

Table of Contents

List of Figures

List of Abbreviations

Hebrew Abstract.....ז-ח

Detailed Table of Contents.....ח-יב

Introduction.....1- 20

Chapter 1: Deeds of Sale.....21-114

Chapter 2: Deeds of Lease.....115-163

Chapter 3: Promissory Notes.....164-209

Chapter 4: Receipts.....210-233

Chapter 5: Deeds of Gift.....234-253

Bibliography.....254-281

Appendix.....281-310

Abstract

The purpose of the study and basic assumptions

The goals of this study are:

1. To determine the extent to which the Judean Desert Documents can be used as an information source for understanding day-to-day life in Judaea and Transjordan between the First Revolt against the Romans in 70 CE and the Bar Kokhba Revolt.
2. To summarize and reconstruct the information concerning day-to-day life in that period.
3. To analyze and interpret documents that have not yet been fully evaluated.

A number of basic assumptions used in this thesis:

1. The Judaeen Desert documents constitute an arbitrary and incomplete information, relating to the few who fled to the Judean Desert, where the documents survived thanks to the dry climate. Dozens of such archives presumable existed in the mountain ridge settlements, but did not survive due to climatic conditions.
2. The continuity formed by the close examination of all the documents found is important. This continuity could lead to an understanding of all the historical processes that have not yet been clarified.
3. Even so, individual attention to each document cannot be neglected. The deciphering of each document is only the technical stage, and is the foundation for analysis. Each document must then be closely reviewed and its details compared with others, in order to interpret them on the basis of a familiarity with the situation in Judaea at the end of the Second Temple Period, along with the local geography, history and archaeology.

4. In 1997 Jack Pastor published his book, “Land and Economy in Ancient Palestine.” He surveyed the agrarian conditions in Judaea during the Second Temple Period, up to the Bar Kokhba Revolt, which is covered in the book’s epilogue. Pastor downplayed the importance of the Judaean Desert documents, commenting on the Babatha archive:

“They are too limited to be truly representative of the situation in Jewish Palestine. We have what is basically one family’s slice of the economy. Can we honestly claim that we should generalize from the details of landholding in the Judaean desert region for the whole of the country?” (Pastor, 1997, 164-165).

Pastor apparently views the documents local testimony connected with the place in which the documents were found. In so doing, he ignores the fact that the documents that we found illuminate what was happening in the place from which the refugees fled. The documents essentially represent a reality that existed in other places in Judaea or on the eastern shores of the Dead Sea. Furthermore, a greater body of documents than those examined by Pastor, from the Babatha archive, must be considered in order to obtain a comprehensive and comparative picture of the reality reflected in these documents. Only thus can the dozens of documents be viewed as an authentic, reliable representation of daily life in Judaea and the surrounding area.

Methodical considerations in Judaean Desert documents research

This study focuses on documentary texts that address legal, economic, agricultural and family matters, rather than texts of a religious nature. The latter are usually written on parchment or vellum, while the documents discussed here are written on papyrus.

The value of the Judaeen Desert documents as historical “raw material” can be summed up in three points:

1) The documents in question are legal documents in every way. Accordingly, many of them use legal formulae that were familiar to their authors. The various types of documents use consistent structure, depending on their nature: sales contracts, leases, marriage contracts, etc. A researcher can therefore complete one document based on another similar document, as is the common practice among papyrologists. For example, concerning XHev/Se 66, Prof. Hannah Cotton noted:

"Once it was realized that this is a contract of loan, it was possible to reconstruct the deed from known formulae in this type of contract" (Cotton & Yardeni, 1997, 238).

Furthermore, the very existence of these formulae performs stable, known and accepted legal traditions among the scribes in Judaea and the eastern side of the Dead Sea.

2) Authenticity: Researchers constantly scrutinize and evaluate historical material, and the quality of any historical source is the first criterion for its evaluation. Most of the historical sources at the disposal of Second Temple Period researchers are of a clearly tendentious nature, including, the writings of Josephus Flavius, Rabbinic literature, and the New Testament. Historical testimony that “speaks for itself,” is a rare find for the historian. Many of the historical sources are from a much later period than the events they cover, and Talmudic literature offers many examples of this. Other sources exhibit a mixture of myth and reality, combined with various historiographic concepts.

On this background of all these, the Judaeen Desert papyri stand out as unique, with no need to sift through literary trends, in search of the “historical core.” Legal and economic documents were written as required, usually for legal and economic

purposes, and for immediate use by their owners. They were not intended, from their scribe's point of view, to serve historians in future generations. From a historical perspective, the documents are therefore pure source material.

3) The collection of documents under discussion includes deeds of sale and lease, receipts, promissory notes and loan contracts, marriage and divorce contracts, deeds of gift, property statements, deeds of redemption, petitions and other judiciary affairs, deposits, accounts and various reports. This list reflects the many facets of life covered by the Judaean Desert documents, which provide names of places, land prices, types of real estate and chattels, names of individuals, agricultural, monetary and halakhic practices, etc. All these reveal a wide variety of issues connected to the period in question and offer a very broad view of daily life.

Alongside these merits there are also some fundamental shortcomings, which must be considered in order to assess the value of this papyrological raw material. The main drawbacks of the corpus of documents under discussion are:

1) Fragmentation: Most of the documents from the Judaean Desert are quite fragmentary. Of the more than 400 documents found in the refuge caves between Ketef Jericho and Nahal Tze'elim, only 133 are relevant to our research, due to the fragmentary nature of the remainder. Many hypotheses that are proposed from time to time by researchers, including in this paper, are likely to be based on a single missing word. Papyrologists require considerable imagination, caution and skepticism, along with a broad knowledge of the wide variety of documents discovered in the Judaean Desert, as well as in Roman Egypt.

2) All the Judaean Desert documents found in the refuge caves were brought there by refugees who fled from their homes at the end of the Bar Kokhba Revolt. Thus from a geographical point of view, the documents offer local testimony. Although places

such as Geluda and Akraheh in Samaria are mentioned in P. Muraba'at 115, for example, at most one could conclude that the administrative divisions during the Second Temple Period, as described by Josephus Flavius, were maintained until the Bar Kokhba Revolt.

3) Another drawback characteristic of ancient texts is our limited understanding of ancient papyrological terminology. Indeed, legal formulae are basically understandable thanks to the many parallels in other papyri, however many nouns and verbs, geographical names, nicknames and more, require discussion and explanation.

The Research

The documents that were examined for this paper are from the refuge caves, which are located between the Ketef Jericho caves and the Nahal Tze'elim caves. The documents relevant to this paper were found in the Abior Cave in Katef Jericho, the Wadi Muraba'at caves; the Cave of the Pool and the Har Yishai Cave; the cave in the Nahal Arugut, the "Cave of Letters" and the "Cave of Horror" in lower Nahal Hever; the "Cave of the Tetradrachme" in upper Nahal Hever; the "Cave of Treasure" in Nahal Mishmar; and the "Cave of Scrolls" (no. 34) in Nahal Tze'elim. A total of 505 texts were found in these caves. This number include documents, biblical scrolls, religious texts, and ostracons from the Greek, Roman, Byzantine and early Muslim periods. We were interested only in economic, legal and administrative documents dating from the second half of the first century CE until the Bar Kokhba Revolt. Thus most of the texts enumerated are not relevant to this paper due to their nature or time frame.

In order to define the corpus of documents for our research, we conducted two types of screening. First, we ruled out everything that did not meet our chronological or

subject criteria. After that screening, we had 458 texts that were either “documentary texts” or “letters.” from the periods aforementioned. The second screening filtered out all the documents whose nature could not be determined due to their fragmentary state. Their definition as “documentary texts” by the editors was usually based on parts of words that revealed something of their content or on the fact that they were written on papyrus rather than on parchment. Documents were deemed relevant to our research if they contained information that contributed to understanding one of the defined fields, even if such information was fragmentary, such as the names of places, monetary terms or costs, types of real estate, parts of legal formulae, etc.

We ultimately identified 112 documents containing sufficient information for us to learn details of daily life from them.

The structure of the paper

The paper has five chapters, each focusing on a different type of documents: sales contracts; leases; promissory notes and loan contracts; receipts; and deeds of gift. Each of the chapters is subdivided based on the location of the writing of the documents (Judaea or Transjordan) and the exact or estimated time of their authorship (before or during the Bar Kokhba Revolt).

Each subsection discusses various matters, as they arose during the examination of each document. In many cases the discussion centers on the meaning of a term or a detail. This focus emphasizes the methodological principle, whereby the documents are the starting point for a discussion and not the reverse. This is in contrast with studies that use documents to back up historical, geographical or other theories. This study is therefore an attempt to stress the centrality and importance of the Judaeen

Desert documents, rather than to view them as esoteric, partial information that does not reflect an everyday reality.

The contribution to research

The publication of all the Judaean Desert documents discovered so far in the refuge caves was completed only in 2002, more than 40 years after their discovery. Until the publication of those documents in official volumes, small quantities of documents were published in various forums, but it was impossible to relate to those documents as a total body of evidence.

In the past decade there has been a marked shift in historical and archaeological research from delving into the small details to addressing the social structure and understanding the cultural characteristics of the community and society in ancient times. It would be somewhat regressive to return to focusing on “little things,” to clarifying terms and a technical deciphering of documents. Concerning the Judaean Desert documents, however, and particularly the Semitic documents, this is a different matter. The methodology of social archaeology required at least 100 years to ripen and bear fruit, after a long term of traditional research of field archaeology and a focus on what is now considered just a “platform.”

On this background, an understanding of the development of the study of the Judaean Desert documents, is required:

The Greek documents were published under “comfortable conditions”- when research knew how to absorb them. Papyrologists as Naphtali Lewis, Ranon Katzoff, and Hanna Cotton, for example, embarked on their study of the Greek documents after acquiring a background from 100 years of research into the Egyptian papyri. There

was a natural compatibility between the Greek Judaeen Desert documents and the papyrological research of the Greco-Roman world.

The research of the Semitic documents from Judaeen Desert, on the other hand, lags behind. Abundant documents in Aramaic were discovered in Elephantine, in Egypt, but documents in Hebrew and Nabataean, by Jews from Palestine, were essentially first discovered in the 1950s, first at the Wadi Muraba'at Caves and later in additional caves in the Judaeen Desert. From this perspective, the Semitic papyrological findings from the Judaeen Desert are still considered “young” and for this reason have, for the most part, only been deciphered. It is therefore not regressive to deal with the interpretation of these documents, even if it is primary. An exhaustive study of these documents is required in order to relate to them as a stable platform for comprehensive social and cultural research.

Hence this paper represents an intermediate stage between the initial examination of the documents and their use in future historical research.