲃ ⲉⲃⲟⲗ | ⲉⲓⲭⲱⲕ ⲉⲓⲧⲃⲉ ⲛⲛⲟⲥ ⲛⲣⲱⲙⲉ ⲁⲅⲱ ⲟⲛ ⲉⲛⲱⲁⲛⲉⲓ ⲉⲓⲑⲏ ⲟⲛ ⲉⲛⲛⲁⲣⲟⲉⲓⲥ ⲡⲁⲓⲕⲁⲓⲟⲛ ⲛⲙⲙⲁⲕ | ⲛⲣⲟⲥ ⲧⲉⲟⲙ*.

<sup>448</sup> Till, “Koptische Schutzbriefe”, 93, n. 4.

and explicitly protected against harassment from tax officials or prosecution upon indeed defaulting on the tax payment. In *SB Kopt. V 2254*, a *lashane* promises to “not permit any man to mistreat you, on account of anything else in this year nor on account of any other business.”<sup>449</sup> While the mention of “this year” points to a fiscal background for this protection letter, this fiscal background does not fully explain the scope of the document’s power, as the phrase “nor on account of any other business” shows. This is reminiscent of *SB Kopt. V 2261* discussed above, which protects the protectee against taxation but also against payment of sums imposed through legal procedures, i.e. the sum imposed on the protectee by the “Great Men” of the village. The reasons why someone needed a protection letter could be multifaceted, with fiscal issues being only a part of them, albeit an important part, and the protection letters reflect this.

#### 4.1.1.2 *Payment of taxes a condition for protection in the Coptic protection letters*

In the paragraphs above I have shown the various ways in which the Coptic protection letters indicate exemption from tax payment, at least partially, and how they are related to taxation more generally. But in several cases, the situation was presented in reverse. In other words in those protection letters the payment of (at least a certain amount) of taxes is demanded as a condition for the protection offered in the documents.<sup>450</sup> This is most explicit when the name of a tax, or the title of a tax official, is given in the exception clause. E.g., in *SB Kopt. V 2247*, which is discussed above, the protectees are still asked to pay their *demosion* tax, in this case probably the land tax. That is to say, the protectees have to pay *only* the *demosion* to obtain protection from other demands or dues. The *demosion* tax is also the exception to the protection letter in *SB Kopt. V 2244*, one of the few protection letters addressed solely to women.<sup>451</sup> The protectors promise that “we will not ask you anything nor your daughter except for her *demosion* tax.”<sup>452</sup> Again, *demosion* could refer to the land tax or to general taxes in money (which in this case would not include the capitation tax, as women did not pay it). The daughter seems to have had to pay the tax in order for the protection letter for her mother to be effective, maybe the daughter acted as a kind of guarantor? The document is quite fragmentary, but in the legible text all pronouns are

<sup>449</sup> *SB Kopt. V 2254*, ll. 5-8: ⲭⲉ ⲉⲛⲉⲛϭⲓⲧⲭⲱⲣⲉⲓ ⲛⲁⲗⲱⲉ | ⲛⲣⲱⲙⲉ ⲉⲛⲁⲣⲉⲗⲁⲑⲉ ⲙⲙⲟⲕ | ⲛⲁ ⲉⲗⲁⲗⲱⲉ ⲛⲁ ⲧⲣⲟⲙⲛⲉ ⲟⲩⲁⲉ | ⲛⲁ ⲉⲗⲁⲗⲱⲉ ⲛⲛⲣⲁⲓⲙⲁ.

<sup>450</sup> See also section 4.2.2.3 on payment of taxes as a condition for travel.

<sup>451</sup> See section 2.4.5.

<sup>452</sup> *SB Kopt. V 2244*, ll. 3-5: ⲭⲉ ⲛⲛⲉⲛⲭⲛⲟⲩⲱ ⲉⲗⲁⲗⲱ ⲟⲩⲁⲉ ⲧⲉⲱⲛⲣⲉ ⲉⲙⲙⲛⲧⲉ ⲛⲉϭⲁⲛⲙⲟϭⲓⲟⲛ.

singular, and only in this clause is a second protectee (i.e. the daughter) mentioned. This mixing up of singular and plural in the protection letters is not uncommon throughout the corpus, but it seems significant that the exception relates to taxes to be paid by the daughter. Another tax explicitly mentioned as an exception to the promises of protection is the *dioikêsis*, a tax recurring in eighth-century Theban tax-receipts, although its nature is unclear.<sup>453</sup> A little bit less explicit but still clearly linked to taxation are the protection letters in which the limitation clause clearly refers to a tax payment (*katabolê*, *exagion*, fiscal year), and the exception clause is given as an amount of money. While this is not explicitly stated in the documents, I interpret these exception clauses as conditions for the protection offered, conditions which plausibly were negotiated by the protectee or rather an intermediary on behalf of the protectee with the protectors.<sup>454</sup> If there was no obligation for the protectees to pay these sums, there was no reason to record them specifically in the individual documents. Now that I have shown the embeddedness of at least part of the Coptic protection letters in the fiscal system, both as ways to grant (partial) tax exemption to protectees and to guarantee (partial) tax payment as a condition for the protection offered, I will discuss how issues with taxation are visible in the contemporary Egyptian documentation in Coptic, Greek and Arabic (4.1.1.2), so that I can better define the place of the Coptic protection letters in this documentation regarding fiscal problems and how they were being solved (4.1.1.3).

#### 4.1.2 *The pressure of taxation in the documents from Early Islamic Egypt*

For any government, effective taxation means receiving an adequate amount of taxes. This was a point of concern for the provincial governor of Early Islamic Egypt, who had to collect part of the revenue for the empire, and was answerable therefore to the caliph.<sup>455</sup> But it was also a point of concern for the pagarchs or regional administrators, who had to send taxes to the governor, and to the village officials or the tax collectors, who had to send taxes to the pagarch, as well as to the tax-payer outside of the administration, who had to pay their taxes to the tax collector. Tax-related pressure could trickle down: a pagarch under pressure from the governor might put pressure on his lower officials and village authorities, who in

<sup>453</sup> SB V 2245 and 2228. Albarrán Martínez et al., “Ostraca. Le Dossier Des Reçus”, 217.

<sup>454</sup> See section 3.2.

<sup>455</sup> Marie Legendre reckons that, in the early 8th century, the portion of revenue actually sent to the capital of the empire was about 10%: “Central or Provincial Rationale? An Inquiry on Fiscal Centralization in the Early Islamic Empire”, oral communication at The Reach of Empire - The Early Islamic Empire at Work, conference at Hamburg University, 11-13 October 2018.

turn might pressurize the tax-payers. The opportunities for abuse were numerous. References to the pressure of taxation, as well as references to abuse, and solutions for the problems the pressure of taxation could create, are attested in the papyri originating from different levels of the administration.

#### *4.1.2.1 Pressure on the regional and village administrators*

Fiscal pressure on regional and local administrators and authorities is visible in top-down and bottom-up administrative correspondence. There are numerous examples of letters from higher officials lecturing, admonishing, and threatening lower officials about late or inadequate revenue deposits.<sup>456</sup> From the bottom-up perspective, in *P.Lond.* III 1081, a pagarch or maybe a lower official, asks a bishop or monastic authority to use his influence to help him with a problem concerning fiscal requisitions, in this case animals. The official wrote that the *amīr* has asked him, “to send word to the hamlet of my brother, the lord Germanos alias Theon, to take there three ponies and two donkeys, and to deliver them to the groom. And you know that I cannot disobey.” This sentiment of not being able to disobey the orders of an *amīr* is also expressed in letters addressed to Papas, the pagarch at Edfu in the mid-seventh century.<sup>457</sup>

Requisitions of labor from the government, e.g. for sailors on the fleet for the yearly raids against Byzantium, or for workers on said fleet at the shipyard-wharf in Babylon, also placed stress on the administrative units where these requisitioned workers came from. The pagarchy or village was doubly “taxed”, as it lost labor locally and in some instances had to pay for the sustenance of the worker.<sup>458</sup> *P.Apoll.* 26 is a letter to the pagarch Papas about requisitioned workers for the maintenance of a canal in another pagarchy, where apparently not enough men had been found to do the work. Thus, the help of other pagarchies was requested in sending men to work on the canal. The sender, another official, mentioned the

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<sup>456</sup> This is an important theme in the letters sent by Qurra to Basilios: Papaconstantinou, “Rhetoric”, 269. The undated Greek letter from a certain Abdella...Patrikios *SB* XVI 12575 scolds its receivers about tax arrears. ExCromwell, “Religious expression”, examines Coptic examples: *P.Mich.Copt.* III 15. On the various rhetorical techniques employed by governor Qurra b. Sharik in his letters to pagarch Basilios, see Papaconstantinou, “Rhetoric”.

<sup>457</sup> E.g. *P.Apollo.* 26, 27 and 40: “I cannot disobey the orders of our lords”.

<sup>458</sup> See *P.Lond.* IV, Introd. xxxi-xxxii. E.g. in *P.Lond.* IV 1334, Qurra reminds Basilios that a skilled workmen was requisitioned, to work on the fleet in Babylon, from his district, including six months worth of supplies, and provisions (for the journey), in money. In *P.Lond.* IV 1337 Qurra urges Bailios to send the salaries for sailors who had been requested from his district. More examples are listed in Richter, “Language Choice”, 197.

misery and depopulation of the addressee's pagarchy, but that the addressee should try to get, if not all, at least half of the workers requisitioned, that the *amīr* had asked for the impossible but that he should be obeyed, and that the work should be done as quickly as possible, before the tax collection, and that the workers should return to their own jobs. The pressure of requisitions and the effect on the local population were felt also by the regional administrators who had to manage the area. The solution proposed in the letter, to send only part of the workers requisitioned, is reminiscent of the Coptic protection letters with exception clauses (see section 4.1.3).

Keeping in mind the actors in the Coptic protection letter mechanism, references to fiscal pressure felt or problems experienced by the individual tax-payers as well as by the local village elite are particularly relevant. Organizing taxation in the village in order to be able to send enough revenue on to the central administration was the responsibility of the people who issued the protection letters in the majority of the cases: the village authorities. They could be held accountable for the (lack of) tax payment of an individual tax payer.<sup>459</sup> Similarly, village authorities also acted as guarantors for the presence of requisitioned laborer at the job in question. If those laborers fled, the guarantors were liable for compensation.<sup>460</sup> As a monk at the monastery of Apa Jeremias, you could avoid complying with an order of requisition, if someone hired a man to go in your place. Such a protection mechanism was the cause of the drawing up of a guarantee document, in which the guarantor claims to have hired a man to replace a monk who had compulsory service in Klysma. The guarantor stands guarantee for this third person to the head of the monastery, and states that he already received the salary for the third person in gold coins from the monastery.<sup>461</sup>

#### *4.1.2.2 Pressure on the individual tax-payer*

That individual tax payers were pressured to be able to pay (enough of their) taxes can be understood e.g. from the loans made in order to pay taxes.<sup>462</sup> Alternatively, instead of

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<sup>459</sup> See section 1.3. Local elites had to swear oaths that they would collect the taxes correctly. See e.g. *P.Lond.Copt.* 1079, which show that local elites swore that they correctly carried out a census locally, and that anyone forgotten will be counted among their household.

<sup>460</sup> The archive of the pagarch Basilios of Aphroditto contains several of such guarantee declarations for requisitioned laborers, listed in Richter, "Language Choice", 205. E.g. in *P.Lond.* IV 1494, one of the three guarantors uses the title *hypodektēs*, tax collector, and in *P.Lond.* IV 1499 two *lashanes* stand guarantor for the sailors requisitioned from their settlement. .

<sup>461</sup> Calament, "Coups".

<sup>462</sup> Papaconstantinou, "Debt".



getting a loan, a tax-payer could also approach someone in their network with a complaint or request for help to organize a tax reduction. One papyrus letter shows the reaction of a pagarch who had heard that a farmer had complained, probably concerning excessive taxation, about the pagarch to the pagarch's colleague (*P.Lond.* III 1075). This colleague had told the pagarch about the complaint of the farmer, and as a result, the pagarch wrote to the bishop, or another clerical or monastic authority, on whose land the complaining farmer worked, that he would visit the addressed clerical authority and return the goats and sheep which he had requisitioned from the farmers of the addressee. However, the letter proceeds with a sort of reprimand for both the farmer and the addressee, if the farmer should complain again. The pagarch tells the addressee to write and warn the complaining farmer, and reminds the addressee that pagarchs.

Another option for tax evasion or evading of labor requisitions was too flee. Requisitioned laborers were a flight risk, as shown by the guarantees for requisitioned laborers mentioned above, and by the evidence of actual flight, e.g. the requisitioned caulkers in *P.Apoll.* 9 (see section 4.2.2). Thus, tax-payers who were unable or unwilling to pay their taxes or fulfil a requisition, whatever the type, had different options for how to deal with their issues, e.g. borrowing money, make a complaint using their network, or flee. A fourth option, also building on local relationships, is presented in the document under discussion in the next paragraph.

The so-called tax agreement of the Djeme elite (*P.CLT*6) also attests to this burden which could become too heavy for the tax payer, and it emphasizes the requisitions for labor for the raids.<sup>463</sup> The document, produced in 724 in the same region in which most of the protection letters were found, shows how local elite members formally organized solidarity among themselves in the face of the burden of fiscal demands, considered heavy.<sup>464</sup> In the case that someone is taxed more heavily than the others, especially in the case of naval duty, they will bear the burden together, through financial compensation to be paid by the signatories as a group. The signatories also give a motive for drawing up this formal agreement: “so that we can dwell undisturbed (ἀταραχος) in the Kastron (Djeme)”<sup>465</sup> This

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<sup>463</sup> In this document the local village elites appear in their role as tax-payers, not in their function as responsible for tax organization of the village. Till and Steinwenter, “Neue”, 312-313, provide a corrected translation of a large part of the document.

<sup>464</sup> l. 14: *πβαρος νογποθεσις*: “the heaviness of the matter/the heavy matter”. l. 17 *πβαρος*: “the burden”.

<sup>465</sup> l. 18.

phrase is rather vague. It might mean simply that by paying (communally) instead of letting the person in question go and perform naval duty, everybody can physically stay in the village instead of going to perform naval duty. Or it might mean that by taking these measures they would avoid people having to flee, be it from performing the actual naval duty or from paying for it (alone).

This tax agreement is one of the ways we see elites intervene to protect, in this case each other, from taxation considered too heavy, included labor requisition.

While the government expected correct or adequate amounts of taxes to be paid, and laborers to be sent, by the tax payers as a group, sometimes higher governmental officials felt the need to protect tax payers from being asked for too much by local officials.<sup>466</sup> Local officials could use the power they gained through their taxation responsibilities, for example by asking more from the tax payers and keeping some for themselves<sup>467</sup> In these cases, higher officials were intervening for the tax payers with a local official, whom they suspected or knew to be abusing their powers to the disadvantage of (some of) the tax payers, or whom they wanted to transmit orders to local tax officials to not abuse the tax-payers. However, these higher officials did not address the tax payers themselves, and in that sense protected them indirectly.<sup>468</sup>

On the other hand, this direct protective communication between higher official and tax payer existed as well, in the form of certain tax-demand notes which also show that tax payers needed protection against excessive taxation by their local tax collectors. The party issuing the note, the pagarch, warns the tax payer not to pay more than is written on the document. Should the tax collector ask more, the note states, the tax payer should write to the pagarch.<sup>469</sup> These cases show that taxation was vulnerable to abuse at different levels of the administration, that the government was aware of this and that it tried, at least in these cases, to counteract these practices of abuse, by either admonishing the responsible party,

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<sup>466</sup> Moreover, effective taxation also meant to tax correctly and fairly. One of the most salient examples of this correctness is the declaration made by a priest and preserved in the Aphrodito archive of Basilios, to confirm that after having paid two solidi as a tax payment for a hamlet, a half solidus which he had paid too much was returned to him: Schenke, "Overpayment".

<sup>467</sup> *P.MuslimState* 23: The pagarch Najid gives instructions to his subordinate 'Abd Allah about local tax collection in the region, emphasizing that the local tax collectors appointed by 'Abd Allah should not collect more taxes from the population than asked by Najid.

<sup>468</sup> See section 1.1.3.2.4.

<sup>469</sup> E.g. *P.Clackson* 45, with more examples in commentary to ll. 20-22..

or their superiors, or by directly addressing the tax payers themselves, and what is more, giving them access to their protection, cutting out the influence of the abusive middleman.

Another form of protection against the detrimental effects of (abusive) taxation was to take away (part) of the tax-burden. This could be done in reaction to a complaint about excessive or illegal fiscal impositions, as in the example of the complaint raised against a pagarch discussed above. Tax-exemption could also be granted for other reasons, for example when the tax-payer was for whatever reason unable to pay (all of) the taxes imposed. We see such (partial) tax exemption in the Coptic protection letters (4.1.1.1), but also in a well-documented large monastic center. The rich papyrological documentation from the Apa Apollo monastery in Bawit included several documents in which the abbot of the monastery orders the so-called “brothers of the capitation tax”,<sup>470</sup> an office at the Bawit monastery responsible for taxation issues related to the monastery and nearby villages, to not hold a certain individual liable for the capitation tax. I cite *P.BawitClackson* 3 as an example:

ⲛⲓ (Coptic) *It is our father who writes to his sons the brothers of the capitation tax. Do not hold Phoibamon of the piggery liable for capitation tax until I speak with you.* ⲛⲓ (Greek) *Pharmouthi 18, indiction (sic). I, Georgios, wrote. ⲛⲓ Keri ⲛⲓ.*

The abbot did not need to justify or explain his decision to the brothers of the capitation tax (although he might have done so in a conversation).<sup>471</sup> As I have discussed above, tax exemption, often partial, also seems to be one of the most often used mechanisms of protection in the Coptic protection letters (see 4.1.1.1).

There are several ways attested in which local elites intervened so that requisitioned workers would not have to leave for those work posts. The guarantee mechanism that we know from the documentation of the Apa Jeremias monastery is one (see above). Another is the individual local person of influence writing to an official in the administration, with a request that a certain person who had been requisitioned should be allowed to remain instead. There are three such requests in the dossier of Senouthios.<sup>472</sup> Like the rest of the dossier, these request letters date to the first years of Egypt as a province of the caliphate.

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<sup>470</sup> Ⲭⲛⲏⲩ ⲙⲡⲁⲛⲁⲣⲓⲥⲙⲟⲥ.

<sup>471</sup> *P.Bru.x.Bawit* p. 103-104 gives other examples of similar interventions at Bawit, whereby monastery superiors interfered on behalf of (monastic) tax-payers with the monastery’s tax officials, e.g. by ordering them to accept a payment in kind rather than money.

<sup>472</sup> For the Senouthios archive, *CPR* XXX.

The requests come from local elite members, who ask that respectively a farmer, a builder, and a man whose profession is unspecified, all requisitioned to work at Babylon, will not be sent or are to be allowed to return home.<sup>473</sup>

Those are all different ways in which we see stress related to taxation in the papyrological record, on different levels of the administration. We also see that various protection mechanisms could be activated with the use of written documents. Administrative officials, in various administrative contexts, provided a buffer for tax-payers either against illegal abusive fiscal demands or apparently unbearable impositions. Moreover, the tax payers themselves found ways of dealing with such issues. In the following section, I will show how the Coptic protection letters, as problem-solving instruments for fiscal issues, related to the mechanisms and documents I discussed.

#### *4.1.3 The place of Coptic protection letters as instruments to solve fiscal problems*

The Coptic protection letters were legal documents with local authority. Through them, local rural authorities of the villages and monasteries of the countryside communicated with the individual tax-payers in their communities. The communications about the protection letters between intermediaries, protectors and protectees also took place in this rural, local context.<sup>474</sup> References to Coptic protection letters do not appear in the published documentation originating from the provincial administration, and only rarely in the published documentation originating from the pagarchical offices. While the administrative correspondence on those levels is full of references to unsatisfactory fiscal practices (4.1.1.2) and the Coptic protection letters were intrinsically linked to the fiscal system (4.1.1.1), the use of these documents to solve fiscal issues in the villages does not seem to have been a topic of conversation or concern at higher levels of the administration.

The protection letters functioned almost exclusively at the village level. The interventions made by the Coptic protection letters were not appeals to officials with a higher authority. Such appeals to higher administrative offices are made by local elites in order to get someone out of a labor requisition for example. The protection letters were direct interventions by the clerical or monastic and lay elites in their communities. The intermediaries involved in the procedure of the particular protection letter generally seem to have been individuals from the same local community as well. As discussed above there

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<sup>473</sup> *CPR* XXX 18, 20, 21.

<sup>474</sup> In a few exceptions, higher levels of the regional administration were involved: see section 5.3.2.

are other documents that operate at this same low administrative level providing tax-payers a way out of problematic fiscal situations, but these nevertheless work in a slightly different way. These are the statements of tax exemption issued by the abbot of the monastery of Bawit (4.1.12) which form a close parallel to the Coptic protection letters in terms of context, content, and type of document. However, in those cases the abbot addresses the capitation tax office of the monastery, about the condition of a tax-payer, rather than the tax-payers themselves as is the case in the Coptic protection letters.

Similarly, there is a clear relationship between the Coptic protection letters and the guarantees to the government for tax payments or requisitioned laborer, but these too operate slightly different from the protection letters. Similarly to the Coptic protection letters, the guarantees are official legal documents by which someone with the power to do so intervened in matters of taxation and requisitions. The guarantees emphasize the personal liability of the guarantor. The rural authorities who were protectors in the protection letters were liable for the revenue generated by the tax-payers in their communities, but in contrast to the guarantees, this liability is not made explicit in the protection letters. Again, the guarantees were not, like the Coptic protection letters, addressed to the tax-payer himself, but rather to a third party, who could legally lay claim to the guarantor's personal effects on the basis of the document.<sup>475</sup> The only other documents attempting to solve fiscal issues by addressing the tax-payers themselves are the tax-demand notes sent by regional administrators aimed at protecting against tax abuse. However, these communications did not (partially) exempt the tax-payer, as the Coptic protection letters could do, but rather warned the tax-payer not to pay more than the amount stated in the note. Thus, the Coptic protection letters linked to taxation took a very specific place within documentation of fiscal problem-solving in Early Islamic Egypt, and their use and function did not overlap completely with other (types of) documents. Through the protection letters, local authorities such as village or monastery heads could directly adjust the fiscal burden imposed on individual tax payers, and addressed these individuals directly, without the need for the authority of officials of higher levels or more specialized tax officials.

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<sup>475</sup> A guarantee made by a monastic authority of the monastery of Bawit to another monk of the capitation-tax office of the monastery, links the language and functions of the Coptic protection letters with that of guarantees, and with the issues related to taxation: see discussion in section 4.4.2.

## 4.2 Travel and fugitives

Connected to taxation were issues of traveling, of the tax-payers' mobility, and how the government dealt with fugitives. These issues are already visible in the papyri of the seventh century, but especially in the first half of the eighth century, under Marwanid rule, many documents were produced in Egypt which testify to the government's desire to heighten the control over people's movements. Measures were taken and documents were issued to regulate travel and combat fugitivism.

This section follows the same structure as the previous section 4.1.1. First, in 4.2.1, I discuss how the Coptic protection letters were connected to issues of travel and fugitivism, how they were used as instruments to solve problems related to those issues. In 4.2.2, I discuss references to such problems and proposed solutions in contemporary documentation in the three administrative languages of Early Islamic Egypt. Regulating travel, and protection during travel, produced very specific documentation in this period. In 4.2.3, I compare the form and function of these travel documents to the Coptic protection letters and their links to travel and fugitivism. This comparison will show that the Coptic protection letters not only operated on a different administrative level and geographical scale, but that they also had a different function.

### 4.2.1 Travel in the Coptic protection letters

#### 4.2.1.1 "Because you fled" and "Come to your house"

The most explicit references in the Coptic protection letters to fugitivism appear in seven documents which have a specific addition to the promise clauses, pointing out that the protectee had fled, e.g. "and we will not do any harm to you because you fled."<sup>476</sup> The implication here is that the protectors could have caused harm to the protectee, or would have been in entitled to harm them, *because* the protectee had fled, but that they promise not to.

Other references to mobility and travel in the Coptic protection letters are much less explicit about the nature of the travel. The instruction clauses used most frequently, "Come to your house" and "Appear", seem to indicate that the protection letter addresses someone who is not there, who is away from their home.

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<sup>476</sup> *SB Kopt.* III 1368, ll. 6-7: ⲭⲉ ⲛⲛⲉⲛⲉⲣ ⲛⲉⲑⲟⲟⲩ ⲛⲁⲕ ⲭⲉ ⲁⲕⲛⲟⲩ. The sender of *P.Ryl.Copt.* 385, upon finding out that a group of vinedressers had fled, decided against giving them protection letters.

Do these instruction clauses also mean that the protectee had fled? References to mobility, even those as vague as an instruction to “appear”, suggest that the protectee was hiding from the consequences of this trouble, i.e. the prosecution, arrest, financial demands, or “harm” against which the protection letter offered protection.<sup>477</sup> This does not necessarily mean that the protectee travelled far away, e.g. crossing district boundaries.<sup>478</sup> In fact, there are several indications suggesting that the Coptic protection letters generally operated on a limited geographical scale (see 4.1.2.3).

A number of Coptic protection letters does not refer to any form of movement: they do not contain an instruction clause at all. These include the tax receipts with added protection letters, discussed in 4.1.1.1. It is likely that the very short *SB Kopt.* V 2264, which lacks the name of the protectee, is also such an addition to a tax-receipt: “Here you have the *logos* (promise) by God for you, that you will not be prosecuted, on account of the eighth indiction year. Antonias and Swai, we sign. Iōannes, son of Lazaros, executed (the *logos*) ⲧ”.<sup>479</sup> The formulary in this document conform to the Coptic protection letters added to tax receipts, including the lack of an instruction clause, and including the lack of the name of the protectee, which is present in the tax-receipt section of the document. Moreover, it fits a fiscal context, as it was written by a Djeme village scribe and issued by two village heads. In this case, the tax-receipt was probably written on a different *ostrakon*.

Other Coptic protection letters without instruction clauses did contain other common clauses such as the promise clause, the *eis plogos mpnoute ntoutk* clause, and signatures by the protectors, but also limitations and exceptions which tie them to fiscal practice.<sup>480</sup> The protectees are not asked to “Come home”. Would the protectees in these cases have been

<sup>477</sup> However, not all Coptic protection letters contained an instruction clause, let alone an instruction clause related to mobility. In the context of taxation, I have discussed the tax-receipts followed by protection letter formulas, and the importance of the absence of “Come to your house” instruction clauses in those particular documents (4.1.1.1). A small group of protection letters lacking such an instruction clause have been interpreted by Alain Delattre as documents with a similar function to travel permits. On my differing interpretation of these, see 4.1.2.3.

<sup>478</sup> As did the travelers requesting travel permits, see 4.1.2.2. In some cases, it seems that protection letters and/or protectees travelled between neighboring districts: the two instances in the corpus in which bishop Pesynthios, at the time in Western Thebes, is asked to issue a protection letter for someone, so that they can go and talk to an official in Pesynthios’ diocese of Coptos (see chapter 2 and section 3.2).

<sup>479</sup> ⲉⲓϥ ⲡⲗⲟⲑⲟϥ | ⲙⲡⲛⲟⲩⲧⲉ ⲛⲧⲟⲩⲧⲕ ⲉⲧⲙⲡⲁⲣⲁⲓⲣⲉ ⲙⲙⲟⲕ ⲉⲗ ⲟⲕⲧⲟⲩϥ ⲓⲛⲁⲟ/ | ⲁⲛⲧⲟⲛⲓⲟϥ ⲙⲛ ⲥⲟⲩⲁⲓ ⲧⲛⲓⲥⲧⲟⲓⲭ | ⲓⲱⲁ ⲡⲗⲁⲫⲁⲣⲟϥ ⲥⲟⲙⲁⲧ ⲧⲁ.

<sup>480</sup> *SB Kopt.* V 2265, 2266, 2267, 2268.

present in the village, as I have postulated for the tax receipts with added protection letters?<sup>481</sup>

#### 4.2.1.2 Other types of travel

While most of the Coptic protection letters focused on the return of the protectee, some protection letters permitted a larger freedom of movement, namely when the protectee, including his family, is given the instruction, or in these cases rather the permission to “go North and go South” , e.g. *SB Kopt. V 2262*, the first lines of which read: “Here is the promise by God for you, Markos and your wife and your child. Come to your house and go North and go South. And we will not permit any harm to reach you and we will not ask anything on account of this year ... [...] *trimission*...(ll. 1-6).”<sup>482</sup> To go North and South, up and down the Nile, likely meant a general permission to travel, secured by the protection letter. This protection letter, issued by a *lashane*, is also related to taxation, as evidenced by the limitation to “this year” (see section 4.1.1.1.3), which might further point to a function like a local travel permit for this protection letter (see section 4.2.3). Yet how far the “North” and “South” went is difficult to say.

Yet another type of freedom of movement is provided in some of the Coptic protection letters which offered protection in the context of conflict resolution. These documents summon the protection receiver in order to reach an agreement on some unspecified issue. Moreover, in these documents, discussed further in section 4.3.1, travel is not limited to the one direction of returning to the village, the protectee could leave the place where he had been summoned to if they so wished. As an example, see *SB Kopt. V 2271*: “ⲫ Here you have the promise by God, Mena. Come and I will talk with you. If the thing pleases you, it is well. But if it does not, go away happily (undisturbed). I, Swai, the *lashane*, sign this promise. I, Niharau, the very humble deacon drew up this promise by my hand according to his wish.”<sup>483</sup>

<sup>481</sup> Delattre, “Lettres”, interprets these documents differently, namely as local travel permits: section 2.1.3.

<sup>482</sup> ⲈϢ ⲡⲗⲟⲓⲟϥ ⲙⲡⲛⲟⲩⲩⲉ ⲛⲧⲟⲟⲩⲕ ⲛⲧⲟⲕ | ⲙⲁⲣⲕⲟϥ ⲙⲛ ⲧⲉⲕϥⲩⲙⲉ ⲙⲛ ⲡⲉⲕⲱⲛⲣⲉ | ⲛⲉⲓ ⲉⲩⲟⲛ ⲉⲡⲉⲕⲛⲓ ⲛⲉⲃⲱⲕ ⲉⲛⲩⲩⲧ | [ⲛ]ⲉⲃⲱⲕ ⲉⲣⲛϥ ϫⲉ ⲉⲛⲉⲛϥⲛⲱⲣⲉ ⲛ[ⲗⲗⲱⲉ] ⲛⲡⲉⲑⲟⲟⲩ ϩⲧⲁⲩⲟⲕ ⲗⲱ ϫⲉ | [ⲉⲛⲉⲛϥⲛⲟⲩ]ⲕ ⲉⲗⲗⲱⲉ ⲩⲁ ⲧⲉⲣⲟⲙⲡⲉ | [...]ⲛ ⲛⲧⲉⲣⲙⲛⲓⲟⲩⲛ. The expression “to go North and to go South” also appears in an instruction clause of *SB Kopt. V 2279*.

<sup>483</sup> See also *O. GurnaGorecki 70*: “Either you agree with my way of discussing with you or not, you will go to your place freely.”



To sum up, while explicit references to fleeing from fiscal obligation occur rather infrequently in the Coptic protection letters, most protectees seem to have been stranded away from home and unable or unwilling to return home without the promise of amnesty offered by the protection letter. The majority of the protection letters offered amnesty against certain harmful consequences upon the protectees' return. They facilitated the return of the protectees, but also their reintegration in the village society, often under certain conditions and/or with the amnesty offered only for a limited time (see 4.1.1.1).<sup>484</sup> Some protection letters offered greater freedom of movement to the protectees, e.g. the protection letters containing summons to settle a conflict: the protectees could both come to settle and go away again without having to fear harmful consequences of their movements back and forth. Now that I have discussed how the Coptic protection letters were regulating people's – the protectees' – travel and freedom of movement, in section 4.1.2.2 I will discuss issues of travel and fugitivism in contemporary documents in Coptic, Greek, and Arabic, so that in section 4.2.3 I can better define the place of the Coptic protection letters within that documentation and the role they played in dealing with issues of regular and irregular travel.

#### *4.2.2 Problems and protection of travel in Early Islamic Egypt*

##### *4.2.2.1 Fugitives*

The papyri document several reasons why people fled. E.g., in the years following the conquest, a pagarch wrote a letter to a subordinate saying that he was worried that people might flee because of the levying of the capitation tax.<sup>485</sup> Indeed, tax evasion seems to have been an important motivation for protectees of the Coptic protection letters to leave their homes (see 4.1.1.1 and 4.1.2.1). In the discussion of labor requisitions above I mentioned that the requisitioned laborers were considered a flight risk, as evidenced e.g. in guarantees to the governor for their presence.<sup>486</sup> However, there could be other reasons why someone would flee away from their home.<sup>487</sup> For example they might have run from a punishment

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<sup>484</sup> The importance of the protectees' reintegration in the village society is visible in e.g. the instruction clauses which indicate that the protectee should "stay" or "dwell (in your house)", e.g. *O. Crum* VC 106, *SB Kopt.* V 2225.

<sup>485</sup> *CPR* XXII 1. Papaconstantinou, "Administering", nuances the view of the document's editor that this document is a testimony to the introduction of the capitation tax in the Egyptian province.

<sup>486</sup> See also other efforts made to escape this requisitioned labour, by paying someone to go instead of you, or by request letters to administrators sent on your behalf by local authorities, discussed in 4.1.1.2.

<sup>487</sup> Morelli, "Prigioni".

for a crime or damage caused. This is probably what happened in the case of *P.Lond.* III 1032, a Greek letter which tells the story of a farmer who had fled to a doctor, because of damage caused, presumably by the refugee farmer, to a vineyard. A conflict with someone in the community, like litigation, might have been the reason why some people fled, which is reflected in the protection letters inviting the protectee to come and settle their case with the protector (see section 4.3.1).

The Egyptian government's concern with such irregular travelers or fugitives is attested in all the major dossiers and archives related to the administration of Early Islamic Egypt, and crops up in a variety of documents in Arabic, Greek and Coptic, on different levels of the administration. This seeming omnipresence of fugitives in the seventh and eighth century documentation has led historians to attribute a "désertion en masse" to "la politique religieuse et fiscale et les mesures d'oppression" of the Arab-Muslim government.<sup>488</sup> The question whether there were more fugitives in Early Islamic Egypt than in other periods of Egyptian history, and whether this perceived higher degree of flight was caused by a tax burden that was heavier than in the centuries before the conquest, are, due to the nature of our evidence, difficult to almost impossible to answer. What we do know is that, during the end of the seventh, and the first half of the eighth century, i.e. under the rule of the Marwanids, the government implemented and recorded more measures to control revenue flow, and therefore control the tax payers' mobility.<sup>489</sup> These measures are visible in the papyri – many of which are coming from administrative contexts – in the form of administrative correspondence on issues of fugitives and what to do with them, travel permits, applications for travel permits, fiscal registers mentioning fugitives, lists of fugitives arrested, etc. Why did the government care about people fleeing or moving away from their place of origin?<sup>490</sup> Loss of revenue due to the tax payers not being there when tax is collected could be one reason, although there is some evidence that people were still paying taxes in one place although they lived somewhere else.<sup>491</sup> But more importantly, when farmers left their village, there was a risk that plots of land would no longer be cared for, which was detrimental for the revenue at a longer term.<sup>492</sup>

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<sup>488</sup> Rêmondon (editor) on *P.Apoll.* 9. Legendre, "Islamic Conquest", elaborates her opposing view.

<sup>489</sup> Shaping, 101-102 and *passim*. Delattre, "Checkpoints".

<sup>490</sup> With respect to requisitioned labourers, the government did not want to lose the labor force which they needed for the project in question.

<sup>491</sup> Gonis, "Arabs, Monks".

<sup>492</sup> Morelli, "P. Brook. 26"; Morelli, "Agri"..

The government's preoccupation with registering fugitives is a better explanation for the large presence of fugitives in our sources than a supposed heavier tax burden forcing people to flee their fiscal duties. The introduction of new taxes by the government, not in the least the capitation tax, could give us the impression that there were more taxes, without the tax burden being actually heavier.<sup>493</sup>

The Greek papyri use several words to denote people who had moved away from their place of origin: *φυγάδες* (*fugades*) or fugitives, *φυγόντες* (*fugontes*) or people who fled or fugitives, and *ξένοι* (*xenoi*) or strangers (*ⲭⲙⲙⲟ* (*shmmô*) in Coptic). *Xenoi*, is a term, known already from the pre-conquest period, denoting people living in one district, but originally coming from another district. The term is used from the point of view of the new district: they are "strangers" in this new district.<sup>494</sup> While Qurra uses the term *fugades* in his letters, in the administrative papers of Basilios the term *xenoi* is also used once.<sup>495</sup> In the Papas archive as well, both *xenoi* and *fugontes* are used. This use of both terms in the same archives suggests a difference of meaning between the terms. Were all displaced people, or *xenoi*, fugitives on the run from conflicts, debts, or taxes? Marie Legendre emphasizes that moving and travelling did not necessarily mean fleeing.<sup>496</sup> On the other hand, as I will show below in section 4.2.2.2, the papyri do make the connection between travel and flight: if you did not have a certain travel document during your travel to and in another district, you were considered a fugitive, whatever your motives for traveling might have been. In any case, the papyri, especially top-down administrative correspondence attest to the efforts made by the government at several moments to track down, arrest, and list fugitives (*fugades/fugontes* and *xenoi/shmmô*), and to send them back to their villages or to the governor to be punished.<sup>497</sup>

From these top-down administrative letters, we understand that the high officials sending them expected the local administrators to aid them in combating irregular travel, as they are sending orders to that effect. At the same time they at least suspected that these

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<sup>493</sup> Legendre, "Perceptions of administrative violence: a tie that binds the early Islamic empire?", oral communication, *Ties that Bind: Mechanisms and Structures of Social Dependency in the Early Islamic Empire*, conference Leiden University, 3-6 December 2019.

<sup>494</sup> Morelli, "P.Brook 26".

<sup>495</sup> *P.Lond.* IV 1446, fiscal register listing *ξένοι* settled in a certain district (ll. 28-39).

<sup>496</sup> Legendre, "Islamic Conquest".

<sup>497</sup> See also Chapter 5 for an elaborate analysis of one such communication in Coptic: *P.Ryl.Copt.* 277. Qurra orders fugitives to be sent back to their village in e.g. *P.Lond.* IV 1343.

local administrators and the local population in general were obstructing their measures to deal with the fugitives, by protecting and hiding them.<sup>498</sup> Both in Qurra's letters to Basilios and in the letters in Papas' archive, locals are being accused of hiding fugitives, and threatened with high fines for doing so. *P.Apoll.* 13 and 14 mention a fine of three *solidi* for each fugitive, while Qurra in *P.Lond.* IV 1384 states that each found fugitive will be fined five *solidi*, and anyone hiding them ten *solidi*.<sup>499</sup> Arietta Papaconstantinou argues that there must have been underground networks of locals hiding fugitives.<sup>500</sup> People also turned to monasteries as places of refuge, e.g. *P.Bal.* II 386 seems to indicate the presence of three *fugades* at the Apa Apollo monastery at Deir-el-Bala'izah.<sup>501</sup> The protectees of the Coptic protection letters also chose to turn to monasteries and monastic authorities for refuge in several cases, as I have discussed in section 3.2.

While this paints a picture of rural communities, or at least of some individuals within them, conspiring against the government to hide and protect irregular travelers, the reality is that local authorities also helped the government to combat flight, voluntarily or involuntarily, consciously or unconsciously. Apart from the possibility that they actually followed the instructions sent to them by their superiors, local elites also signed sureties, guaranteeing to produce captured fugitives whenever the governor should ask them to, as I will discuss in section 4.4.1. On the other hand, village authorities also issued Coptic protection letters to people who fled from their village, promising (conditional and limited) amnesty upon return, rather than punishment. I will argue in section 5.4.5 that the Coptic protection letters, while seemingly in tension with governmental policies and orders regarding fugitives, actually supported the government in their efforts to contain land flight. The government's concern with fugitives is highly visible in the papyri, and it finds its expression not only in search actions and (threats of) punishments discussed in this section, but also in documents which permitted limited mobility. I will discuss these documents and their connection to fugitives in the following section.

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<sup>498</sup> *P.Lond.* IV 1525.

<sup>499</sup> Caulkers in *P.Apoll.* 9.

<sup>500</sup> Papaconstantinou, "Rhetoric".

<sup>501</sup> Gonis, "Arabs, Monks".

#### 4.2.2.2 “So that you are not among the fugitives”: the link between fugitives and travel permits

The documents that best exemplify the government’s attempts to regulate the tax payers’ mobility are the travel permits written in Arabic, together with a few very similar documents in Greek.<sup>502</sup> The travel permits in Arabic allow the holder to travel to and in a certain area for a certain number of months, but they do not refer to fugitives. The documents mention that the permit holder needs to travel in order to earn his sustenance and pay his capitation tax.<sup>503</sup> From this perspective, Gladys Frantz-Murphy’s interpretation of these documents as work permits rather than travel permits is defensible.<sup>504</sup> However, taking also into account their Greek counterparts, I believe that the main reason these permits were issued was not as a work permit but rather to allow the permit holder to travel a great distance and not be considered a *xenos* or *fugas* (on these terms see above, section 4.2.2.1), which I will explain in more detail below. Thus I will use the term “travel permit” for these documents. The work and payment of tax mentioned in travel permits rather act as a justification for the proposed travel. The travel permits have these justifications in common with some of the Coptic travel permits (see 4.2.3.4), and similar justifications are mentioned in *P.Sijp.* 25 and *P.CLT* 3, two request letters connected to the procedure to obtain a travel permit. In both these letters, the monks needing the travel permits are said to have to travel for work. In *P.CLT* 3 this is to sell basketry which they had produced, the sender of *P.Sijp.* 25 keeps it more vague: “for working and so that they may take care of their things”.<sup>505</sup>

The Arabic travel permits, while their focus is on details that define the limitations of the travel (discussed in more detail in 4.2.3.1), they also contain an expression of protection: “and whosoever meets him, of the agents of the *amīr* or others, let him not treat him within this period otherwise than well.” What exactly are the permit holders protected from? The answer is given by two Greek documents which have much in common with the Arabic travel permits. The protection which travel permits provided was that the permit holder was not considered a fugitive. I will briefly discuss these two Greek documents.

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<sup>502</sup> On the Arabic travel permits, Ragib, “Sauf-Conduits”; Vanthieghem, “Plus Ancien”; Pilette and Vanthieghem, “Nouveau sauf-conduit?”; Sijpesteijn, *Shaping*. The Greek documents I will discuss are *P.Sijp.* 25, *P.Würzb.* Inv. 62 (unpublished), and *P.Lond.* I 32 = *Chr. Wilck.* 24.

<sup>503</sup> I discuss more details of the formulary of the travel permits in section 4.1.2.3, where I compare them with the Coptic protection letters.

<sup>504</sup> Frantz-Murphy, *Arabic agricultural leases*.

<sup>505</sup> The travel permits themselves also keep it vague.

*P.Sijp.* 25 is a Greek document that seems to be both a travel permit for monks and a request to an *amīr* to confirm said travel permit. It does not call itself a *sigillion* (which was how (travel) permits were named in Greek and Coptic, *sijill* in Arabic literature) but rather a *paraklētikon gramma* (request letter), although the sender does mention that he signs the letter with his seal. It is addressed to the “*amīr* of the fugitives who are dwelling abroad of Upper Chora”. The sender, named Horion, calls himself the slave (*doulos*) and servant (*hypourgos*), of the governor of Egypt. Horion had received the tax payment guarantee for the monks from their monastery. The monks wanted to travel to the pagarchy of Heliopolis, in Lower Egypt, to work and take care of their affairs. Horion had given the monks six months to travel. Horion's request to the *amīr* is framed in these terms:

*So I entreat my lord to order that they will not be returned (made to return), because they are free (eleutheroi); since in order that it is not thought that they are (among the) fugitives (fugades) I issued the present request letter having put on it also my seal.*<sup>506</sup>

A similar expression is used by the issuing party of the Greek papyrus P.Würzb.Inv. 62, prepared for publication by Janneke de Jong, which contains the bottom part of a Greek travel permit granting 6 months of travel time to an unknown permit holder. The last sentence on the papyrus is the most interesting for our purposes:

*And in order that it is not suspected that you belong to the strangers (xenoī), I have taken care that proof of your freedom (emfānian [tēs] eleutherias humōn) is made through the present letter, to which I have put my seal.*<sup>507</sup>

The reason or justification for travelling might have been work, but the reason for issuing a travel permit was for the permit holder to avoid the consequences of being considered a “stranger”, or fugitive, which could include being sent back, imprisonment,<sup>508</sup> and punishment in the form of fines or corporal punishment.<sup>509</sup> As is clear from the cited sections given above, both these documents mention the status of being “free” when referring to the permit holders. This freedom is related to the payment of taxes, which was a condition for receiving a travel permit, as I will discuss in the next paragraph.

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<sup>506</sup> *P.Sijp.* 25, ll. 9-13.

<sup>507</sup> P.Würzb.Inv. 62, ll. 7-8.

<sup>508</sup> E.g. *CPR* XXII 35 is an eighth century list of imprisoned fugitives.

<sup>509</sup> Qurra's letter to Basilios *P.Lond.* IV 1384, ll. 26-27, mentions lashing fugitives and nailing fugitives to wooden yokes as physical punishments. .

#### 4.2.2.3 Tax payment as a condition

In the previous paragraphs I have discussed how the protection and permission of travel was related to the issue of fugitives. Protection of travel was also related to taxation, as (earning money to be able to) paying your taxes in some cases acted as a justification for the travel in travel permits. However, having paid your taxes and/or having someone stand surety for the payment of your taxes was also a condition to receive a travel permit. That paying your taxes was a condition to receive a travel permit and the protection that it entailed, is especially salient in the documentation regarding the procedure to obtain a travel permit. This state of having paid your taxes could be defined as “free” in documents related to travel documents, although references to a “free” status of the permit holder are not made in the permits themselves.<sup>510</sup> A Coptic request letter sent by the *lashanes* of Djeme, requesting an *amīr* to issue a travel permit for three monks from a nearby monastery, states explicitly that the monks for whom they were writing had paid their taxes, and moreover that the *lashanes* guarantee for their tax payments: “They also are free men, and see, we give surety of their persons”.<sup>511</sup>

Guaranteeing for the tax payment of a travel permit applicant is attested in the eighth-century tax guarantees from the Apa Jeremias monastery in Saqqara, in which monks stand guarantor for another monk’s taxes, in order for the latter to obtain a travel permit. The documentation of the monastery at Saqqara includes a list with a summary of tax-receipts of monks whom we know as receivers of Arabic travel permits. This summary might have been part of the procedure of application for the travel permits, in which the tax-receipts of the monks proved their status as “free men”.<sup>512</sup> The procedure to obtain a travel permit involved the interventions of different people, including intermediaries who sent the requests on the applicants’ behalf to the relevant authorities and/or acted as guarantors for the applicants’ taxes.<sup>513</sup> The papyri documenting this procedure clearly show that a tax payment or at the least a guarantee thereof was a condition to obtain the travel permit, including the protection it entailed. A similar mechanism is visible in the Coptic protection

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<sup>510</sup> Except for the Greek permit P.Würzb.Inv. 62, cited above, section 4.2.2.2.

<sup>511</sup> P.CLT3, l. 9.

<sup>512</sup> Berkes-Vanthieghem, “The Trilingual Archive(s) of the Monastery of Apa Ieremias in Saqqara in the 8th Century and the Birth of Arabic Papyrology”, oral communication at the 29<sup>th</sup> International Congress of Papyrologists, Università di Salento, Lecce, 28 July – 3 August 2019.

<sup>513</sup> On P.CLT3, see section 5.3.1.

letters. The following section will examine these similarities and the differences between the various types of travel documents in Coptic, Greek and Arabic.

#### *4.2.3 How do the Coptic protection letters relate to the documents regulating travel?*

The Coptic protection letters fulfil a particular place and role within the different types of travel documents of Early Islamic Egypt. I will show this by comparing them to other documents regulating mobility, in particular the Arabic (and Greek) travel permits, with regard to five aspects of their contents and function: permission, protection, condition, justification, and relations. These aspects of the documents have come up in the previous paragraphs, and will now serve as hooks for the comparison. “Permission” is what the documents allowed the holders to do, while “Protection” means that the travel document protected the holder against danger. “Condition” is a condition which needs to be met for the travel document to be issued or to be effective. “Justification” is the reason for travel stated or implied by the documentation. “Relations” is connected to the social actors and networks that were involved in producing the travel documents.

##### *4.2.3.1 Permission*

What did the travel permit or the protection letter allow the permit holder or protectee to do? To make this comparison, I here give an example of an Arabic travel permit:

*In the name of God, the Compassionate, the Merciful. This is a document from ‘Abd A[l]lāh b. ‘U[bai]d Allāh, administrator of the Amīr ‘Ubaid Allāh b. a[l]-Ḥabḥāb over Upper-Ashmūn, for Constantin Papostolos (Qusṭantīn Babuṣṭulus), a young man, flat-nosed, on his cheek being a scar and on his neck two moles, having lank hair, one of the people of Basqanūn Bāha belonging to (the district of) Upper-Ashmūn. I have permitted him to work at Lower-Ash[mūn] to pay his capitation tax and to obtain his subsistence, and I have appointed to him (as a term) two mo[n]ths [fr]om the [lu]nati[on of Dhū al-Ḥijja to the end of Muḥarram of the year one hundred and sixteen; and whosoever meets him, of the agents of the Amīr or others, let him not treat him within this period otherwise than well. And hail to him who follows the guidance, and Ṭulayq wrote it just <at the time> of the new-moon of Dhū al-Ḥijja of the year one hundred and twelve.<sup>514</sup>*

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<sup>514</sup> *P.Cair.Arab* 175 (731).



The Arabic travel permits all follow the same basic structure. After the *basmala* follows the statement “this is a document from X for Y”. X, the permit giver, is identified with a name and function, usually he is an agent of an *amīr*.<sup>515</sup> The permit receiver is identified by his name, a physical description and his provenance. Then follows the content of the permit, introduced by “I have permitted”. The document specifies that the permit receiver can go to a certain place, for a certain period (one to six months) and for a specific goal, usually to earn their capitation tax and subsistence (see “Justification”). Then follows, almost always, a protection or safe conduct formula (see “Protection”), and a blessing. The document ends with a scribal signature, including the precise date. Thus, the first impressions which one gets are of uniformity and of precision, in terms of the who, when, where, and why.

There is a big difference between the Arabic and Greek travel permits and the Coptic protection letters regarding both the nature of the travel that was allowed by the document, and the way the document defined the permitted travel. The Arabic and Greek travel permits allowed the permit holder to travel long distance, away from home and outside of their district. The travel involved for the protectees of the majority of the Coptic protection letters was returning home, although in some cases they were allowed to leave again, or more freedom of movement seemed to be permitted (see 4.2.1.2). In the Arabic and Greek travel permits the parameters of the permitted travel in terms of where, how long, and who, are defined in detail within a uniform document structure, while the Coptic protection letters contain hardly any such information and are very variegated in terms of structure and formulary (see mainly section 3.1 and 3.3). In the Arabic and Greek travel permits it is clear exactly where the permit holders were from, and where they were allowed to travel. For the protectees of the Coptic protection letters, we hardly ever know either their place of temporary residence – where they were when the protection letter was issued, nor their exact destination (e.g. the frequent “Come to your house” is to us fairly unhelpful information, without context). Sometimes the documents give us some more information, e.g. some texts mention the name of the village as part of the title of the protector: it can then be reasonably assumed that the protectee’s destination would be his house within that village. However, this usually does not tell us yet how far they would have to travel to return home.<sup>516</sup>

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<sup>515</sup> Ragib, “Sauf-conduits”.

<sup>516</sup> This information can be deduced in some letters which represent steps in the protection letter procedures: see 3.2, e.g. from the expectations of the sender of *O.MedinetHabuCopt*. 136 (discussed in 3.2) we understand that the protectee, protector and intermediary were all at short distance from

An important conclusion from this comparison is that the Arabic and Greek travel permits, with their detailed and precise information, focus heavily on the “Permission” aspect of a travel document, while this attention and emphasis is lacking in the Coptic protection letters. They, on the other hand, generally pay more attention to the “Protection” aspect, which I will discuss in the next section. This stark difference in emphasis cannot be explained only by a difference in the context, including language and scribal tradition, in which they were produced – mainly Coptic speaking villages and monasteries vs Arabic and Greek provincial chanceries, see “Relations” below – but should in my view be attributed at least partly to a difference in function: the travel permits regulated mobility, the Coptic protection letters mainly provided (partial) amnesty. That language and administrative context cannot fully explain these differences, is corroborated by a group of travel permits, which were written in Coptic and operated on a local level, like the Coptic protection letters. However, the function of those Coptic travel permits was much more akin to that of the Arabic and Greek travel permits. Therefore, before I discuss the protective elements of the Arabic and Greek travel permits in comparison to the Coptic protection letters, I want to discuss these Coptic travel permits which seem to have been a permit without any protective function.

The Coptic travel permits which were found in the tomb-used-as-living-space of the eighth-century monk Frange in the Theban mountains, were written on papyrus and sealed.<sup>517</sup> A dozen of such documents, were very fragmentary, have been edited by Anne Boud’hors. The permits read like letters, and were addressed probably by a local official to the guard of a check point. Alain Delattre has argued that they were produced and used in a limited geographical and chronological context, i.e. the Theban region in the late seventh century, in a particular time of unrest, when control of travel was a part of the governmental measures that were taken.<sup>518</sup> The message in the permits tells the guard not to hinder the permit holder to travel beyond the checkpoint, in the example below this is to the town of Djeme. Thus, these permits allow the pass holder to travel in a certain area, but they do not provide

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each other. This geographically local nature of the Coptic protection letters goes hand in hand with their socially local nature, which I discuss below in “Relations”.

<sup>517</sup> They were among the monk’s possessions as materials to be recycled for his bookbinding activities. On Frange’s activities and writings, see O.Frange, Introduction.

<sup>518</sup> Delattre, “Checkpoints”.

protection from harm along the way, like the Arabic travel permits, nor on the place of arrival, like the Coptic protection letters. This is an example of these Coptic travel permits: *✠ Do not hinder Papas and Theodorake to go to Djeme, since they go because of their work (?). Month Hathur, 3, 3rd indiction (year). ✠ Give to Halakotse ✠ From Pha...*<sup>519</sup>

The only expression in this document that could be approximated to a protective phrase is “Do not hinder to go”.<sup>520</sup> However, as these permits were addressed to the guard at a checkpoint at a specific location whence the permit holders were allowed to travel to Djeme, this protection against “hindering” only refers to the passing of the checkpoint, not to protection along the road to Djeme. This may seem a minor difference, but it points to a major contrast between the functions of various mobility-related documents. If you did not have a Coptic travel permit, you would simply be stopped at the checkpoint and not be allowed to continue your journey – in other words without the Coptic travel permit you would be hindered. The Greek and Arabic travel permits functioned in a similar way to the Coptic travel permits in the sense that they focused on the “Permission” aspect: the document allowed you to travel to (or through) a certain place. However, the aspect of protection present in the Arabic and Greek travel permits is what causes the main differences between the Coptic travel permits and the Arabic and Greek travel permits, and the similarities between the Coptic protection letters and the Arabic and Greek travel permits, as I will discuss in the next section.

#### 4.2.3.2 Protection

The Arabic and Greek travel permits contained an element of protection, expressed in the Arabic travel permits in the phrase: “and whosoever meets him, of the agents of the *amīr*, or others let him not treat him within this period otherwise than well.” This negative form in which the protection is described is reminiscent of the Coptic protection letters, in which the majority of the promise clauses are also written in the negative form (see section 3.1.2). The blanket nature of the protection also reminds of some Coptic protection letters (“we will not allow anyone to harm you”). Having a valid travel permit made sure the holder was not being considered a fugitive when traveling outside their place of residency (see section 4.1.2.2). Conversely, not having the proper papers when travelling around had serious

<sup>519</sup> Boud'hors, “L’Apport”, 120-121: Papyrus no. 291972 (pl. 5), 8th century, Sheik abd-el Qurna (TT 29, Thebes).

<sup>520</sup> *μπρκωλε* [name permit holder] *εβωκ*.

repercussions, and some travel permits give us information on what would happen if you were found travelling with an expired permit. Put differently, these documents tell us what the protection of the valid travel permit entailed. This is especially the case in the Greek travel permit which I will discuss in more detail here.

*P.Lond. I 32 = Chr. Wilck. 24* is an interesting papyrus document for several reasons. It is the only Early Islamic travel permit written in Greek published today.<sup>521</sup> Moreover, it is the only travel permit which allows the permit holder to travel outside of the province of Egypt, to the “east” (Ἀνατολή, *anatolē*), possibly Byzantine territory.<sup>522</sup> The document has been dated to either 698 or 713 (on the basis of paleography), but according to Delattre, a dating to 728 could be possible as well, if you would want it to fit in the timeframe of the published Arabic travel permits.<sup>523</sup> The earliest dated published Arabic travel permits date to 717, and the latest to 750/751.<sup>524</sup> A date of 728 would place the document square within the period in which the published Arabic permits are attested. Historiographical narratives also place the use of the travel permits to the first decades of the eighth century.<sup>525</sup> The formulary and structure of the document is similar, if not completely parallel to the Arabic travel permits.<sup>526</sup> Just like the Arabic travel permits, it gives a number of months, here in the lacuna, during which the permit holders were allowed to travel, from the day on which the document is issued onwards. It also mentions where the permit holders were permitted to go.<sup>527</sup> The parallels to the Arabic travel permit formulary are too obvious to not see this

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<sup>521</sup> P.Wuerzburg inv. 62 is a Greek travel permit as well, in preparation for publication by Janneke de Jong. I am grateful to her for showing me drafts of her edition, on which I draw in my analyses in this chapter, see section 4.2.2.2. *P.Sijp. 25* is a Greek document closely connected to the travel permits, but it is in fact a request letter, not a permit.

<sup>522</sup> In the Greek papyri from Early Islamic Egypt, the *kourson anatólēs* means the yearly raids against Byzantium, cf. *CPR XXII* 44, commentary to l. 7. *P.Lond. IV*, Introd. xxxii-xxxv.

<sup>523</sup> *BL (Berichtigungsliste der griechischen Papyrusurkunden aus Ägypten)* III, p. 257 (W.Chr. 24) and *BL V*, 49. Delattre, “Checkpoints”.

<sup>524</sup> Vanthieghem, “Plus ancien”.

<sup>525</sup> The Christian literary source commonly known as the *History of the Patriarchs* credits the introduction of travel permits in Egypt to financial director Usāma b. Zayd al-Tanūhī (714–717 and 720–723).

<sup>526</sup> Delattre, “Checkpoints”, 534, notes this as well, when discussing the Arabic travel permits: “On trouve des formulaires similaires dans deux documents grecs, *P.Sijp. 25* et *Chrest. Wilck. 24*. ... Il pourrait bien s’agir ici de la partie grecque d’un sauf-conduit bilingue grec-arabe.”

<sup>527</sup> “Anatolē” is a much larger geographical area as destination than “al-Fustat” which we find in some of the Arabic travel permits (E.g. *P.RagibSaufConduits* 4, 5, 6), but there are also other Arabic travel permits mentioning a district in general as a destination (e.g. *P.Cair.Arab* 175 cited above).

document serving a similar function, as a travel permit, issued for people who intended to travel..<sup>528</sup> The document's main interest for this section lies in its Greek adaptation of the protective formula of most Arabic travel permits.

In *Chr. Wilck.* 24, this clause was written:

*So whoever will meet them, of the agents of the amīr-al-mu'minīn of those who are in Anatolē or in Egypt after the term given to them by us, he will arrest them and bring them to [their own place/houses (?)]. He will demand from each of them three nomismata (monetary unit of a gold coins, equal to holokottinos or solidus)...*

The clause was written in the same place in the structure of the document as in the Arabic travel permits, namely right after the dates between which the permit was valid. The clauses start in the same way, but I note two striking differences between them. First, the agents are called here the “agents of the *amīr-al-mu'minīn*”, i.e. the agents of the caliph, rather than the agents of the *amīr* or provincial finance director, which we see in the Arabic travel permits. The explanation for the difference probably must be sought in the fact that *Chr. Wilck.* 24 allows the permit holder to travel outside of the Egyptian province, thus outside of the scope of power of the financial director of Egypt.<sup>529</sup> Second, and more relevant here, is that the clause focuses more on punishment than on protection, and the document does not contain a further protective formula.<sup>530</sup> According to this document, the punishments for travelling with an expired travel permit are 1. arrest 2. being brought somewhere 3. a fine of 3 gold coins. A few of the Arabic travel permits also mention that travelling with an expired travel permit would get you arrested and brought to “a city”.<sup>531</sup>

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The monks in *P.CLT3* wanted to go from the neighborhood of Djeme to “the Fayyum”, without any further specification.

<sup>528</sup> *Chr. Wilck.* 24. .

<sup>529</sup> The term *amīr-al-mu'minīn* was also used in the papyri to indicate not the caliph himself, but more generally to the Arab-Muslim administration: Sijpesteijn, *Shaping*, 63, n. 102 with further references.

<sup>530</sup> The document is missing a number of lines at the top, and there are a number of lacunae in the papyrus where such a phrase could have been, but on the other hand it doesn't seem like the formula would fit there, in terms of structure of the document, especially when compared to the Arabic travel permits.

<sup>531</sup> *P.RagibSaufConduits* 2, 4-5 and *P.Cair.Arab.* 174, 9-10 not read by Grohmann but by Ragib. Vanthieghem, “Plus Ancien”, ll. 5-6: the permit holder of an expired permit has to be brought to the capital of the pagarchy (where he is registered). It is possible that the Greek also had a reference to a city rather than their domicile.

However, none of the Arabic travel permits mention a fine as a consequence for being found travelling with an expired permit, we have this information thanks to this Greek document.<sup>532</sup> Thus, the protection formula is adapted so that it describes rather the punishment that would result from travelling with an expired permit.

In short, the aspect of protection in the Greek and Arabic travel permits is not dwelled upon, except when the document describes what would happen when you are caught without a permit. Most Arabic travel permits have a short and general protection clause which offers protection against harm done by government officials during the period in which the permit was valid. This lack of attention to the protection aspect stands in contrast to the elaborate and exact information related to the permission aspect of the travel permits (see above, “Permission”).

In the Coptic protection letters, on the other hand, the protection aspect is much more pronounced. We see this especially in the promise clauses. As I have shown in Chapter 3, they can be written in the negative or positive form, or a combination of the two. They are subject to great variety, can be very specific, and are often repeated, with one protection letter being able to contain up to four different promise clauses.<sup>533</sup> In the majority of the Coptic protection letters, the promise clauses take up the majority of the text, and are usually (much) longer than the instruction clauses which contain the references to the protectee’s travel (see above, “Permission”). Again, the difference in the emphasis placed on the aspects of permission and protection in the Coptic protection letters and the Greek and Arabic travel permits, cannot be explained only by the difference in language and context, as the Coptic travel permits found in the monk Frange’s residence do not contain any protective formulas either (see above, “Permission”). The difference should rather be explained by a difference in function. The Coptic protection letters offered a protection in the form of amnesty. But

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<sup>532</sup> This is a comparable amount to the 5 dinar to replace a damaged travel permit, mentioned in *History of the Patriarchs*: “If a mouse ate a man’s passport, or if it were injured by water or fire or any accident, whether part or the whole of it remained to his possession, if its lettering were damaged, it could not be changed for a new one until he paid five dinars as a fee for it, and then it could be changed for him.” Transl. Evetts, “History”. Another anecdote from the same literary source tells the story of a widow who had to pay 10 dinar because of a lost travel permit. The travel permit had been her son’s, and it was lost in a crocodile attack.

<sup>533</sup> E.g. SB Kopt. V 2253, ll. 5-10:  $\chi\epsilon\ \mu\epsilon\iota\rho\ \pi\epsilon\theta\omicron\omicron\omicron\ (\textit{sic})\ |\ \eta\lambda\alpha\kappa\ \chi\epsilon\ \alpha\kappa\pi\omicron\upsilon\gamma\tau\ \omicron\upsilon\gamma\alpha\epsilon\ \eta\eta\epsilon\varsigma(\gamma)\eta^{\times}(\omicron\rho\epsilon\iota)\ |\ \eta\tau\epsilon\lambda\lambda\alpha\upsilon\ \mu\eta\pi\epsilon\theta\omicron\omicron\upsilon\gamma\ \tau\alpha\zeta\omicron\kappa\ |\ \alpha\lambda\lambda\alpha\ \epsilon\iota\eta\alpha\varsigma\epsilon\eta\epsilon\lambda\theta\epsilon\ \eta\mu\mu\alpha\kappa\ \text{?}\eta\ |\ \text{?}\omega\beta\ \eta\eta\mu\ \epsilon\pi\pi\epsilon\tau\eta\alpha\eta\omicron\upsilon\gamma\ |\ \omicron\upsilon\gamma\alpha\epsilon\ \eta\eta\epsilon\iota\chi\eta\omicron\upsilon\gamma\ \epsilon\lambda\lambda\alpha\gamma\text{:}$  “that I will not do you harm because you fled, nor will I allow any harm to befall you, but I will agree with you in everything good, nor will I ask you anything...”

this was not limited to protection during or related to travel, as in the case of the Arabic and Greek travel permits. Some of the protectees had fled and were stranded away from home, not able or willing to return without this promise of amnesty. But in other cases the protection letter was issued for people who seemingly were not away from home, as is evidenced by the protection letters without instruction clauses, not in the least the tax-receipts with protection letter formulas (see section 4.1.1.1). In other, individual cases, there is no indication in the protection letter that the protectees are away from home. E.g. *O.CrumVC* 8, a protection letter issued by the lashanes of Djeme for a monastic community in the environs, reads: “This is the *logos* of the Father and the Son and the Holy Ghost onto you, that you may dwell in your holy place, for none shall [molest] you, ...”.<sup>534</sup> While the Coptic protection letters did not necessarily allow and protect the protectee’s travel, they always promised protection. They are less focused on permission of and protection during travel and more on amnesty once the holder is at home.<sup>535</sup> Going back to the Coptic travel permits then, there are two main differences between them and the Arabic and Greek travel permits, and both derive from the “Protection” aspect present in the Arabic and Greek travel permits, but not in the Coptic travel permits. 1. The Arabic and Greek travel permits protected the permit holders during their travel, with varying degrees of explicitness, against all checking authorities and offered permission to travel around, not to pass one specific checkpoint, and 2. not having a Arabic and Greek travel permit when travelling outside your district would mean being arrested, while showing up at the checkpoint without a Coptic travel permit would mean you would not be let through.

#### 4.2.3.3 Condition

Conditions could be in place in order for a travel document to be issued or to be effective. This aspect is most pronounced for the Arabic and Greek travel permits, but also seems to have been in a part of how the Coptic protection letters functioned. What these documents have in common, is that these conditions were usually related to taxation, in particular

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<sup>534</sup> I discuss this document and its possible connections to similar Coptic and Greek documents in Chapter 5.

<sup>535</sup> *O.CrumVC* 75 is an exception: the lashane writes to the head of the monastery that he will accompany the protectee to the monastery as part of the promise clause, thus as part of the protection offered. Interestingly, it is not the lashane who issues the protection letter in this case, but rather he asks the monastery head to do so. This promise of protection during travel is thus given in a private letter from intermediary to protector.

(partial) tax payments by the protectee or permit holder.<sup>536</sup> In most cases it is clear that these tax payments were part of the protectee or permit holder's yearly tax payment, not an extra tax imposed on travelers. I have discussed this aspect of condition for the Arabic and Greek travel permits in section 4.2.2.3 and for the Coptic travel permits in section 4.1.1.2. While tax payments are in place in both document types as conditions for permission and/or protection, there are differences in how these conditions operated. In the case of the travel permits, the conditions are not stipulated in the permits themselves, but, from the documentation concerning the procedures that led to obtaining a travel permit, we understand that there needed to be a confirmation by local officials that the permit holders had paid their taxes, that they were not tax evaders.<sup>537</sup> On top of that the documentation also shows that the permit holders needed guarantors for the permit holders' (future) tax payments.<sup>538</sup> These were conditions that needed to be met before the travel permit could be issued. The condition aspect of the Coptic protection letters is less straightforward. The documents themselves do not explicitly mention conditionality, and the letters that document the Coptic protection letter procedures do not mention any conditions either. However, there is one clause which is often, if not always, part of the Coptic protection letter formulary, which can be understood as describing a condition for the protection promised in the document: the exception clause. When the document states: "...and we will not do any harm to you because you fled, nor will we prosecute you because of this installment, nor your children, except for a half *holokottinos* (*nomisma* or gold coin)", it means that the protectors are expecting a payment of a half gold coin from the protectee.<sup>539</sup> It is likely, although not certain, that the protection offered, i.e. the protectee will not be prosecuted for not paying the tax instalment, and is effectively granted exemption for this instalment, is conditional upon this payment. However, not all protection letters contain exception clauses, in which case the protection seems to have been unconditional. In Chapter 3 I argued that the contents of the exception clauses were tailored to each individual case instead of being standard fines, and suggested that the amounts were the results of

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<sup>536</sup> *SB* III 7240, a permit issued by the *dux* Flavius Atias, will be discussed in section 5.3.2. This document gives permission to a group of monks to stay in their monastery. It is a permit offering certain protection, but not a travel permit. But the protection promised is dependent on the monks paying their capitation tax.

<sup>537</sup> *P.CLT* 3.

<sup>538</sup> E.g. *CPR* IV 20 and 21. Delattre, "Checkpoints"; Schaten, "Reiseformalitäten".

<sup>539</sup> *SB Kopt.* III 1368.



negotiations between the protectors and an intermediary intervening for the protectee. We must also take into account the possibility that the contents of the exception clauses could have been unilaterally decided upon by the protectors. I would also entertain the possibility that the sums mentioned were paid by the intermediaries on behalf of the protectees, which would give the protectors a guaranteed contribution to the tax revenue. In that way, tax payment as a fulfilment of a condition for protection could be part of the procedure to obtain a Coptic protection letter, similar to the travel permits. Unfortunately there is no evidence for such a practice, although the role of intermediaries in the procedure seems to have been quite important (see section 3.2). Thus, in order to obtain a travel permit you needed a local official to confirm that you have paid your taxes and that your tax payments were guaranteed. In case of the Coptic protection letters on the other hand, the exception clauses can be interpreted as conditions for the effectiveness of the protection offered in the document.

#### *4.2.3.4 Justification*

The justification aspect of the travel documents is related to the reasons for travelling and/or needing the document that could be noted either in the documents themselves or the documents connected to the procedures towards obtaining the travel document. The Arabic travel permits themselves state: “I have permitted him to work at Lower-Aš[mūn] to pay his capitation tax and to obtain his subsistence”,<sup>540</sup> or more simply “I have permitted him to work at al-Fustat”.<sup>541</sup> As I mentioned in section 4.2.2.2, the three monks applying for a travel permit to go to the Fayyum wanted to “sell their small amount of basketry which is the result of their labors.”<sup>542</sup> The monks in *P.Sijp.* 25 wanted to travel “to work and so that they may take care of their things.”<sup>543</sup> Thus, the reason why someone needed a travel permit is that they wanted to earn money outside of their own region. As an added justification, the permit could state that the permit holder needed to earn this money to pay their capitation tax and sustenance. These justifications have an echo in the Coptic travel permits, which although very brief, hint at the reason why the permit holder needed to pass the checkpoint:

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<sup>540</sup> P.Cair. Arab. 175, cited above.

<sup>541</sup> Pilette and Vanthieghem, “Nouveau Sauf-conduit?”.

<sup>542</sup> i.e. basketwork; *P.CLT* 3 l. 5 and 8

<sup>543</sup> *P.Sijp.* 25 l. 6.

because of work, taxes, or because their domicile was there.<sup>544</sup> Another similarity between the Coptic and the Arabic and Greek travel permits is that they were written on papyrus and sealed, which stands in marked contrast with the Coptic protection letters, especially those from the Theban region which is also where the Coptic travel permits are from.<sup>545</sup>

The justification aspect in the Coptic protection letters is again less straightforward than for the travel permits. The protection letters are issued so that the protectee can come home. Only rarely do the protection letters hint at *why* exactly the protectee wanted or should come home, probably because coming or being home is not such a particular activity or state that it needed justification. However, some documents in the corpus do hint at reasons why it is important that the protectee obtain a protection letter and/or why they needed to travel home, e.g. to be able to live in the monastery like the other monks, without additional – punitive – tasks;<sup>546</sup> for an urgent matter;<sup>547</sup> to do work with a camel;<sup>548</sup> to do work for a certain Severus;<sup>549</sup> to do their work.<sup>550</sup> In the protection letters addressed by a protector to a protectee, as is the case for the last three examples, this type of justification is part of the instruction clause and is usually preceded by “Come to your house”. As is clear from the examples, some form of “work” is the main justification of the of the travel home in the document. This is similar to what we see in the travel permits, both those in Arabic in Greek and those in Coptic. Another reason for travelling given in the Coptic protection letters is to settle a dispute, which I will discuss in more detail in 4.3.1.

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<sup>544</sup> Respectively nos. 2911972 (ⲉⲗ ⲛⲉϥⲓⲥⲉ: “on account of their work”), 295014 and 295106 (in both, the *dēmosion* or taxes in money are mentioned), and 295028 (ⲛⲉⲃⲱⲕ ⲉⲛⲉⲥⲏⲓ: “that he goes to his house. The phrasing is similar to the instruction clause of many Coptic protection letters “Come to your house” (ⲛⲉⲓ ⲛⲛⲉⲕⲏⲓ, but note the difference in direction: “Go home (by passing the checkpoint)” vs “Come home” from the point of view of the village where the protectors are). Boud’hors, “L’Apport”.

<sup>545</sup> Boud’hors, “L’Apport”, 119. The Coptic protection letters from that region were almost invariably written on ostraca: section 2.3.2..

<sup>546</sup> *SB Kopt.* V 2300: “...and, what is more, if I come again, I shall be seized for even some care of the monastery as they are advising me here. And if you will give me a promise by God, and I am permitted (to come) into (my) dwelling place like everyone, I shall come South; if not, it is not possible for me to dwell within the boundaries (?)/comply with the orders (?) of the monastery”.

<sup>547</sup> “Now, your Paternity, issue a protection letter for the jar maker and let him come for this urgent matter.”: *O.Crum VC* 75.

<sup>548</sup> “So here is the promise by God for him and his camel, that he comes to his house and works with his camel”: *O.Crum VC* 64.

<sup>549</sup> *O.DanKopt.* 36: ll. 4-5: ⲛⲉⲓ ⲛⲉⲣⲥⲱⲃ | ⲛⲉⲥⲉϥⲏⲣⲟⲥ: “Come and do work for Seueros.

<sup>550</sup> *SB Kopt.* V 2240: “[Come] to your house and do your work [...]”.

#### 4.2.3.5 Relations

The relational aspect of the travel documents concerns the individuals and networks invoked by the documents. The documents inform us about the various social interactions and layers of dependency that were involved in the procedures that led to the production of a travel document.<sup>551</sup>

While there is a certain overlap in the actors involved, the Arabic and Greek travel permits and the Coptic protection letters were produced and circulated in different contexts. The permit holders of the Arabic and Greek travel permits were non-Muslim tax payers, in several cases they are identified as monks.<sup>552</sup> The permit holders seem to have travelled on their permit either alone or in small groups of up to three people.<sup>553</sup> This is all similar to the protectees of the Coptic protection letters, who were also local individual tax payers, traveling alone or in small groups, sometimes as families.<sup>554</sup> However, while the travel permits and protection letters might have been issued for people of more or less the same social status, the individuals or offices issuing them were vastly different. In the Arabic and Greek travel permits we see a greater involvement of state officials, although the papyri documenting formal applications for the permits do show the contribution of local networks as well. The Arabic travel permits were issued by the agents of the finance director of the province of Egypt. They were the representatives of the Arab-Muslim government in the countryside.<sup>555</sup> The application papers to obtain the travel permits were sent up the administrative ladder: village heads wrote on behalf of the monks to the local *amīr*; and the Saqqara monks guaranteeing for the taxes of permit applicants address their monastery

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<sup>551</sup> For the Coptic protection letters I have discussed this at length in Chapter 3. I have touched upon the steps involved to obtain a travel permit in 4.2.2.3. On the multiple layers of interaction and social dependence in travel documentation from Early Islamic Egypt, see Palombo and Scheerlinck, “Asking”.

<sup>552</sup> I mean the permit holders of the published travel permits, as well as the individuals seen applying for travel permits in the documentation.

<sup>553</sup> *P.RagibSaufConduits* 7 is issued for two monks who want to travel to Upper Egypt. The request letters *P.CL* 73 and *P.Sijp*. 25 both ask for a travel permit for three monks.

<sup>554</sup> Families or women, both appearing as protectees in the Coptic protection letters, have not been attested yet as travel permit holders. This might be related to the importance of capitation-tax payments in the travel permits: as women did not pay the capitation-tax, does that mean they could travel without travel permits? An anecdote from the literary source *Siyār al-bīʿa*, otherwise known as the “History of the Patriarchs”, tells the story of a widow who was fined 10 dinar for entering Alexandria without a travel permit (see above).

<sup>555</sup> Ragib, “Sauf-conduits”, Legendre, “Pouvoir”.

head, who presumably would in turn write to the local *amīr* or the office of the finance director in Fustat. The travel permits were governmental documents, which is not only evident from the people issuing them, but also from their uniformity and from the fact that they were written on papyrus, and were sealed. They operated over larger distances, they involved and had to be acceptable to government officials at higher levels of the administration.

The Coptic protection letters were direct communications between the tax payer and someone who held immediate authority over them in the countryside. This could be village officials, monastery heads, or bishops. The procedures to obtain a protection letter could involve several other people, but these were all part of the same, local networks as the protectees and protectors, or intermediaries.<sup>556</sup> When titles of officials are mentioned, they refer almost exclusively to village officials.<sup>557</sup> In the Coptic protection letters, toponyms are rarely mentioned, and there is a general low degree of characterization of the people mentioned in these documents. Neither protectors or protectees are identified often by more than their name, sometimes accompanied by identifiers such as ‘*lashane*’ or ‘priest’. A good example of this is *O. GurnaGorecki* 69, a protection letter for a monk named Haron, which opens: “✠ We, all the brothers of the college, write to Haron the monk. Here is the promise by God for you *etc.*”<sup>558</sup> The promise clause concerns the monk’s taxes. The protectors are the group of village authorities, who do not mention the name of the village nor their individual names. In this case, *koinotēs* refers certainly not to the entire village but to a specific group. Indeed, as most protection letters opening with a letter-style formula or internal address, the protectors do not even sign the document (see section 3.1.1).

All this indicates that there was no need for detailed characterization of people or place, and that the Coptic protection letters performed their function on a geographically, socially, and administratively much more local level than the Arabic and Greek travel permits. The Coptic protection letters functioned in a social and geographical space in which most people knew each other, and in which fugitives were probably not so far away as to escape everyone’s notice. There were intermediaries, who were part of the network of both protector and protectee, who could intervene for the protectee. We see these local protection

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<sup>556</sup> See section 3.2.

<sup>557</sup> I discuss the protectors, protectees, and intermediaries of the protection letters in section 2.4.

<sup>558</sup> Ll. 1-5: ✠ ΔΝΟΝ ΝΕCΝΗΥ ΤΗ|ΡΟΥ Ν|ΤΙΝΟΤΗΣ ΕΝ|CΔΑΪ Ν|ΖΑΡΩΝ ΠΜΟΝΟΧΟΣ | ΧΕ ΕΙC ΠΛΟΓΟΣ ΜΠΝΟΥΤΕ | ΝΤΟΟΤΕ.

mechanisms also at work in the letter I cited above (*P.Lond.* III 1032, section 4.2.2.1), in which the sender asks the receiver to retrieve a farmer who had fled probably because of his share in “harm done to the estate”. Even if the sender does not know where the farmer is exactly, he is confident that the receiver knows where he is or would be able to find him. The Coptic protection letters also operated in such local networks, which sometimes included cooperation between villages and monastic settlements (see section 3.2.5). In the Coptic protection letter mechanism, an intermediary might function as a buffer between you and the authorities who could arrest or prosecute you, and who might issue your protection letter promising not to do so. In the corpus, we see intermediaries receive and forward protection letters between protector and protectee. Intermediaries also served as means of getting access to the protectors, as e.g. in the letter in which the sender asks the addressee to ask the addressee’s brother to talk with the *lashane* about a protection letter for the sender (*O.GurnaGorecki* 72). Thus, the intermediaries acted as negotiators (see section 3.2), and possibly even guarantors for the protectors.

An important indication of the difference between the Coptic protection letters and the Arabic and Greek travel permits is of course the language of the documents. The Arabic and Greek travel permits were documents issued by and theoretically inspected by the representatives of the government in the countryside (the “agents of the *amīr*” as they are called in the documents). The permits were results of decisions to give access to inter-district travel, decisions made on a level where administration was in Arabic and/or Greek. The Coptic protection letters were produced and circulated in village and monastery administrations, environs in which Coptic was the main administrative language in this period.<sup>559</sup>

The comparisons made in these sections show the specific role of the Coptic protection letter mechanism in the landscape of documents offering protection, or permission, related to travel. The Coptic protection letters then stand out as documents which not so much regulated the mobility of the protectee, but rather offered a solution for their problems related to taxation or legal issues, by providing amnesty or (partial) tax

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<sup>559</sup> Greek was used to a lesser degree in the villages, certainly in the Theban region, where the majority of the Coptic protection letters were found. Some Coptic protection letters contain a Greek formulaic elements, such as the date, signature of the protectors, or scribal signature, e.g. OTorino S. 5911 (unedited), *P. Köln ägypt.* II 25, *SB Kopt.* II 914, *SB Kopt.* III 1368, *SB Kopt.* V 2246, 2293, 2294.

exemption. This amnesty might include the freedom to leave again in case the protectee could not reach an agreement, but providing or protecting this freedom of movement was not the core function of the protection letters. Rather they were intent on solving problems within the village, or monastery.

#### 4.2.3.6 Arabic protection letters?

As I have shown in the previous sections, the Arabic travel permits fulfilled a significantly different function than the Coptic protection letters. However, there are some indications that an Arabic equivalent to the Coptic protection letters existed. In Arabic documents and literature, the travel permits are called *sijill*, while they refer to themselves as *kitāb*, meaning letter or document.<sup>560</sup> However, two Arabic letters sent to ‘Abd Allāh b. As‘ad, the administrator of a part of the Fayyum, mention an *amān* given to a man named Marcus (*P.MuslimState* 7) and a village head (*māzūt*; *P.MuslimState* 31). The editor interpreted these *amāns* as examples of the Arabic travel permit I have discussed here. In his review of *P.MuslimState* (= Sijpesteijn, *Shaping*), Naïm Vanthieghem has cast doubt over this assumption.<sup>561</sup> He suggests: “Dès lors, il se pourrait que le terme ‘*amān*’ puisse être employé à dessein dans ces deux textes pour désigner un document qui non seulement donne aux fugitifs le droit de circuler librement, mais leur accorde en sus l’amnistie.”<sup>562</sup> A document

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<sup>560</sup> For the use of *sijill* in documents to refer to travel permits, see Denoix, “Les notions de « privé » et de « public » dans le monde musulman sunnite médiéval.” Vanthieghem, “Compte rendu Sijpesteijn”, 239.

<sup>561</sup> Vanthieghem, “Compte-rendu Sijpesteijn”, 238-239.

<sup>562</sup> Vanthieghem, “Compte-rendu Sijpesteijn”, 239. His differing interpretation seems to me to be most convincing for *P.Shaping* 31. In *P.Shaping* 7 it seems, from the word order, that Marcus, who is said to be absent at the moment, had an *amān* and then absconded, and needs to be returned to the sender, district administrator Nājid b. Muslim. This scenario could possibly also fit in the interpretation of Marcus’ *amān* being an Arabic travel permit, as originally proposed in the edition. His permit might have lapsed and he escaped the notice or control of his employer. It is in any case not clear from the phrasing of the text that Marcus had fled already and only then obtained the *amān* in order to travel safely and obtain amnesty. Still, I would agree with Vanthieghem that a different term (*amān*, not *sijill*: Vanthieghem or Sijpesteijn 239) likely denotes a different type of document, and in *P.Shaping* 31 the receiver of the *amān* is explicitly referred to as a fugitive (l. 5), while travel permits were not issued for fugitives, as I have discussed in detail in this section. Moreover, the fact that the two letters were sent by two different senders also excludes an idiosyncratic use of the term *amān* with the meaning of travel permit. *P.Shaping* 31, l. 8, mentions another term for a document or letter that is supposed to give protection to the holder: *hurūf*, lit. letter characters, translated as “papers”, and interpreted as “some kind of documents of the same kind as the *amān*”: commentary to l. 7-8.

which combines a permission to travel with a promise of amnesty for someone who is away from home is very much alike the Coptic protection letters. The documents called *amān* in the two letters might be Coptic protection letters, in that case referred to with the term by which they would then be known by the Arabic-speaking representatives of the government who are the sender and receiver of the letters. However, the two *amāns* in question might also be documents written in Arabic with a similar function to the Coptic protection letters, more akin to certain *amāns* known from legal and narrative sources.<sup>563</sup> As far as I know, there is no hard evidence favoring either of these hypotheses, and it is difficult to understand from the letters in which context the documents had been issued originally, although in the letters they are discussed by mid- to high-ranking officials of the Arab-Muslim government.

#### *4.3 Private legal issues*

The third area or category of protective interventions performed by local authorities is help with private legal issues. While taxation and control of mobility were matters of public law and as such very much connected to the legal aspect of various protection documents I am discussing in this chapter, including the Coptic protection letters, this section will focus in particular on the role these documents played in solving problems related to private conflict resolution (litigation).<sup>564</sup> Again, I will first examine these issues in the Coptic protection letters (4.3.1), then discuss a mechanism with similar aim but visible in documents produced on a much higher level of the administration (4.3.2), in order to present in 4.3.3 a better understanding of the role and place of the Coptic protection letters regarding these issues.

##### *4.3.1 Private legal issues in the Coptic protection letters*

Sections 4.1.1 and 4.2.1 have shown how exactly the Coptic protection letters were embedded in two important and interrelated aspects of the administration of the province of Egypt: taxation and control of mobility. In this section, I examine the function of the Coptic protection letters as a problem-solving instrument in private legal issues, including the role private debt might have played in these documents.<sup>565</sup> I elaborate on this issue in the first

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<sup>563</sup> See section 1.1.3.2.2.

<sup>564</sup> Denoix, “Notions”.

<sup>565</sup> Bernhard Palme has argued that the Coptic protection letters generally are agreements between a (private) creditor and (private) debtor, rather than documents between representatives of the (fiscal) administration and tax-payers. In other words, he argues that they deal with private debt, not tax debt: Palme, “Asyl”, partially based on Liebesny’s emphasis on the presence of debt in the Coptic protection letters, in Till, “Koptische Schutzbriefe”. He observes that the Coptic protection letters are not always related to taxation, citing two examples which indeed are not: *SB Kopt.* V 2228 and

section below. In the following section, I briefly discuss a number of Coptic protection letters which seem to have been especially issued in order to facilitate conflict settlements. There are indications that the conflicts in which Coptic protection letters were used to come to a solution could be related to issues other than financial ones.<sup>566</sup>

#### 4.3.1.1 *Private debt in the Coptic protection letters?*

I have mentioned in my introduction to this chapter that a number of documents in the corpus are related to financial issues, but do not contain an explicit link to fiscal practice, and as such might be related to private debt.<sup>567</sup> However, debts between protector and protectee are never mentioned explicitly – as opposed to taxes and tax payments, see section 4.1.1.1 – and while some of the promise clauses could refer to private debt, they are at least ambiguous and can very well apply to fiscal practice too: e.g. “I will not ask of you” (and variants), “I will not prosecute you” (and variants), could be applied to private debt or taxation. Moreover, in section 4.1.1.1 I have discussed in detail the different ways in which Coptic protection letters were tied to the fiscal system. The money owed in such cases, mentioned in e.g. an exception clause, would then be contributions to the fiscal revenue of the village rather than debt payments.

An interesting link between (private) debt and taxation is provided in protection letter for Haraw, *SB Kopt.* V 2243, in which the instruction clause reads: “Come to your house and give a *holokottinos* to Poow, who paid taxes<sup>568</sup> on your behalf”. Haraw is expected to pay back his debt to Poow, who might have been a village official, or someone not involved in the village administration. The only promise clause in the document is written on the verso, almost as an afterthought after the document had been concluded with a date on the recto.<sup>569</sup> Moreover, this promise clause is not related to Haraw’s taxes, but rather to his son and his

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*SB Kopt.* V 2233, and that the protectors are not the authorities, as they often have no title, and if they have a title they are “the most humble ones, village headmen etc”. Palme compares the Coptic protection letters with the Greek *logoi asulias*, which were indeed issued by authorities higher than the village heads of the Coptic protection letters (see section 1.1.3.1).

<sup>566</sup> *O.Crum* VC 106, *SB Kopt.* V 2269, *SB Kopt.* V 2285.

<sup>567</sup> *O.Bachit* o. Nr., *P. Mon. Epiph.* 265, *SB Kopt.* V 2241, *SB Kopt.* V 2242, *SB Kopt.* V 2246, *SB Kopt.* V 2248, *SB Kopt.* V 2249, *SB Kopt.* V 2250 + 2251, *SB Kopt.* V 2252, *SB Kopt.* V 2311 all contain exception clauses for payments in money, without other references to fiscal practice. *SB Kopt.* V 2273 instructs the protectee to pay 5 *holokottinoi*, and identifies two other parties who will also contribute 5 *holokottinoi* each. Is this an agreement regulating a large private debt?

<sup>568</sup> Βαστάζω, Preisigke, “Wörterbuch”, 261.

<sup>569</sup> See also *SB Kopt.* V 2224, discussed in section 3.1.2.1.



affairs: “ⲧ and we will not be able to have the power to hold you because of your son from this year onwards ⲧ”.<sup>570</sup> While Coptic protection letters could possibly have played a role in solving problems with private debts, tax debts or issues with taxation are much more visible in the documents.<sup>571</sup> Whether aimed at solving private debts or debts to the tax office, the Coptic protection letters involving payments all intended to facilitate the return of someone who owed money, and to ensure at least a partial payment was made.

#### 4.3.1.2 Conflict resolution in the Coptic protection letters

A number of Coptic protection letters were issued explicitly with the goal to facilitate settlements in local conflicts.<sup>572</sup> *SB Kopt.* V 2269 is related to property (“through buying or selling: ⲛⲁ ⲛⲓ ⲛⲁ ⲧ (l. 9)”, maybe an inheritance (the document mentions a father and a mother).

*SB Kopt.* V 2285 gives the order or rather permission to a mother (the protectee) to live in her son’s house.<sup>573</sup> Like most protection letters, these documents combine the idea of travel with protection at the destination, but contrary to most protection letters some of them often explicitly allow the protectee to leave again – if they should not come to an agreement with the other party or parties (see section 4.2.1.2).<sup>574</sup> These documents refer to a future conversation or negotiation. E.g. in *SB Kopt.* V 2288, a request to issue a protection letter, from the *lashanes* to a clerical or monastic authority, the protectees are instructed to come and talk to several people in the village, including the senders of the letter, the *lashanes*. This conversation (ⲱⲁⲭⲉ) or negotiation (ⲛⲱⲗⲉ) should take place between either the protectee and the protector, or between the protectee and a third party. In that case, the

<sup>570</sup> + ⲁⲅⲱ ⲉⲛⲉⲛ|ⲉⲱⲉⲙⲉⲟⲙ ⲛⲁ|ⲙⲁⲛⲧⲉ ⲙⲙⲟⲕ | ⲛⲁ ⲛⲉⲕⲱⲛⲣⲉ ⲭⲓⲛ | ⲛ ⲧⲣⲟⲙⲛⲉ ⲧⲁⲓ | ⲉⲃⲟⲗ +. The mention of the year does seem to tie the document to fiscal practice, see section 4.1.1.1.3.

<sup>571</sup> The difference between a tax debt and a private debt between a village headman and villager/taxpayer, when the village headmen are personally responsible for the tax collection, might not have been all that clear-cut.

<sup>572</sup> This particular function is most visible in these protection letters: *O.GurnaGorecki* 70, *P. KölnÄgypt.* II 25, *SB Kopt.* II 914, *SB Kopt.* III 1365, *SB Kopt.* V 2271, *SB Kopt.* V 2272, *SB Kopt.* V 2274, *SB Kopt.* V 2302, *SB Kopt.* V 2310, *P.Katoennatie* 685/1 (unedited). In Till, “Koptische Schutzbriefe”, Till discussed 5 documents under the heading “Einladungen zu Verhandlungen”. On Till’s categorization, see section 2.1.2.

<sup>573</sup> *O.CrumVC* 106 might be related to a litigation case, but is very fragmentary.

<sup>574</sup> E.g. *SB Kopt.* III 1365, *SB Kopt.* V 2271, *SB Kopt.* V 2274, *SB Kopt.* V 2302. Not always, in some cases the protectee is asked to come home and is allowed to stay in his home whether he agrees with the protector or not: e.g. *O.GurnaGorecki* 70: Either you agree with my way of discussing with you or not, you will go to your place freely.

protector intervenes as a kind of mediator, a facilitator for the resolution of the conflict.<sup>575</sup> The Coptic protection letters were instruments which could be used to solve disputes between private persons. However, such private disputes between persons were not always solved locally. The local, non-Muslim population had access to Islamic legal institutions in the province and could turn to the governor to seek redress, by sending a petition.

#### *4.3.2 Private legal issues: Petitions to the governor*

In this section, I discuss the governor Qurra's responses to petitions presented to him by private persons from the district of Aphrodito. I discuss these because they show how conflicts between private persons in the countryside were resolved when they went through official legal channels, rather than arbitration and mediation in the villages as we see in the Coptic protection letters. Moreover, they show a different aspect of the relationship between village headmen and villagers: in two cases, the petitioners were seeking protection against abuse by their village headman.<sup>576</sup>

The Umayyad governor Qurra b. Sharik received petitions from private persons from the district of Aphrodito, and delegated in his responses the eventual resolution of the dispute to the district administrator, Basilios.<sup>577</sup> The governor's letters to Basilios explain the procedure to be followed by Basilios and the conflicting parties, and contain some information about the nature of the case. Basilios is told to confront the parties with each other, and find out whether the petitioner was telling the truth. Qurra's responses also include an instruction of protection: to make sure that no wrong is done to the petitioner, unless he is in the wrong.<sup>578</sup> The complaints all involve sums of money, of 10 dinars or more, which should be in the hands of the petitioner, but for different reasons are held by the accused party.<sup>579</sup> Qurra's responses do not allow us to gauge the social status of the

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<sup>575</sup> E.g. *SB Kopt.* V 2302. *SB Kopt.* V 2310: letter to mediator about protector wanting to talk to protectee and being willing to write him a(nother) logos.

<sup>576</sup> See also 4.1.1.2.

<sup>577</sup> *P.BeckerPAF* 1, *P.Cair.Arab.* III 154, *P.Cair.Arab.* III 155, *P.Heid.Arab.* I 10, *P.Qurra* 3, *P.BeckerPAF* 2, *P.Heid. Arab.* I 11. Mathieu Tillier reconstructed the procedures involving these petitions: Tillier, *L'Invention*, Tillier, "Pagarque".

<sup>578</sup> E.g. *P.Cair.Arab.* III 154, l. 16. In *P.BeckerPAF* 1 and 2, 9-11, Qurra tells Basilios not to act violently against the petitioner.

<sup>579</sup> *P.BeckerPAF* 1 (Description of case: about debt); *P.Cair.Arab.* III 154 (someone called mark is asking 23 dinar from a peasant who took it from another peasant who died);

petitioners, as they are named by name only.<sup>580</sup> The accused party, on the other hand, is often designated with the label of “peasant”. The responses discussed so far do not contain information about the relationship between the parties.

However, two responses deal with a complaint which was lodged against the petitioner’s local headman. *P.Heid.Arab. I 11* is Qurra's reaction to a petition by a petitioner who complained to Qurra about a headman of his village, and maintained that this headman violently took a certain amount of dinars from him. A similar case is presented in Qurra’s response to the petition of David, who complained that the *māzūt* (village head) of his village, using violence, stole some possessions of the petitioner and put them in his own house.<sup>581</sup> What happened afterwards? In these cases, Basilios is ordered to look into the case, and again one of the steps in this inquiry was to confront both parties.<sup>582</sup> In his reaction to David’s petition, Qurra warns Basilios to be strict about keeping the headmen away from the houses of the locals. This extra comment is important, as his other reactions to petitions are more standardized in terms of the expressions used. Assuming Basilios obeyed Qurra’s orders, we do not know, , what the results of Basilios’ inquiries and the confrontations were, and how the village officials reacted to villagers complaining about them.

These responses show how conflicts regarding debts and thefts, could be brought before the highest authorities and go through a legal procedure organized by the provincial administration, in a period – the early eighth century – in which Coptic protection letters were also used in mechanisms to settle private conflicts.<sup>583</sup> The amounts of money, much higher than what is usually mentioned in the protection letters, might have something to do with the petitioner’s choices to bring their complaint to higher authorities.<sup>584</sup> Moreover, as

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*P.Cair.Arab. III 155* (a peasant owes the petitioner 11 dinars); *P.Heid.Arab. I 10* (to the pagarch of Upper-Ushmūn) (theft of 18 dinars); *P.Qurra 3* (Arabic name? about farmers denying him something over 10 dinars, if he is not right, write to me.)

<sup>580</sup> The relatively high sums of money suggest that they were at least not the poorest of the poor.

<sup>581</sup> *P.BeckerPAF2*.

<sup>582</sup> Sijpesteijn, “Policing”, 155-6; The unpublished document AP 1943 in the papyrus collection of the Austrian National Library is a similar response to a petition from a certain Yuhannis b. Sanūd, and will be published in Sijpesteijn, “Righting”.

<sup>583</sup> More examples in Tillier, *L’Invention*. There are no protection letters in the Basilios archive. See also Wilfong, “Women”.

<sup>584</sup> The exception is *SB Kopt. V 2273*, in which a priest is either asked or is asking someone else to give 5 *holokottinoi*, while two other parties, a man and a group of men, will also contribute 5 *holokottinoi* each. This large a sum of money is unique in the Coptic protection letters, and the

I discuss in the next section, the goals of Coptic protection letters and the petition mechanism seem to be different.

#### *4.3.3 Problem-solving rather than crime and punishment*

The Coptic protection letters do not promise amnesty to protectees because they are innocent. In the letters with requests for protection letters, or in any other Coptic protection letter, there are no appeals or claims of innocence. The exiled monk who wanted to return to his monastery uses the protection letter mechanism to negotiate the conditions of his return, but freely – and seemingly contritely – admits to his guilt.<sup>585</sup> The protection letters often offer amnesty for actions which were punishable, such as tax evasion (section 4.1.1). Moreover, through a Coptic protection letter, the protectee was protected during settlements or negotiations, regardless of the outcome (section 4.3.1). This is very different from the procedure outlined in Qurra's responses to the petitions discussed section 4.3.2: Basilios is told to hear both parties, which is similar, but in this procedure there does not seem to have been room for a non-agreement: either the petitioner speaks the truth, or the accused. While this procedure was meant to judge (and presumably punish), the protection letter mechanism did not involve either.

The fourth and last type of problem which local elites aimed to solve through their protective interventions in society is the release of prisoners, or men who were detained to be sent away to carry out requisitioned labor. This topic is a bit different than the other three, since such problems were not usually solved by Coptic protection letters. However, these mechanisms are akin to the Coptic protection letters mechanism because they allow, through interventions made by local elites acting as intermediaries, and documents issued by local elites, for someone who is stuck in an unfavorable position (i.e. imprisonment or detainment) to literally get out of that position and take up their life in the village, often under certain conditions.

#### *4.4 Release of prisoners*

##### *4.4.1 Release of arrestees: requests, orders, guarantees*

Two mechanisms through which local elites could effect the release of arrestees or prisoners are sending request letters and standing guarantor for a released prisoner. As in the case of

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situation behind the document is unclear, whether it concerns a sizeable debt, to which several parties contribute, or monetary contributions with a different goal.

<sup>585</sup> *SB Kopt.* V 2300.

the petitions sent to the governor, these mechanisms show a different aspect of the administrative and social roles of the village headmen, who were the typical protectors of the Coptic protection letters. Village headmen could be put under pressure by local pagarchical officials to release certain individuals who had been detained because of a debt or because they were needed for requisitioned labor.

Local elites were able to effect the release of people who had been seized in order to fulfil labor requisitions, or who were imprisoned, because of a debt or as captured fugitives.<sup>586</sup> One way in which local elites could effect the release of arrestees or prisoners was to send a request letter to the right official. E.g. one local dignitary and land owner put in a request, in Greek, with an administrative official in his pagarchy about an employee (lit. “man”) of the addressee’s winemaker: this employee had been arrested.<sup>587</sup> The sender asks that the addressee, the official, informs with higher authorities (*chartoularios* and pagarch) to find out if this arrest was their intention, and to ask them to release the winemaker’s man. If the addressee cannot do so, he should write back to the sender, upon which the sender will ask higher officials, e.g. the pagarch himself to help him.<sup>588</sup> That such interventions by local authorities were successful at least in some cases is shown by the Greek orders to release prisoners sent by pagarchs or officials at the pagarch’s office, to relevant local officials.<sup>589</sup> These local officials then had to make sure that the village heads of certain villages obeyed the order. From these orders we understand that the village authorities, while responsible for collecting laborers for the labor requisitions, were also put under pressure through orders by officials at the level of the pagarchy, to exempt certain individuals, or generally not to requisition any material or labor from the estates of important people in the pagarchy.<sup>590</sup>

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<sup>586</sup> On debt prisoners, see Sijpesteijn, “Policing”; Tillier and Vanthieghem, “Régistre”. For imprisonment of fugitives, see e.g. *CPR* XXII 35; Morelli, “Prigioni”.

<sup>587</sup> *CPR* XXX 17. See also the Coptic request letter from Bawit, *P.KölnÄgypt* II 43 (VII-VIII) in which the sender asks the abbot of the monastery to pay his tax debt, in order to get out of detainment and return to work (on land belonging to the monastery).

<sup>588</sup> *CPR* XXX 23 seems to be a scribal exercise on this topic.

<sup>589</sup> *CPR* XXX 24 Introd., *P.Sijp.* 24 Introd. A pagarch who wanted to effectuate the release of a prisoner in another pagarchy, could use his influence as a powerful individual and request the release of the prisoner, but not order: see Morelli’s comments on *CPR* XXV 32 in *CPR* XXX 24 Introd. It is difficult to say if the letter would have been less effective than an “official” order.

<sup>590</sup> *CPR* XXX 19 is a list, summarizing such cases and naming the relevant actors: the arrestee, the person intervening for the arrestee, and the arresting village officials (mentioned only with the name of their village, “those from X”: *CPR* XXX 19 Introd. The request letters and orders are products of

The second mechanism I want to discuss are guarantees. In order to release a person from prison, a guarantee could be asked in order to lessen the chances that the prisoner would flee. A third party would pledge their possessions and guarantee that they would produce the released prisoner whenever asked by the relevant authorities.<sup>591</sup> This process is described in *CPR XXX 29*: “He (i.e. the pagarch) has ordered that you take the guarantees of the workmen who had fled and the arrested workmen, and release them until he will ask for them”.<sup>592</sup> Guarantors could effect the release of a debt prisoner, who might have to work off his debt with the guarantor afterwards.<sup>593</sup> Several Coptic and Coptic-Greek guarantees for released fugitives have been found.<sup>594</sup> Similarly to the Coptic protection letters, guarantees were a type of legal document, but when they concern fugitives, they are embedded in the administration of the province.<sup>595</sup> A number of such guarantees are among the papers of Basilios, the pagarch of Aphrodito, although they were formally addressed to the governor and the fisc, and some guarantees stipulate that the governor would set the fine in case of a breach of the guarantee.<sup>596</sup> Guarantors often seem to have been of a similar administrative and social positions as the protectors of the Coptic protection letters, i.e. powerful figures in the villagers.<sup>597</sup> Thus we see such village authorities put under pressure by the government in its efforts to control fugitivism and the supply of labor, but they could also be put under pressure by pagarchical elites who were protecting their own dependents and their own interests in keeping their labor force. Labor is an important link between

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a powerful patronage network that could go against matters of the state in the first years after the conquest..

<sup>591</sup> Sijpesteijn, “Policing”, 564.

<sup>592</sup> *CPR XXX 29*, ll. 6-8 (my translation).

<sup>593</sup> Tillier and Vanthieghem, “Régistre”.

<sup>594</sup> The main study of these documents is Till, “Koptischen Bürgschaftsurkunden”.

<sup>595</sup> The same goes for the guarantees for tax payments which were part of the application to obtain a travel permit, and for the guarantees about requisitioned workers, in which guarantors pledged for the presence of the workers (and their subsistence).

<sup>596</sup> E.g. *P.Lond. IV 1521*, in which the guarantors, among whom at least one *lashane*, pledge all their possessions. They are supposed to guard and “relieve the wants” of a number of fugitives who had been captured by government officials, and give them over to the government when asked to do so.

<sup>597</sup> Title of *lashane* accompanies guarantors in *P.Lond. IV 1521*, *1524*, and *1528*. In the last example the guarantor references carelessness with fugitives in the past, and promises to not let any escape. The list of requisitioned labourers and their guarantors *CPR XXII 54* shows that women could take the role of guarantor in such documents.

guarantees for released prisoners and Coptic protection letters, which I will discuss in the next section.

#### 4.4.2 Release of prisoners: Guarantees and Coptic protection letters

Why were arrestees and prisoners released? The releases effectuated by request letters and orders discussed above show that this had often to do with labor: the arrestees or prisoners were released so that they could do their work.<sup>598</sup> This is phrased literally in a Coptic guarantee document issued most probably at the monastery of Bawit.<sup>599</sup> A man named Kolthe was being held by the brothers of the capitation tax in the monastery of Bawit, until a brother Biktore declared, that he would stand guarantor for him, and ordered that Kolthe should be released so that he could “go and do his work.”<sup>600</sup> That this phrasing is so reminiscent of some of the instruction clauses: “Come and do your work”, is an indication of their similar functions.<sup>601</sup> Similarly to the Coptic protection letters, guarantees such as this acted as problem-solving instruments, by which local authorities helped release someone out of a situation in which they are of no use to the village, or the monastic estate. Similarly, but perhaps to a greater degree for the guarantees, both document types tied the protector and protectee together in a relationship of dependency.<sup>602</sup> The guarantees from the papers of pagarch Basilios emphasize the ties between the local authorities and the government who is the formal addressee of the documents, while the Coptic protection letters – similarly again to the Bawit guarantee – are rather expressions of more autonomous problem-solving in the villages and monasteries, often still within the framework of administration and governmental demands. The Coptic protection letters, similarly to the guarantee mechanism, and contrary to the petition mechanism discussed in section 4.3.2, are much more involved with problem-solving, rather than with crime and punishment.

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<sup>598</sup> This loss of labour is used as an argument once in *CPR XXX 18* explicitly, and probably also with the same idea in *CPR XXX 25*.

<sup>599</sup> *P.Sorb.Copt.* 8.

<sup>600</sup> Ll. 4-5: ⲛⲁⲃⲱⲛⲓⲛⲓ ⲛⲁⲛⲓ | ⲛⲃⲉⲛⲓ ⲛⲃⲉⲣ ⲛⲁⲛⲓⲛⲓ.

<sup>601</sup> Coptic protection letters with instruction clauses with “do your work” and variants: *O.DanKopt.* 36, *O.Phoibammon* 4, *O.Saint-Marc* 322 (uncertain), *SB Kopt.* V 2224, *SB Kopt.* V 2240. See also the protection letters which functioned as permissions to work with a camel: *SB Kopt.* II 915, *SB Kopt.* V 2279, and *O.CrumVC* 64, and as permissions to till a plot of land: *SB Kopt.* V 2277 and 2278.

<sup>602</sup> See section 5.4.

This chapter has discussed the various problems which Coptic protection letter mechanism, and related mechanisms, aimed to solve in the village context. Taxation, travel and fugitivism, and litigation, are the three main areas in which Coptic protection letters solved problems. I also discussed a fourth issue, i.e. the release of prisoners or requisitioned laborers, because I believe it is similar in many ways to the general problem a person in need of a protection letter faced: being, or being under threat of being, stranded or stuck in a position which does not permit taking up normal life at home, and which often involves a (tax or private) debt. My discussions have shown in detail how exactly the Coptic protection letters and the other mechanisms were connected to the various issues, and how they aimed at solving the specific problems at hand. Moreover, the discussions have shown how the Coptic protection letters were linked to these other mechanisms and structures which existed in society. I have made extensive comparisons between these various protection mechanisms, in order to elucidate the role of the Coptic protection mechanism within this system of protection.



