THE UNWONTED IMPERATIVE: EXPLORING CONNECTIONS BETWEEN
GREEK LEVITICUS 25 IMPERATIVES AND PTOLEMAIC LAND PRACTICES

By

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For my sister Camille —

Here's some of the attic library's first fruits.

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ABSTRACT

The Greek Pentateuch (LXX) may have served as a Jewish civic law code under the Ptolemaic government, yet the land laws in LXX Leviticus 25 potentially conflict with Ptolemaic land practices. These tensions could be formally reflected in the Greek translation of Hebrew imperfects. Joel Korytko, analyzing LXX Exodus death penalty clauses, argues that the translator mimicked Ptolemaic legal syntax by rendering a Hebrew imperfect with a Greek imperative to indicate an optional law. Greek imperatives are likewise found in Levitical land laws (Lev. 25:14, 17 and 31) and may operate in the same way. However, after reviewing Korytko's foundational texts, there are several problems and therefore the theory should not be used to interpret Levitical imperatives. This study will (1) showcase the Ptolemaic land tenure system to identify oppositions between legal codes, (2) attempt to explain Lev. 25:14, 17, and 31 using Korytko's theory, and (3) discuss methodological considerations regarding the theory arising from the analysis of Levitical imperatives and known Jewish land practices.

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ABBREVIATIONS

BCE   Before Common Era

CE   Common Era

DIR OBJ   Direct Object

Deut.   Deuteronomy

Ex.   Exodus

fn.   Footnote

Gen.   Genesis

Lev.   Leviticus

LXX   Septuagint

NT   New Testament

Num.   Numbers

V   Verb

v./vv.   verse/verses

Major Contributing Sources

BDAG   Danker, Frederick W., Walter Bauer, William F. Arndt, and F. Wilbur
                 Gingrich. *Greek-English Lexicon of the New Testament and Other Early
                 Christian Literature.* 3rd ed. Chicago: University of Chicago Press,
                 2000.

BHS   Elliger, Karl. et al., eds. Biblia Hebraica Stuttgartensia. Stuttgart:
                 Deutsche Bibelgesellschaft, 1997.

HALOT   Holladay, William L. *A Concise Hebrew and Aramaic Lexicon of the Old Testament*. Grand Rapids, MI: Eerdmans, 1988.

LSJ   Henry George Liddel, Robert Scott, Henry Stuart Jones, and Roderick McKenzie, The Online Liddell-Scott-Jones Greek-English Lexicon (Irvine: University of California, 2011), online at http://www.tlg.uci.edu/lsj

MT   Masoretic Text, as found in *Biblia Hebraica Stuttgartensia*

NETS   *A New English Translation of the Septuagint*

NRSV   *New Revised Standard Version*

Naming conventions for papyri follow those found on:
http://library.duke.edu/rubenstein/scriptorium/papyrus/texts/clist.html.

Naming conventions for literary sources follow those found on:
http://stephanus.tlg.uci.edu/

PAPYROLOGICAL EDITORIAL CONVENTIONS[1]

1. (x) Resolution of abbreviations.

   E.g., (ἔτους)

2. [x] Reconstructed text by the editor of the document.

   E.g., τ[οῦ Ἀρσι-]

3. /x\ Text was written above the line.

   E.g., /καὶ ἐνέπτυσεν εἰς τὸ πρόσωπόν μο[υ]\

4. […] or [-ca.-] Missing letters, the number of which is known. [-ca.] is 'circa'.

   E.g., [-ca.14-] is approximately fourteen letters.

5. Dots below a letter/word: genuine doubt or the letters are so mutilated that without the context they might be read in more than one way.

6. … Ellipsis indicates illegible letters, the approximate number of which is known. E.g. μου . . . α̣ αιν̣ .

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[1] Adapted from Table 9.1 in Paul Schubert, "Editing a Papyrus," in the *Oxford Handbook of Papyrology*, ed., Roger S. Bagnall (New York: Oxford University Press, 2009), 203.

INTRODUCTION

      Separation from one's homeland due to immigration, war, or foreign occupation necessitates some degree of adaptation to a new host culture. The immigrant, refugee, or native resident is left to consider which of their own practices to keep or relinquish (religious or otherwise), depending on what may be reconcilable with those of the new culture and government. Some of these practices revolve around land use which can have religious motivations, yet foreign rulers may not share the religion of those they have conquered or have received into their jurisdiction. This was the case for the Jewish people living in Ptolemaic Egypt who had sacred writings that stipulate (among other things) how to honour their god, YHWH, through agricultural and economic practices in the land of Israel. These stipulations are outlined in Leviticus (Lev.) 25 and frame the land as YHWH's property with the Israelites acting as its stewards (e.g., Lev. 25:23). Some of the stipulations consider the land and the economic well-being of its people. It is commanded, for example, to free the land from cultivation every seventh and fiftieth year (e.g., Lev. 25:5, 11) or prohibit cheating in business transactions (e.g., Lev. 25:14, 17). Not all stipulations found in Lev. 25 would come into conflict with Ptolemaic law or practice, but there are some apparent contradictions. For example, letting the land rest is the opposite of what the Ptolemies appeared to have wanted since they popularized auctions to avoid vacant land.[2] Further, Levitical law surrounding the classification and redemption of land (e.g., Lev. 25:29–31) disagrees with how the Ptolemaic government divided property and associated taxes.[3] The largest contradiction between the two systems is on a conceptual level: while Lev. states that YHWH is the true owner of the land,

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[2] An insightful article pertaining to Ptolemaic auctions was written by Eva Jakab in which she emphasizes Ptolemaic interest in keeping the land cultivated (i.e. using all natural resources possible) to maximize state revenue. Land that was left derelict could be reported by officials or residents in the area to be put up for auction ("Auctions and Ownership in Ptolemaic Egypt: A Social and Economic Approach," in *Symposion 2013: Papers on Greek and Hellenistic Legal History*, eds., Eva Cantarella, Michael, Gagarin, Joseph Mélèze Modrzejewski, and Gerhard Thür [Wien: Österreichische Akademie der Wissenschaften, 2014], 313–37, esp. 314). See also J. G. Manning, *Land and Power in Ptolemaic Egypt: The Structure of Land Tenure* (Cambridge: Cambridge University Press, 2003), 160–1, for a brief overview of "the auction of pharaoh" (the literal translation of the demotic phrase for the auction).

[3] These mismatches will be discussed in chapters two and three, but (generally) all cultivable land under the Ptolemies was divided into either: Royal, Cleruchic, Private, or Temple (Sacred). Lev. has a different system consisting of Levite and redeemable land.

in Hellenistic Egypt, Ptolemy is the god and owner.[4] There was plausible tension for Jewish immigrants who were confronted with two different land tenure systems, provided they practiced these Levitical land laws. Illustrations for some of these legal tensions have the potential to be found in the Greek translation of the Pentateuch (henceforth LXX Pentateuch) in addition to Jewish papyri from this time.[5]

In Egyptian Alexandria, most likely during the third century BCE, there appeared a Greek translation of Lev. along with the rest of the Pentateuch (Genesis, Exodus, Numbers, and Deuteronomy).[6] There is more than one theory as to why the translation took place at all, involving questions about its role in education, the synagogue, and administration.[7] The translation could have been initiated by the Ptolemies themselves, and Joseph Mélèze-Modrzejewski proposes that the LXX Pentateuch was acknowledged by the Ptolemies as set of civic laws (πολιτικοὶ νόμοι) for the Jews, holding legal weight in Ptolemaic courts.[8] It is possible that a Greek Lev. was a necessity so its laws could be interpreted and enacted by Greek officials in Jewish legal disputes. If the translation was undertaken so that these laws could be recognized and respected by Ptolemaic officials, what should we expect to see in the

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[4] The Ptolemies gained the favor of the native Egyptians by taking on the role of Pharaoh; the role itself being a composite of god and king within the Egyptian tradition (see Heather Wellendorf, "Ptolemy's Political Tool," *Studia Antiqua* 6 [2008]: 33–8 for an overview, details of which are included in chapter two). An illustration of the practical implications of Ptolemaic supremacy is found in the *Karnak Ostracon*, a demotic text from Ptolemy Philadelphus II in 258 BCE commanding that a land survey of all Egypt be undertaken. This text was once in Greek, having come from the royal office and was translated into demotic so Egyptian priests could understand the order. Theories as to its purpose and its execution are found in Manning, *Land and Power*, 148–9.

[5] The *politeuma* papyri of Herakleopolis are one group of documents which are thought to use Jewish legal reasoning in disputes (see Robert A. Kugler, *Resolving Disputes in Second Century BCE Herakleopolis: A Study in Jewish Legal Reasoning in Hellenistic Egypt*, Supplements to the Journal for the Study of Judaism 201 (Leiden: Brill, 2022). The land-related papyri from this group will be analyzed in chapter two.

[6] See James K. Aitken, *T & T Clark Companion to the Septuagint* (London: Bloomsbury T & T Clark, 2015), 3; Cameron Boyd-Taylor, "What is the Septuagint?" in *The Oxford Handbook of the Septuagint*, eds., Alison Salvesen and Timothy Michael Law (Oxford, Oxford University Press, 2021), 13.

[7] Boyd-Taylor, "What is the Septuagint?" 16.

[8] Mélèze Modrzejewski's theory is found in *The Jews of Egypt from Rameses II to Emperor Hadrian* (Princeton, NJ: Princeton University Press, 1995) and more recently in "The Septuagint as Nomos: How the Torah Became a 'Civic Law' for the Jews of Egypt," in *Critical Studies in Ancient Law, Comparative Law and Legal History*, eds., John W. Cairns and Olivia F. Robinson (Portland OR: Hart Publishing, 2001) and *Loi et Coutume dans l'Egypte grecque et romaine* (Varsovie: Faculty of Law and Administration of the University of Warsaw, 2014). See also Elias J. Bickerman, "The Septuagint as Translation," *PAAJR* 28 (1959): 7–10 for an overview of the traditional accounts of the Septuagint's inception and Ptolemaic motivations for the translation. One possible motivation could have been to possess a copy of the Jewish law books for the Alexandrian library, perhaps at the request of Ptolemy II the bibliophile.

translation itself? Some have argued that in certain cases, the translation shows sensitivity to political elements of Ptolemaic Egypt. Political considerations could account for some of the lexical and syntactic departures from the Hebrew which would support Mélèze-Modrzejewski's theory.[9] A very recent example of this kind of study is by Joel Korytko who focuses on the death penalty in the LXX Exodus (Ex.) Covenant Code.[10]

In a survey of Greek lexical and syntactic deviations from Hebrew Ex. passages regarding the death penalty, Korytko's findings might be said to support Mélèze-Modrzejewski's notion of πολιτικοὶ νόμοι. One such finding relates to Greek imperatives. Korytko isolates a group of Ptolemaic legal texts which he labels as 'future-dominant' due to the high frequency of future forms, but periodically the Greek imperative appears among these forms. He hypothesizes that this pattern is also found in Greek Ex. among death penalty passages. There are times when the Ex. translator chose to render a Hebrew imperfect with a Greek imperative, deviating from his usual pattern of employing a Greek future form for a Hebrew imperfect. Korytko concludes that when the Ex. translator renders a Hebrew imperfect with a third-person Greek imperative as a penal command verb, it reflects the function of the Greek imperative used in Ptolemaic legal syntax. The imperative in the Ptolemaic world is thought to be an administrative device to indicate to the reader/listener that the verbs in imperatival form are optional to follow, and perhaps subject to other legal considerations.[11] Korytko further speculates that the imperative might operate similarly across the Pentateuch in legislative contexts—Lev. included.[12]

The Lev. translator also uses the occasional imperative to render Hebrew imperfect verbs regarding the legal use of land according to the Jubilee system (Lev. 25:14, 17, and 31). If the imperatives in Ptolemaic future-dominant texts indicate an optional law due to (possibly) competing legislation or other circumstances, and the Greek imperative in the LXX Pentateuch

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[9] For example, Michaël N. Van der Meer, "Provenance, Profile, and Purpose of the Greek Joshua," in *XII Congress of the IOSCS*, ed., Melvin K. H. Peters (Leiden: Brill, 2004), 55–80, or David J. Wasserstein, "The Ptolemy and the Hare: Dating an Old Story about the Translation of the Septuagint," *Scripta Classica Israelica* 17 (1998): 77–86.

[10] Joel Korytko, *Death of the Covenant Code: Capital Punishment in Old Greek Exodus in Light of Greco-Egyptian Law* (Leiden: Brill, 2023).

[11] Korytko, *Death of the Covenant Code,* 103.

[12] Korytko, *Death of the Covenant Code*, 82. See pg. 82, fn. 105 in his study for a list of Greek imperatives across the LXX Pentateuch in legislative contexts.

mimics this function, then the Lev. imperative could reflect a sensitivity to other legislation at the time of translation (a viable candidate, of course, being *Ptolemaic* specific legislation). The imperatives used in the context of land laws may then provide a rare opportunity to speculate about possible tensions between the Ptolemaic government and Jewish groups. To summarize, the translator, in mimicking Ptolemaic legal syntax, may have used the Greek imperative to acknowledge that a given Pentateuchal command is optional for Jews. This perceived optionality could be due to ambiguity and/or conflict between Ptolemaic and Jewish law. If the imperative was read as an exception, it would have practical implications for a Jewish person attempting to follow the laws outlined in Lev. 25 according to its Greek version. For example, upon reading Lev. 25:31, the interpreter might see the imperatival form for λογίζομαι ('to classify') in the context of classifying houses and farmland according to the Jubilee system. This person could conclude (or agree) that they are unable to follow these laws because of the overriding Ptolemaic land classification system.

The original intention of this study was to be the first to engage Korytko's theory of imperatives and use the imperatival renderings in Lev. 25 to determine what historical information may be gleaned regarding Jewish land practices. Along the way, it also intended to test the boundaries of the theory itself to see how applicable it would be across literary boundaries. A broader, cross-genre applicability of the theory would increase the clarity of the legal language for contemporary recipients. Though Korytko does not attempt to explain all imperatives across Ex., if some consistency can be shown among Levitical imperatives, then this may strengthen the theory of πολιτικοὶ νόμοι. The fruits of these efforts appear in chapter 2 and chapter 3. Unfortunately, several problems arose when extending the theory into Lev. 25 and in other places of Lev. In light of these problematic areas, it became this study's intention to use the imperatives in Lev. 25 as a way to begin showcasing the issues associated with Korytko's theory. This study holds that Korytko's theory is unreliable for Levitical imperatives because it does not distinguish between administrative statements and true commands, does not address the infinitive as a command form, and does not adequately consider the role of the functional consistency of the Greek imperative across the LXX Pentateuch. This study ultimately serves as a cautious extension and critique of Korytko's theory, a discussion of the priorities of Lev. as implied by the translation, and a comment on the land practices of the

Jewish people operating under the Greek government. This study will not propose a new framework to challenge what Korytko has put forward; instead, it seeks to assist in refining the theory and to reflect on the priorities of the Lev. translator.

Chapter one addresses the approaches to the LXX Pentateuch of both Korytko's study and the present one. It discusses hermeneutical and methodological considerations both when working with translational literature and comparing that literature to documentary sources. These considerations are then followed by a discussion of translation techniques in LXX Lev., including the ways in which the techniques may or may not suggest an openness to political influence. There is some effort on the part of the Lev. translator to adapt the translation to its Hellenistic setting (e.g., using terms for Greek currency), and this effort may find explanation in Mélèze-Modrzejewski's theory. Mélèze-Modrzejewski's theory is then summarized to possibly explain why the Lev. (and Ex.) translator may have mimicked Ptolemaic legal conventions as Korytko has hypothesized. The imperative could be a subtle suggestion that the translator perceived certain Jewish laws/practices as subject to Ptolemaic law, lending credence to Mélèze-Modrzejewski's theory that the translation was operable in Ptolemaic legal spheres. For the remainder of the chapter, an introduction to Korytko's theory of imperatives is provided. Possible reasons for the (potential) subjugation of certain laws are explored in chapter two. This chapter overviews land practices and priorities, first from the Ptolemaic perspective and subsequently from the Jewish perspective, to assess possible tensions between Ptolemaic and Jewish law that would be relevant to the translation process.

Chapter three uses Korytko's theory as an explanation of the imperatival forms of θλίβω and λογίζομαι in LXX Lev. 25:14, 17 and 31 from the Göttingen edition. They are analyzed first in relation to their Hebrew counterparts (from *BHS*) to establish what may be considered a deviation from typical translation technique. However, throughout the analysis, it will be shown that documentary evidence does not strongly suggest connections between these verbs and Ptolemaic law. The lack of data for certain imperatives makes it difficult to speculate about the potential political influence on the translation as Korytko has done for Ex.[13] It further

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[13] With regard to explaining the transformations in the Greek translation, Korytko states, "I hypothesize that Greek law as represented in its late Classical and early Ptolemaic varieties offer a probable framework that might stand behind the changes found in Greek Exodus" (*Death of the Covenant Code*, 3). He makes no solid claim but explores the possibility of political influence. The present study does the same for LXX Lev. land laws.

becomes apparent in the analysis of Lev. 25:14, 17, and 31 that not all imperatives may be considered as true commands. Additionally, it will be shown that one should not expect functional consistency in the use of the imperative when the theory is extended more broadly into Lev. Not all instances of the imperative appear as viable candidates for conflict with Ptolemaic law.

Chapter four elaborates on the issues identified in chapter three. For instance, further specification is provided for the lack of finer distinctions between administrative statements and true commands in Korytko's comparisons. Further nuance as to the function of the infinitive command form among Ptolemaic texts is also provided. Lastly, the conceptual concerns associated with the theory due to the lack of functional consistency of the imperative in LXX Lev. are discussed. The conclusion to this study then reflects on the findings of the project.

CHAPTER 1: APPROACHING THE LXX PENTATEUCH AND THE PAPYRI

1.1 Hermeneutical and Methodological Considerations

The following section discusses the ways in which Korytko's study and the present study operate according to the Historical-Critical Method in relation to translational literature. The LXX Pentateuch was a major translational undertaking, and each translation of a given book exhibits variable techniques on the lexical, (morpho-)syntactic, and discourse levels (e.g., additions, omissions, restructuring of the source text, literal vs. idiomatic translation, etc).[14] Yet, motivations or reasons for these translation decisions are left undocumented. The translators unfortunately left no explanatory notes, so we who study this translational literature attempt to compose our own first by description of technique, followed by cautious explanation

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[14] There are many studies describing translation technique. For instance, Emanuel Tov, "The Representation of the Causative Aspects of the Hiph'il in the LXX: A Study in Translation Technique," *Biblica* 63 (1982): 417–24, for a study investigating renderings for the hiph'il verb. There are larger studies as well, such as Dries De Crom, *LXX Song of Songs and Descriptive Translation Studies* (Göttingen: Vandenhoeck & Ruprecht, 2019).

often on a case-by-case basis.[15] There are many possible explanations for translation technique on any level to consider. For example, translation decisions may be inspired by: Semitic influence, theological agendas, influence from a past exegetical tradition, or Classical texts.[16] In addition, as Arie Van Der Kooj explains, "generally speaking, cases where LXX diverges from MT may be due to different factors, such as mistranslations or misreadings of the Hebrew, guesses because of the difficulties in the Hebrew, a different Hebrew original, or exegesis."[17] One Septuagint scholar who very pointedly addresses the aim of analyzing translation technique is Cameron Boyd-Taylor. He asserts that "our goal in assessing the linguistic evidence is to identify the sort of institutional expectations under which the translator operated."[18] In the case of the LXX, we do not know much about the institution for which it was translated or the mind of the translator as he was working, but we have access to the technique which may speak to the institution of which it became a part. We can analyze the technique to understand the guiding principles behind the production of the translation. Looking at the production of the translation emphasizes those interests which informed it in the first place. Text-as-production asks: "what kinds of text were produced [and] under what circumstances?" as opposed to questions asking after how LXX texts were received by a given community.[19]

A major consideration to keep in mind when assessing the translation technique is that we are dealing with translational literature, and "a translated text never represents a

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[15] For example, *the Society of Biblical Literature Commentary Series* on the LXX, an outflow of *the New English Translation of the Septuagint* (NETS). The John William Wevers Institute for Septuagint Studies is the "research hub" for this commentary in conjunction with the International Organization for Septuagint and Cognate Studies (IOSCS). See https://www.twu.ca/research/discover-twu-research/institutes-centres/john-william-wevers-institute-septuagint-2 for an overview. For a summary of guiding methodology of NETS translation see Albert Pietersma and Benjamin G. Wright, "To the Reader of NETS," in *A New English Translation of the Septuagint and the Other Greek Translations Traditionally Included under That Title*, ed., Albert Pietersma and Benjamin G. Wright (Oxford: Oxford University Press, 2007).

[16] Karen H. Jobes and Moisés Silva, *Invitation to the Septuagint* (Grand Rapids, MI: Baker Academic, 2000), 22. See John Lee, *The Greek of the Pentateuch* (Oxford: Oxford University Press, 2018), 79–122 for a discussion on the education of the translators. He believes they would have had a good education and would have been familiar with literary Greek.

[17] *The Oracle of Tyre: The Septuagint of Isaiah XXIII as Version and Vision*. Vetus Testamentum Supplements 71 (Leiden: Brill, 1998), 1.

[18] "In a Mirror–Reading the Septuagint as a Document of Its Times," in *Septuagint Research: Issues and Challenges in the Study of the Greek Jewish Scriptures*, eds., Wolfgang Kraus and R. Glenn Wooden (Atlanta, GA: Society of Biblical Literature, 2006), 25.

[19] Cameron Boyd-Taylor, *Reading Between the Lines*: *The Interlinear Paradigm for Septuagint Studies* (Biblical Tools and Studies 8, Peeters, 2011), 18.

straightforward instance of performance in the target language."[20] One must always keep an eye on both the Hebrew and the Greek (especially in the case of Lev. who is often so loyal to the *Vorlage's* syntax). Yet, the Greek has been analyzed on its own terms and in light of the documentary record, especially when attempting to find linguistic reason for deviations from the Hebrew (assuming the reconstructions of the Masoretic Text [MT] are the same as those in the translator's Hebrew *Vorlage*). The documentary record offers examples of Koine Greek with which to compare terms and syntax using historical comparative methods.

Investigations into Koine Greek elements of the text were largely inspired by G. Adolf Deissmann. Deissmann is generally credited with publicizing the parallels between Greek papyri and inscriptions contemporary with the LXX and the NT. These parallels served to establish that the Greek of the LXX and NT was Koine Greek, not a sacred language unique to biblical texts.[21] However, he went one step further and acknowledged the benefits of applying methodology from social history when analyzing papyri and inscriptions noting that "at many points philology and social history overlap."[22] Perhaps Deissmann's thoughts on this matter might be understood further in light of Patience Epps' summary on what reconstructing an ancient language may offer:

> The words that ancient peoples used designated the plants they cultivated, the gods they worshipped, the leaders they recognized, and the technology they used in their daily lives…as we reconstruct the past stages of a language, and consider the incremental steps that link these stages over time, we can catch a glimpse into the past social and cultural practices of its speakers. Insights from historical linguistics both complement and corroborate sources of information from other disciplines. In places where the archaeological and historical record is thin, such as in the humid tropics, we may lean

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[20] Argued by Gideon Toury, summarized in Boyd-Taylor, *Reading Between the Lines*, 20.

[21] A summary of Deissmann's achievements can be found in G. H. R. Horsley's review of Deissmann: "Divergent Views on the Nature of the Greek of the Bible," *Biblica* 65 (1984): 393–403, reviewing *Light from the Ancient Near East: The New Testament Illustrated by Recently Discovered Texts of the Graeco-Roman World* (London: Harper & Brothers, 1922). In Horsely's review is also a mention of Deissmann's other prominent publication:
G. Adolf Deissmann, *Bible Studies: Contributions Chiefly from Papyri and Inscriptions to the History of the Language, the Literature, and the Religion of Hellenistic Judaism and Primitive Christianity*, trans. Alexander Grieve (Edinburgh: T&T Clark, 1903).

[22] *Light from the Ancient Near East,* 301. After this comment, in a footnote he writes: "it is advisable, however, to keep the points of view of philology and social history distinct. At many points philology holds its own completely" (301, fn. 1).

particularly heavily on linguistic information to flesh out a fuller picture of a people's history.[23]

Even though the LXX is (generally speaking) translational literature, the translation technique may speak to the priorities of the translators or the place of the translation. The avoidance of certain terms may suggest sensitivity to theological ideas, while additions to the text may say something about attempts to educate the readers of something unknown to them or provide continuity between passages. Though Deissmann's sentiments are found within a discussion of the NT and contemporary documentary papyri (both notably compositional Greek and non-translational literature), studies of a similar nature have been done with the LXX and its contemporary papyri for the purpose of gaining both linguistic and historical information about the language and people involved at the time of translation. Analyzing translation technique has the potential to reveal socio-historical realities at the time of translation, whether it be due to political, legal, religious, etc., influence in terms of the lexical items chosen, concepts that are avoided, etc.[24]

With these hermeneutical considerations outlined, methodology is considered. In search of an explanation for the infrequent imperatival renderings in LXX Ex. death penalty passages, Korytko looks to Ptolemaic legislative documents. He uses the historical-comparative method for reconstructing the political backdrop that stands behind LXX Ex. and the function of the imperative within a given piece of Ptolemaic legislative discourse. For instance, he isolates a group of texts displaying a similar pattern involving future and imperative forms. He then uses these texts as discourse models for understanding the imperative in LXX Ex. His reconstructions of death penalty laws then provide the political frame for explaining why the Ex. translator uses the imperatival form in select instances. The present study is methodologically similar in that it draws comparisons between imperatives and future forms in Ptolemaic texts in addition to using the documentary record to reconstruct the Ptolemaic land-tenure system that possibly existed when LXX Lev. 25 was translated. A

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[23] "Historical Linguistics and Socio-Cultural Reconstruction," in *The Routledge Handbook of Historical Linguistics*, eds., Claire Bowern and Bethwyn Evans (London: Routledge, 2015), 579.

[24] See for example, the discussion surrounding the avoidance of the term צור 'rock' as a metaphor for God in Melvin K. H. Peters, "Revisiting the Rock: Tsur as a Translation of Elohim in Deuteronomy and Beyond," *Text-Critical and Hermeneutical Studies in the Septuagint* (2013): 37–51.

few qualifying notes on historical reconstructions are warranted before presenting the land-tenure system.

Historical reconstructions of the Ptolemaic world for establishing what is known of the Ptolemaic land tenure system around the time of translation rely on comparisons made between papyri and inscriptions (and sometimes other archaeological evidence) from the documentary record. The Ptolemaic texts consulted for this purpose are from before the first century BCE, but evidence from the third century is prioritized. Most evidence used for Ptolemaic and Jewish reconstructions comes from the papyrological record. Though the papyrological record is rich, there are still physical constraints that limit our data.

The northern Delta region (home to Alexandria in the Ptolemaic period) was a swampy area filled with seven Nile branches in pharaonic times. With its swamps and lagoons, this area was known for catching sediment and was therefore vulnerable to constant geographical change over time.[25] Further, it was an area prone to increased salination and waterlogging, necessitating appropriate drainage.[26] In general, the papyrological evidence does not last long due to the moisture, resulting in less accessible evidence today.[27] This poses challenges in understanding more about Jewish groups living in Egypt, especially those living in Alexandria and other areas in the Delta region.

To the south of the Delta is the Fayyum (Oasis). Many Greek papyri have been found here. Mays describes this region as a 1,700km geological depression lying below sea-level, southwest of Cairo, and home to salty Lake Moeris. Evidence for Ptolemaic economics, agriculture, or property can come from land surveys, sale contracts, tax receipts, etc. Bernhard Palme remarks that there are thousands of business-related documents about property and how it was obtained (property could be animals, real estate, slaves, or movables). Additionally, he comments that those documents concerning employment (leases in particular) number in the hundreds. He explains that these contracts usually contain the location of the land, the

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[25] Sarah Parcak in "The Physical Context of Ancient Egypt," in *A Companion to Ancient Egypt,* vol. 1, ed., Alan B. Lloyd (Malden, MA: Blackwell Publishing, 2010), 11.

[26] C. J. Eyre, "The Water Regime for Orchards and Plantations in Pharaonic Egypt," *The Journal of Egyptian Archaeology* 80 (1994): 72.

[27] Jane Rowlandson, "Freedom and Subordination in Ancient Agriculture: The Case of the 'Basilikoi Georgoi' of Ptolemaic Egypt," *History of Political Thought* 6 (1985): 330. Here her comment is about the lack of adequate evidence from the Delta region to adequately analyze Crown land.

obligations, details of payment, and what happens if the conditions are not met.[28] One major archive often consulted for agricultural or economic information from the Fayyum is the famous Zenon archive from in and around Philadelphia. These texts range from the years 261–239 BCE.[29] Further, we have the Menches archive which informs us about a village scribe and his activities in Kerkeosiris (approx. 120–100 BCE). The Zenon and Menches archives are two examples of the more prominent documentary sources used for historical inquiry.[30]

Various approaches are employed for analyzing the available Ptolemaic evidence (documentary or other) for scholars whose goal it is to reconstruct aspects of Ptolemaic reign, government, and/or the lives of the conquered. Regarding the land tenure system and Ptolemaic actions in this sphere, there are those studies which assess a group of papyri from a whole region,[31] while others focus on only one or two papyri at time.[32] Then there are studies which are more topical, addressing, for example, a specific category of administration or type of land, and surveying the available papyri for references of related terms.[33] Still others attempt larger macro-analyses of the land tenure system as a whole, and in doing so, invoke theories of an economic or political nature.[34] Each approach will have its limitations and benefits. Regional perspectives, on the one hand, serve as reminders not to overgeneralize Ptolemaic practices, demonstrating variation in practice. Yet, the macro-approaches provide possible frameworks for the economic world in which this region or document is situated, contextualizing these

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[28] "The Range of Documentary Texts," in *The Oxford Handbook of Papyrology*, ed., Roger Bagnall (Oxford, Oxford University Press: 2009), 367–9.

[29] Manning, *Land and Power,* 110.

[30] Arthur M.F.W. Verhoogt, *Menches, Komogrammateus of Kerkeosiris: The Doings and Dealings of a Village Scribe in the Late Ptolemaic Period (120–110 BC)* (Leiden: Brill, 1998), 1.

[31] For instance, Dorothy Thompson, *Kerkeosiris: An Egyptian Village in the Ptolemaic Period* (Cambridge: Cambridge University Press, 1971), referenced frequently throughout this study. In this case, she looks at papyri coming from the village of Kerkeosiris in the Fayyum.

[32] For instance, Roger Bagnall focuses solely on P. Teb. 8 in "Ptolemaic Foreign Correspondence in P. Tebt. 8," *The Journal of Egyptian Archaeology* 61 (1975): 168–80.

[33] See for example Rowlandson, "Freedom and Subordination," 327–347, or James L. O'Neil, "Places and Origin of the Officials of Ptolemaic Egypt," *Historia: Zeitschrift für Alte Geschichte* 55 (2006): 16–25.

[34] Perhaps most relevant here is Manning's *Land and Power* where he remarks in his preface: "This book, then, is unusual in that it attempts to synthesize the documentary evidence for land tenure and its administration. I have by no means taken account of all the Ptolemaic papyri and ostraca, but I hope to have treated enough of them to establish a case study of the history of Ptolemaic institutions concerned with land. What I hope to gain by this more generalizing historical analysis is clarity in the concept of power as it is applied to Ptolemaic Egypt," xi. Another example is Andrew Monson's monograph *From the Ptolemies to the Romans: Political and Economic Change in Egypt* (Cambridge: Cambridge University Press), 2012. An older (but foundational) text is Claire Préaux, *L'Économie Royale des Lagides* (Brussels: Fondation Égyptologique Reine Élisabeth, 1939). See also Manning's overview of different approaches to understanding Ptolemaic government: *Land and Power*, 22.

documents or regions further. The above descriptions are not intended to capture all approaches; they only identify some broader patterns in scholarship, and this study makes use of all approaches when establishing what is known about the Ptolemaic land tenure system. With the theoretical concerns relating to LXX theory and historical reconstructions addressed, we turn now to the translation technique of LXX Lev.

1.2 LXX Lev. Translation Technique

The LXX Lev. translator has been characterized as "pedestrian" by John Lee, though Lee further comments that the translation is unique enough to distinguish it from the other "pedestrian" translators of Numbers and Deuteronomy.[35] Moshe A. Zipor, refers to the Levitical translation as "moderately literal" and Hebraistic. Agreeing with Emanuel Tov, he reads this text as having "Greek words with a Hebrew meaning."[36] After a quick scan over the Greek, one can immediately see the high degree of fidelity to the Hebrew.[37] Despite this fidelity, Tov notes that LXX Lev. contains the most harmonizations out of the Torah.[38] Throughout his study, he records several pluses used (presumably) to harmonize a given verse with a previous passage, such as in Lev. 25:31 where διὰ παντός is considered to be a plus as there is no equivalent in the Hebrew. Tov notes that this plus is based on v. 32 which uses עולם

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[35] *Greek of the Pentateuch*, 174.

[36] Emanuel Tov, *The Greek and Hebrew Bible. Collected Essays on the Septuagint Version* (*VTS* 72; Leiden: Brill 1999), 249 quoted in Moshe A. Zipor, "The Nature of the Septuagint Version of the Book of Leviticus," in *The Text of Leviticus: Proceedings of the Third International Colloquium of the Dominique Barthélemy Institute, Held in Fribourg (October 2015)*, ed., Innocent Himbaza (*Orbis Biblicus et Orientalis* 292, Leuven-Paris-Bristol: Peeters, 2020).

[37] There are many examples to choose from, but to name one: καὶ ἐπιθήσουσιν οἱ υἱοὶ Ἀαρὼν οἱ ἱερεῖς πῦρ ἐπὶ τὸ θυσιαστήριον, καὶ ἐπιστοιβάσουσιν ξύλα ἐπὶ τὸ πῦρ (LXX Lev. 1:7). The Hebrew is as follows: ונתנו בני אהרן הכהן אש על־המזבח וערכו עצים על־האש׃ The verbs are both fronted, all articular Hebrew nouns are rendered by articular Greek nouns, and each Hebrew lexeme has an equivalent in the Greek. However, there is a difference between the two: the term כהן is singular, but Greek makes it plural with ἱερεῖς. See Zipor 124–6 for specific examples of how the Leviticus translator tackles technical terms, rare Hebrew words, etc.

[38] Emmanuel Tov, "Textual Harmonization in Leviticus," in in the *Text of Leviticus: Proceedings of the Third International Colloquium of the Dominique Barthélemy Institute, Held in Fribourg (October 2015)*, ed. Innocent Himbaza (*Orbis Biblicus et Orientalis* 292, Leuven: Peeters, 2020).

'everlasting,' rendered by διὰ παντός.[39] In chapter 25 as well there are pluses indicating harmonization.[40]

The translation of Lev. defaults to a one-to-one lexeme ratio with a few instances of deviation into a two-lexeme translation as with rendering יובל 'Jubilee' (composed of both σημασία and ἄφεσις in the Greek) or into a plus (e.g., recall v. 25:31 with διὰ παντός). When addressing place names, there is a varied approach. The term used for Egypt, Αἴγυπτος, is not a transliteration of Hebrew מצרים (e.g., v. 18:3).[41] In contrast, there is a transliteration for both Canaan (Χανάαν, e.g., v. 14:34) and Israel (Ἰσραὴλ, e.g., v. 1:2). The Greeks may not have had their own term for these places in their Egyptian context. Because the Greeks conquered Egypt, and lived just across the sea, it is not surprising to discover they have their own term for this kingdom. For names of the central characters in Lev., namely Moses (e.g., v. 1:1) and Aaron (e.g., v. 1:5), they are transliterated. However, there is a different tactic for handling מלך 'Molech,' appearing in contexts of forbidding the Israelites to sacrifice their children to this deity, as in Lev. 18:21. Instead of a transliteration, the term ἄρχων, 'ruler,' is employed. Perhaps this is due to Molech being an unknown deity, but perhaps this is still an attempt at acknowledging the deity's power over some groups of people, yet not a θεὸς 'god'. The reasons will not be explored here, but these examples serve to illustrate the willingness on the part of the translator to deviate from the Hebrew when deemed necessary.

Another tactic of note is with regard to currency. The translation exhibits a retreat to Greek instead of Hebrew coinage. In Lev. 27:25, גרה 'gerahs' becomes ὀβολός 'obols' (1/6 of a

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[39] Tov, "Textual Harmonization," 24.

[40] For example, Lev. 25:10 adds a second ἐνιαυτός to harmonize with the ἐνιαυτός found earlier in the verse: αὶ ἀγιάσετε τὸ ἔτος τὸ πεντηκοστὸν **ἐνιαυτόν**, καὶ διαβοήσετε ἄφεσιν ἐπὶ τῆς γῆς πᾶσιν τοῖς κατοικοῦσιν αὐτήν· **ἐνιαυτὸς** ἀφέσεως σημασία αὕτη ἔσται ὑμῖν' (emphasis mine). Because this study relies on an eclectic text, it can be difficult to know which 'deviations' to attribute to the translator as opposed to the Hebrew *Vorlage*. In terms of harmonizations, Zipor remarks that harmonizations in a "remote location" are more likely the result of the *Vorlage*. The flip side of this is that those harmonizations in proximity (as the example here) are more likely the result of the translator ("Nature of the Septuagint Version," 127).

[41] Αἴγυπτος is the Greek term for Egypt, found in Greek literature such as Homer's Odyssey (e.g., 17:448: στῆθ' οὕτως ἐς μέσσον, ἐμῆς ἀπάνευθε τραπέζης, μὴ τάχα πικρὴν Αἴγυπτον καὶ Κύπρον ἴδηαι· ὥς τις θαρσαλέος καὶ ἀναιδής ἐσσι προΐκτης; 'Stand off yonder in the midst, away from my table, lest thou come presently to a bitter Egypt and a bitter Cyprus, seeing that thou art a bold and shameless beggar.' Translation is from: A. T. Murray, *Homer: The Odyssey with an English Translation* (Cambridge: Harvard University Press, 1919). The Egyptians referred to their land as *Kemet* (Coptic *Keme, Kheme*) meaning literally 'Black land,' because of the rich soil after inundation. The Greek term, Αἴγυπτος, stems from *Khut-ka-Ptah*, 'the mansion of the ka (spirit) of the god Ptah,' referring to Memphis (Sakkie Cornelius, "Ancient Egypt and the Other," *Scriptura* 104 (2010): 323.

δραχμή)⁴² and שֶׁקֶל 'shekel' becomes δίδραχμον 'didrachma' (a two drachma coin).⁴³ The obol and the didrachma is coinage attested in the papyrological record. For example, δίδραχμον is found in P. Hib. 1 88, a loan record from 263 BCE. Ὀβολός is difficult to find as it is often implied by a preceding number and therefore explained by the transcription of the text. For instance, in UPZ 1 149 from 208–206 BCE, it appears in parentheses: β (ὀβολὸς). This translation of currency alone is enough to indicate the translator's interest in adapting the text likely to suit its Ptolemaic context and immediate audience(s) within it.

Jewish specific terms, such as Passover (πάσχα, e.g., v. 23:5) and sabbath (σάββατα, e.g., v. 16:31) receive transliterations as well, though there are occurrences of these terms in the papyrological record which may indicate these concepts were already known.⁴⁴ It could be that the concept of Jubilee was not as well known in the Hellenistic era and therefore in need of further elaboration via paraphrase, but the language used in the paraphrase shares the language found in Ptolemaic land tenure categories.⁴⁵ This section presented a mixed translation technique in Greek Lev. On the one hand, the translation follows the Hebrew closely, but on the other, it shows some degree of willingness to adapt to its Greek world (e.g., currency, etc.). There could be several motivations behind these deviations, including some degree of influence from the Ptolemaic administrative system (or its language) because the LXX Pentateuch may have functioned as practicable law under the Ptolemies for the Jewish people. If this was its role, the translation could have been tailored to what was needed to enable Greek

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⁴² LSJ, "ὀβολός." It is noted that an ὀβολός referred to a nail in ancient Greece when nails were used as money. Six nails made up one δραχμα.

⁴³ LSJ, "δίδραχμον." Curious is Num. 3:47 where there is a mix of transliterating and adapting currency: καὶ λήμψῃ πέντε σίκλους κατὰ κεφαλήν, κατὰ τὸ δίδραχμον τὸ ἅγιον λήμψῃ, εἴκοσι ὀβολοὺς τοῦ σίκλου, 'you shall also take five shekels per head. You shall take according to the holy didrachma, twenty obols to the shekel.' Δίδραχμον does appear elsewhere in the Pentateuch in Genesis (e.g., 20:14), Exodus (e.g., 21:32), and once in Deuteronomy (22:29). There are instances where δίδραχμον is used to render כסף (e.g., Genesis 20:16). The term ὀβολός is found in fewer instances in the Pentateuch: Ex. 30:13, Num. 3:47, 18:16.

⁴⁴ Instances of σάββατα are found in for example BGU XX 2846 (*CPJ* 582). There is the famous 'Passover Papyrus' (419/418 BCE) though there is no direct reference to the term itself. The available sources containing explicit mentions (of some form) of Passover include the ostraca *TAD D*7. 6:9–10 and *TAD* D 7. 24:5, although the latter is in a fragmentary state. Despite an explicit mention, the question of whether it is the same Passover as described in the Hebrew Bible is debated (André Lemaire, "The Ostraca of Elephantine: A Further Light on the Judeans in Elephantine," in *Elephantine Revised: New Insights into the Judean Community and Its Neighbors*, ed., Margaretha Folmer [University Park, PA: Eisenbrauns, 2022], 47].

⁴⁵ Ptolemaic administrative documents use the term ἄφεσις to designate (1) land that is 'in release,' ἐν ἀφέσει (e.g. P. Tebt. 1 5, 118 BCE) or (2) the time of 'the release' (of taxes) ἡ ἄφεσις (e.g., BGU 14 2390, 160–159 BCE). Connections between the translation of Jubilee and Ptolemaic land tenure documents will appear in a future study.

officials to interpret and enforce the laws as disputes arose. The idea that Greek officials read the translation is showcased in the theory of πολιτικοὶ νόμοι ('civic laws') which provides the framework for understanding the purpose for which the translation was intended and possible justification for why the translation may have reason to reflect political realities.

1.3 The Theory of Πολιτικοὶ Νόμοι

The *Sitz im Leben* of the LXX Pentateuch is debated. Some have argued that its inception was for liturgical purposes such as H. St. J. Thackeray, or for the administration of the Jews in Alexandria, like D. Barthélemy. S. P. Brock instead compares the role of the LXX to that of the *Iliad* in Hellenistic education, but it has also been proposed that the translation was sanctioned by the Ptolemies and was meant to be enacted in legal settings—an idea explored by Mélèze Modrzejewski.[46] It is Mélèze Modrzejewski's theory that provides a layer of possible explanation for Korytko's findings on imperatives.

Mélèze Modrzejewski reconciles theories pertaining to LXX origins. For example, he contends that the translation could have satisfied both the interest of Ptolemy II to have all the great works in his library and of the Jews to have their scriptures in a comprehensible language. In addition, the translation would serve the political aims of Ptolemy since it would benefit the royals to respect Jewish law, given that the Jewish people made up a good proportion of the population.[47] The Ptolemies generally respected the customs of the conquered people and used religion as a political tool.[48]

At the basis of Mélèze Modrzejewski's theory are comparisons between translated Egyptian material, such as the demotic "Legal Code of Hermopolis West" dated to the time of Ptolemy II Philadelphus, and a document stemming from Jewish litigants showing a hierarchy of laws (P. Petrie III 21g + P. Gurob 2). This demotic code is described by Mélèze

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[46] For a brief overview of these theories, see Boyd-Taylor, "What is the Septuagint?" 16–17, who cites H. St. J. Thackeray, *The Septuagint and Jewish Worship: A Study in Origins* (London: Oxford University Press, 1921), D. Barthélemy, "Pourquoi la Torah a-t-elle été traduite en grec?" in *Études d'histoire du texte de l'Ancien Testament*, ed., D. Barthélemy, *OBO* 21 (Göttingen: Vandenhoeck & Ruprecht, 1978), 322–40; S. P. Brock, "The Phenomenon of the Septuagint," *Old Testament Studies* 17 (1972): 11–36; Mélèze Modrzejewski, *The Jews of Egypt*.
[47] Modrzejewski, *The Jews of Egypt*, 102–4.
[48] E.g. Heather Wellendorf, "Ptolemy's Political Tool," 33–8.

Modrzejewski as a resource ("case book") for judges and notaries in difficult legal situations, or to use for models of judgements and deeds.[49] He notes that this text (in different versions) was translated into Greek under Ptolemy II Philadelphus just like the LXX Pentateuch. This case book is interesting in its parallels to the translation of the Pentateuch, but Mélèze Modrzejewski then turns to more practical evidence. In one example, he provides a review of the "Case of Hermias," a dispute in which a Greek speaker presented pieces from the "law of the country" (ἐκ τοῦ τῆς χώρας νόμου μέρη). Mélèze Modrzejewski argues that this phrase refers to all of local law (not only the Legal Code of Hermopolis West) and the invocation of the cited passages as coming from the Greek translation of the Legal Code of Hermopolis West itself. The "Case of Hermias" is used as evidence for employing Greek translations of Egyptian laws in Greek/Egyptian courts and this is used as a point in favor of using Greek translations of other groups' texts within the legal system. He then turns to Jewish specific evidence and two of his most telling papyrological examples are featured here. He presents a case of insult described in P. Petrie III 21g + P. Gurob 2 (*CPJ* I 19, 226 BCE) and an example of a marital dispute in P. Enteux. 23 (*CPJ* I 128, 218 BCE).

P. Petrie III 21g + P. Gurob 2 describes the case of a certain Dositheos who is insulted by Herakleia, a daughter of Diosdotos. Both individuals involved in the case are Jewish. Dositheos accuses Herakleia of tearing his cloak and insulting him in public, yet he fails to appear in court. Left to her own devices, Herakleia presents an extract of a royal decree outlining the justice framework of Ptolemy Philadelphus II. The decree she presents stipulates that judges in Greek and Egyptian courts must follow a certain hierarchy of laws, with royal legislation taking precedent. If royal legislation makes no comment, the officials were to judge based on the πολιτικοὶ νόμοι, which Mélèze Modrzejewski concludes is a set of civic laws for a particular group of people. If civic laws did not have the answer for the judges, they were to resort to their own consciences. He summarizes that the Greek Torah could have fulfilled the role of civic laws for the Jews, fully recognized by the government and equivalent to the Egyptian νόμοι τῆς χώρας ('law of the land'). In this case, Mélèze Modrzejewski hypothesizes

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[49] "The Septuagint as Nomos," 188; Mélèze Modrzejewski points to K. Donker van Heel, *The Legal Manual of Hermopolis [P. Mattha]: Text and Translation* (Leiden: Brill, 1990) as a resource for the demotic Legal Code itself.

that provisions on violence found in Exodus may have been applicable here. The other major example, P. Enteux. 23, relates a piece of a marriage story.

Helladote, daughter of Philonides and most likely Greek, married a Jew by the name of Jonathas. She reports that Jonathas found something displeasing about her and removed her from the house unjustly. Notably, Helladote refers to her marriage to Jonathas as [κατὰ τὸν νόμον] πολιτικὸν τῶν Ἰουδαίων ('according to the civic laws of the Jews'). Regrettably, the first part is reconstructed, but Mélèze-Modrzejewski believes the aforementioned reading to be highly likely. Helladote's reference here is considered to be a reference to Jewish law especially since the Greek expression for living lawfully with a person is σύνειμι κατὰ νόμους. When Jonathas throws Helladote out of doors, he is reported to have contradicted Greek law which forbids this practice in marriage contracts (συγγραφαί). Jewish law is in opposition to this, and Jonathas is seen as acting in accordance with Jewish law. This apparent contradiction in legal expectations in marriage is believed by Mélèze-Modrzejewski to have been the source of the complaint.

The parallel translation activity of Egyptian legal texts and their enactment in legal courts, along with Jewish papyri potentially showing the Greek Torah's place in the Ptolemaic legal framework and an awareness of the Greek Torah are used by Mélèze Modrzejewski in support of his theory. He believes that the Greek Torah was "regarded as a 'civic law,' and, established in the version of the Septuagint, was considered as an authoritative text of the judicial system that had been created for the Greek-speaking community, of which the Jews formed a part."[50] As Paul V. M. Flesher and Bruce Chilton note, Josephus captures a Jewish sentiment of the Torah as a legal text: "Our leader [Moses] made the Law the standard and rule, that we might live under it as under a father and master, and be guilty of no sin through willfulness or ignorance."[51] However, Mélèze Modrzejewski also qualifies his conclusions to papyrological evidence by noting that these practices could be the result of a "pre-Mishnaic *halakhah*," and not necessarily loyalty to precise wording in the Torah.[52] Though the purpose of this study is not to provide a full critique or further argumentation in support of Mélèze

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[50] "The Septuagint as Nomos," 197. The summary of Mélèze Modrzejewski's article is taken from pages 188–96.

[51] Josephus, Ag. Ap. 2:174. For further comments see Paul V. M Flesher and Bruce Chilton, *The Targums: A Critical Introduction* (Waco, TX: Baylor University Press, 2011), 4.

[52] "The Septuagint as Nomos," 198.

Modrzejewski, it is helpful to reiterate that his theory is not the only one. Additionally, there have been some recent critiques of his work including some notes from Peter Altmann worth considering.[53]

Peter Altmann does not see the Torah as being a suitable text to act as a basis for governing (at least initially). He mentions several literary sources explaining the perceived worth of the LXX. He concludes the following:

> The most direct references to the Torah conceive of its importance in *philosophical terms* and *group affiliation* rather than *judicial categories*, even when some conception of God as a divine legislator emerges. The general silence from Ptolemaic Judean legal settings with regard to the Greek Pentateuch is striking. For while there is evidence of reference to specific royal Ptolemaic edicts as the basis for a judicial complaint, no such direct pointer toward the Greek Torah appears in Judean judicial settings.[54]

His analysis focuses on those references to Torah in literary settings (e.g. *Letter of Aristeas*, writings from Theodotus, etc.). Throughout Altmann's article, he emphasizes the lack of evidence for more direct LXX quotes and judicial applications for the Jewish papyri, arguing that Pentateuchal laws are not functionally legal statutes. Instead, he emphasizes the aspects of negotiation within a new land and that these Pentateuchal writings and associated traditions are used as reference for Judeans upon entry. For Altmann, there is not enough evidence in the references we do have that illustrate an in-depth knowledge of the LXX in petitions. Altmann's voice is a good reminder of the ways in which the LXX contributed to the development of Jewish identity in Ptolemaic Egypt. Despite Altmann's objections, the papyrological evidence does show occurrences of legal appeals coming from members of a Jewish group. Among these papyri are petitions involving land, and the reasons for the complaints may stem from an assumption that Levitical land laws matter to the officials, as hypothesized by Robert A. Kugler (discussed in chapter two). The acknowledgement of the Greek Torah as practicable law for the relevant parties is therefore worth considering, especially if the translation itself can corroborate this perspective.

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[53] Peter Altmann, "The Significance of the Divine Torah in Ptolemaic Egypt in Documentary and Literary Sources from the Third and Second Centuries BCE," *Journal for the Study of Judaism* 52 (2021): 1–31.
[54] "The Significance of the Divine Torah," 25.

In relation to the aforementioned ideas, Korytko's theory offers insight into the ways in which the translation might support Mélèze-Modrzejewski ideas as to the role of the LXX Pentateuch. If Korytko's theory proves able to explain Greek imperatival renderings, the implication is that the translation itself reads as one kind of Ptolemaic decree, in which case we may speculate as to why the translator regarded certain laws as optional as indicated using the imperatival form. The reviews of Korytko's work are overall positive. Eckart Otto for example remarks, "The study is of exceptional scientific quality and is likely to have no small influence on the further development of Septuagint research…"[55] Dries De Crom further asserts that "even if some of its interpretations remain speculative, they deserve to be received and discussed by a wide scholarly audience."[56]

1.4 Overview of Korytko's Theory

Korytko's recently published *Death of the Covenant Code* attempts to use Classical and Greco-Egyptian legal language to better understand the translation decisions in the Covenant Code relating to the death penalty (Ex. 20:22–23:33).[57] He argues that "the translator may have drawn upon various aspects of Greco-Egyptian legal practice, language, and formulations when rendering the Hebrew text."[58] He further coins the phrase "Superficial Semantic Fidelity" (SSF), which refers to the phenomenon he sees at work as the translator wrestles over the best renderings for the Hebrew text. SSF is used to refer to a Greek term which has a slightly different meaning in its Greco-Egyptian context yet simultaneously shares a common concept with the Hebrew. This way, the translator can maintain quantitative and serial fidelity to the text while also making it more acceptable to its audience(s). In his second chapter, he proposes a theory to explain the seemingly random Greek imperative renderings

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[55] "Die Studie ist von außergewöhnlicher wissenschaftlicher Qualität und dürfte einen nicht geringen Einfluss auf die weitere Entwicklung der Septuaginta-Forschung haben…"in Theologische Literaturzeitung 149 (2024): 768–70. The remark presented here is found on page 770.

[56] Dries De Crom, 2024, review of *The Death of the Covenant Code: Capital Punishment in Old Greek Exodus in Light of Greco-Egyptian Law*, by Joel Korytko (*Bryn Mawr Classical Review*. https://bmcr.brynmawr.edu/2024/2024.08.07/).

[57] Korytko uses the term "approximately," indicating he holds this range of verses for the Covenant Code loosely. He believes that asserting a strict boundary is not necessary for his study as not all verses within this range deal with the death penalty (*Death of the Covenant Code,* 4).

[58] Korytko, *Death of the Covenant Code,* 2.

for the "Hebrew imperfect or prefixed conjugation" with SSF in mind.[59] Others have observed these imperatives, yet have offered only brief comments and not explanations.[60] In 'future dominated texts,' Korytko holds that "in Ptolemaic legal syntax the function of switching from a future tense command verb to an imperative indicated that the command in the imperative was not the final say on a matter, but its performance or non-performance was a choice, as constrained by other related regulations."[61] He then draws a parallel between these texts and Greek Ex.

There are three texts forming the foundation for Korytko's theory of imperatives within future-dominated texts: P. Paris 62 r,5, 12–15 (204 BCE), SEG 9 72, 26–32 (325–300 BCE) and SB 5 8008 (2), 49–59 (260 BCE). Despite there being only three texts, Korytko illustrates that each fit into a wider pattern of treating the imperative as an "asterisk" which can then point "the reader to other laws or prescriptions that affect the performance of the imperative verb."[62] Pages 103–114 then discuss these texts in more detail. P. Paris 62 r,5 lists instructions for those bringing tax monies to the royal bank to receive receipts with signatures of witnesses. Interesting as well are the sacrificial instructions in SEG 9 72 concerning a cleaning procedure if anyone uses an uncustomary animal as a sacrifice. Presented last is the decree SB 5 8008 with injunctions for the registration of wives, which is labelled as the closest syntactic parallel to Ex.—if Ex. (and the Pentateuch) is to be framed as a divine πρόσταγμα.[63] Thematically, a text concerning tax monies (P. Paris 62 r,5), sacrificial cleaning habits (SEG 9 72) and registering wives (SB 5 8008) are quite different from one another. Syntactically, however, they are dominated by future forms with select imperatives and are therefore grouped together.[64] Ultimately, Korytko attempts to find an explanation for Anwar Tjen's feeling that

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[59] Korytko, *Death of the Covenant Code*, 81. For example, in Exod. 22:2, the translator renders מכר (perfect consecutive) as πραθήτω (aorist imperative), discussed in 4.2.4.5 (*Death of the Covenant Code*, 176).

[60] See pages 93–4 where Korytko summarizes studies which comment on the future and imperative forms together in a given text.

[61] Korytko, *Death of the Covenant Code*, 103.

[62] Korytko, *Death of the Covenant Code*, 109.

[63] He notes, "If the laws in Exod 21–23 were intended to be viewed under the heading and genre of προστάγματα, then this text offers the closest analogy of a syntactic parallel within that genre" (*Death of the Covenant Code*, 107).

[64] Page 109 of Korytko's work suggests a semantic dichotomy between decrees and city law. SB 5 8008 was classified as a decree, and P. Paris 62 could be classified as city law, but SEG 9 72 appears to be of a more religious nature discussing cultic law. It is unclear in Korytko's text whether SEG 9 72 fits into the category of

the use of the imperative "may have a significant implication for the interpretation of the Pentateuch in the light of its historical circumstances."[65] Throughout his volume, Korytko does cite other imperatives in the LXX Pentateuch remarking that "there is a great deal of work that needs to be done on delimiting the genre of the texts in Lev-Num. Research as to how the imperative is employed in their texts exhibiting directives elsewhere (which is very infrequent) is also to be desired."[66] The present study offers LXX Lev. 25:14, 17, and 31 as the first extension of the theory. Before dealing with these verses specifically, chapter two provides the historical backdrop which will assist in exegeting the Levitical land laws in chapter three.

CHAPTER 2: GREEKS AND JEWS ON EGYPTIAN SOIL

Before addressing the imperatives in Lev. specifically, something should be said of the operations within the Ptolemaic land tenure system and its participants. This chapter sets the scene for the land-related Levitical imperatives by introducing Ptolemaic priorities and what is known of Jewish people working the land under the Greek government.

2.1 Enter the Ptolemies

Serving as both βασίλευς ('king') and Pharaoh, the Ptolemies have been described as those "double-faced kings" who ruled Egypt for approximately three centuries.[67] These rulers,

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civil law. In reading this text, one is reminded more of passages found in Lev. 1–7 concerning laws of sacrifice. Additionally, a remark needs to be made on SEG 9 72. It is put under the heading of 'future-dominated,' but there are several infinitives which surround the imperative as will be shown below when the evidence is reconsidered in chapter four. Korytko does acknowledge the infinitives, but states that "across this massive inscription future tense verbs dominate" (*Death of the Covenant Code*, 105).

[65] *On Conditionals in the Greek Pentateuch: A Study of Translation Syntax* (London: T&T Clark, 2010), 192, fn. 24), cited in Korytko, *Death of the Covenant Code*, 94.

[66] Korytko, *Death of the Covenant Code*, 82. He includes a list of imperatives throughout the Pentateuch which could potentially be described by this theory: Exod. 21:12, 15–17, 20; 22:2 (22:3 LXX), 30 (31 LXX); 23:13–15 (maybe 35:2), and he believes if the theory were extended, it has the potential to explain Lev. 13:45; 18:24; 19:3, 26; 20:2, 9–13, 15–16, 27; 23:4; 24:16–18, 21; 25:14, 17, 31, 45; Num. 1:51, 53; 2:2; 15:35, 18:9; 35:16–18, 21, 28 (*Death of the Covenant Code*, 82, fn. 105).

[67] Anne-Emmanuelle Veïsse, "The Last Pharaohs: The Ptolemaic Dynasty and the Hellenistic World," in *A Companion to Greco-Roman and Late Antique Egypt*, ed. Katelijn Vandorpe (Hoboken, NJ: John Wiley & Sons Inc., 2019), 49.

like past Egyptian rulers before them, exploited the Nile River through their multilayered administration and irrigation practices with the goal of maximizing state revenue.[68] The Ptolemaic dynasty reigned from 305 BCE to 30 BCE and began with the satrap Ptolemy I Soter. Their territories included Cyrenaica to Coele-Syria to Cyrpus, with some areas of Asia Minor, Thrace, and some Aegean Islands.[69] Religion was a political tool for them, used to gain favour with the native Egyptians, as Heather Wellendorf explains. She further describes that the Ptolemies created ruler-cults to achieve unity between the Greeks and Egyptians. One major example being the creation of Serapis (Osiris-Apis), who was associated with the Greek deity Hades. Their role as both Pharaoh and king suited the Egyptians and Greco-Macedonian elite residing within their empire.[70]

As discussed by Katja Mueller, for some scholars, such as C. Marquaille, it is difficult to refer to the Ptolemies' territories as an 'empire,' properly speaking. Mueller summarizes Marquaille's views by saying he prefers to avoid terms such as 'empire' and 'imperialism' in relation to Ptolemaic territories since there was no universal organizational structure the Ptolemies imposed. Considering this, he prefers the phrase "*a Ptolemaic sphere of influence*," because there was such variety in forms of control. Nevertheless, Mueller does use the phrase 'Ptolemaic empire' (equivalent to the German 'das Ptolemäerreich') to mean "the entirety of Ptolemaic possessions, all territories including Egypt which were at some stage under Ptolemaic suzerainty, in whatever form this suzerainty was recognized."[71] The agricultural sector became a central possession of the Ptolemies, and there are some mixed views on how they managed it.

The Ptolemaic agricultural sector in the past has been understood using a strong state model. In this model (as summarized by Manning) the Ptolemaic government is a "highly centralized, rational bureaucratic state" which was "imposed on a passive rural peasantry," but Manning holds that the government "did not assert uniform control, the economy was not

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[68] Manning, *Land and Power*, 4–5.
[69] See Katja Mueller, *Settlements of the Ptolemies: City Foundations and New Settlement in the Hellenistic World* (Leuven: Peeters, 2006), 46–55 for a discussion of the different settlements.
[70] "Ptolemy's Political Tool," 33–8, here 35.
[71] Mueller, *Settlements of the Ptolemies*, 42. Here she is working with the views of C. Marquaille in "The External Image of Ptolemaic Egypt," Unpublished PhD Thesis (King's College London, 2001), 26–36. As far as I am aware, this thesis remains unpublished. Nevertheless, it serves to provide a helpful prompt to clarify essential terminology when discussing the extent and nature of Ptolemaic control.

centrally planned, and the countryside was not passive."[72] Contemporary scholarship sees the land tenure system as one in which tasks, such as tax collecting and auctioneering, go to local officials.[73] These officials are necessarily better adapted to contend with the forces of nature, often causing damage to irrigative structures or property, and to deal with the gripes between parties involved which are often a result of the fluctuations of the Nile. The Nile was often a blessing and a curse to farmers and administration, but, as Larry W. Mays asserts, "from a water management perspective, all evidence known suggests that flood control and irrigation, at the social and administrative levels, were managed locally by the rural population within a basin."[74]

The Ptolemies were, as Sally Katary judges, "wise enough" because they maintained the general administrative structure left behind by Egypt's antecedent rulers. Among the multiple administrative sectors that remained intact (for the most part) during the reign of various rulers was the agricultural sector. This sector appears to be one of the more resilient because of its status as "the guarantor of economic well-being" for those who could exploit it efficiently through administration.[75] The Ptolemies generally followed in the footsteps of their predecessors, seeking their wealth by exploiting the agricultural regime and associated land tenure system. However, it is worth considering another angle to this as M. N. Noaman and D. El Quosy did. They remark (in relation to taxes) that, "the central government imposed a tax on the peasant farmers of about 10–20% of their harvest, but the basic administration of the agricultural system remained local. The collapse of government and the turnover of dynasties did little to undermine irrigation and agricultural production on the local level."[76] So perhaps it was not necessarily the 'will' of the central government that this sector remain intact, but the reality that these practices were generally governed locally given the reality of the Nile's

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[72] Manning, *Land and Power*, 3–4.
[73] Rowlandson, "Freedom and Subordination," 337; Manning, *Land and Power*, 4; also, Eva Jakab's case study on auctions helps to elucidate the circumstances that force adaptation strategies ("Auctions and Ownership"). Insights from her work will be integrated throughout the chapter. Note also the comment from Parcak: "Hydraulic agriculture, and, thus, landscapes in ancient Egypt were an integral part of the economy. Having an organized system of dykes and canals allowed the development of new land for agriculture and created a reliance on increased resources. This, in turn, increased the potential for disaster if floods were low" in "The Physical Context," 9.
[74] Mays, "Water Technology," 65.
[75] Sally Katary, "Land Tenure (to the End of the Ptolemaic Period)," *UCLA Encyclopedia of Egyptology* 1 (2012): 16; Wellendorf, "Ptolemy's Political Tool," 37.
[76] "Hydrology of the Nile," 18.

rhythms and how they differed from region to region. Though the Ptolemaic government maintained (or had to accept) this foundational administrative structure, they did make a few major alterations, such as the introduction of currency, switching the language of administration to Greek, and establishing some new patterns of land holding (e.g., gift-estates to officials deemed deserving).[77] Patterns of land holding and the classification of land was an essential part of the Ptolemaic administration as it pertained to the land-tenure system. These classifications were further intertwined with the tax system, based on land surveys.

2.2 Ptolemaic Surveys, Taxes and Land Classification

2.2.1 Land Surveys

Land surveys in Egypt were intimately connected with assessing a given year's revenue and were therefore essential to the Ptolemies. The Ptolemies continued this ancient Egyptian practice given the potential problems caused by the inundations of the Nile. The survey could be regarded as the oldest institution in Egypt.[78] There were two surveys, one taken when the flood recedes and the other taken after sowing before the harvest. Katelijn Vandorpe and Nick Vaneerdewegh provide a helpful summary of the processes involved in the land survey and their comments will serve as the foundation for this section.

The first survey involved establishing boundaries between plots and listing their holders, referred to as a 'cadastral' survey (Sept-Oct) and contained the name of the holder (unless it was derelict land), the land category (e.g., royal, etc.), the plot's area, and sometimes the amount of tax or the crops which were sown. In the Fayyum, this survey was titled εὐθυμετρία κατὰ περίχωμα or εὐθυμετρία κατ' ἄνδρα κατὰ περίχωμα, "exact measurement (by man) by basin." The second survey was essentially a crop report done after sowing (Feb-Mar) where officials would check to see if inundated parts of the fields were sown. They would then

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[77] Katary, "Land Tenure," 17.
[78] Katelijn Vandorpe and Nick Vaneerdewegh, "Surveying the land in Ptolemaic Egypt: The Information Flow from Village to Nome Level," in *Legal Documents in Ancient Societies: Accounts and Bookkeeping in the Ancient World*, eds., Andrea Jördens and Uri Yiftach (Wiesbaden: Harrassowitz Verlag, 2020), 122; also Manning, *Land and Power*, 146 for further discussion of why this institution is so ancient.

make calculations to see what tax revenue could be expected from both plot and person. In the Fayyum, this survey is referred to as ἡ κατὰ φύλλον γεωμετρία, "land measurement by crops." At the village level, the village scribe oversaw these surveys. After the second survey, holders of land were informed about how much tax was expected from them. All payments were calculated in wheat, but farmers did have the option to pay in lentils, for example. Extra taxes were also charged to the landholders to fund this process, namely a scribal tax and grain-guard tax.[79] Manning notes that this tax provided food and other provisions such as baths, barber services, and material for writing. It seems the life of the land surveyor could be quite comfortable![80] Generally speaking, these village reports would then be compiled into other summaries and moved up the administrative ladder (village to toparchy to nome level). The land survey is a key area in the agricultural sector and was a way the Ptolemies maintained some degree of control.

These land surveys have prompted questions surrounding issues of Ptolemaic control. Katary mentions that Ptolemy I Soter managed the economy of the agricultural sector by imposing crop schedules and land surveys.[81] Interestingly, the *Karnak Ostracon*, a demotic text from the Thebaid (258 BCE) is a decree from Ptolemy II Philadelphus mandating a land survey of all land, fields, basins, footpaths, etc. (though the decree is worded in a way that could exclude cleruchic and temple land). Though there is debate over the precise reasons for the decree, Manning considers the option that it could have been an attempt to exert political control over Egypt.[82] Because it is in Thebaid, perhaps it could also be understood as an attempt to gain this control more specifically in the south where temple-networks were prominent. As will be discussed below, it was the Fayyum which the Ptolemies could more easily control.

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[79] Vandorpe and Vaneerdewegh, "Surveying the land in Ptolemaic Egypt," 122–127. See P. Tebt. IV 1123 for a cadastral survey and P. Tebt. IV 1119 for an example of a crop survey.
[80] Manning, *Land and Power*, 145. Here he cites P. Tebt. 112 as an example.
[81] Katary, "Land Tenure," 16.
[82] Manning, *Land and Power*, 148–9.

2.2.2 Taxes

The Ptolemies taxed many aspects of society such as land, crops, people, livestock and trade, to name a few of the more prominent categories.[83] Agriculture was a main generator of state revenue, and as Manning states, "the taxation from agricultural production was an important element of Ptolemaic wealth…and the assignment and use of land was the primary method of establishing rents (i.e. income) for the bureaucratic, temple, and military hierarchy."[84] The taxation system of Ptolemaic Egypt is intricate, further complicated by regional variation. The Ptolemies had a robust fiscal administrative system with many officials involved, linking the village to the capital.[85] Nomes were divided into tax districts (τοπαρχίαι)—an innovation of the Ptolemies. The civil bureaucratic system was governed by the διοικητής who was situated in Alexandria along with his staff.[86] Understanding this system and the role of the Ptolemies may also provide further background.

Typically, private contractors (or 'tax farmers') would assist the state in obtaining revenue. These would be individuals (usually priests) who bid at auction for the opportunity to collect taxes in a given region (expected revenue was informed by census and land surveys), thereby (almost) guaranteeing the state with money and providing these tax farmers (τελῶναι) a profit should there be any surplus.[87] They served as supervisors of the collection, but the actual collection was carried out by state tax collectors (λογευταί) charging state-set rates.[88] This system is noted by Manning to have originated with the Ptolemies and was "used as means

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[83] See Nico Dogaer, "From Pharaohs to Prefects: Taxation in Ptolemaic and Roman Egypt," in *Fiscalités Antiques: aux Origines de l'Administration Provinciale Romaine*, ed., Michaël Girardin, (Roma: «l'Erma» di Bretschneider, 2023): 166, for an overview of the other kinds of taxes such as the 'salt tax,' serving as a capitation tax.

[84] Manning, *Land and Power,* 3.

[85] Dogaer, "From Pharaohs to Prefects," 159.

[86] Manning, *Land and Power*, 52. There were two branches of government: civil and military. For names of all the officials involved, see Maria Rosaria Falivene, "Geography and Administration in Egypt (332 BCE–642 CE)," in the *Oxford Handbook of Papyrology*, ed., Roger S. Bagnall (Oxford, Oxford University Press, 2009), 530–2.

[87] Dogaer, "From Pharaohs to Prefects," 160; Manning, *Land and Power*, 53; Falivene, "Geography and Administration," 530. For the reference to tax farmers often being priests, see Manning, *Land and Power*, 144. G. M. Harper Jr. also elaborates on the eagerness of the Ptolemaic government to enlist the help of these tax "underwriters" to maintain revenue in advance. Though he also discusses the structures in place that help ensure the parties involved receive a fair profit ("Tax Contractors and Their Relation to Tax Collection in Ptolemaic Egypt," *Aegyptus* (1934): 64.

[88] Dogaer, "From Pharaohs to Prefects," 160, Manning, *Land and Power*, 141.

of arbitrage between the natural economy and the new economy in coin."[89] Specifically on land growing grain, harvest taxes (and rents) were collected more directly by the state via the σιτολόγοι.[90] Several taxes having to do with crops and land are understood to have been levied annually, at 'the release' (ἡ ἀφέσις).[91] Taxes on crops/land exhibit much variation due to regional differences and according to the type of land or produce involved.

Vandorpe makes a distinction between two kinds of land when discussing Ptolemaic taxation: vineyards/orchards and grain-bearing land. Those taxes on vineyards or orchards, if on temple land, paid a tax that was, in some cases, a sixth of their harvest which eventually made its way to the Egyptian temple cults. Originally, the taxes would go directly to the temple, but in the Ptolemaic age, the taxes on temple land went to the government who then paid the temple afterwards. This is yet another new practice of the Ptolemies. If the orchard or vineyard was not on temple land, the contribution would go to a Greek cult. This tax in the Greek documents was referred to as the ἀπόμοιρα, first collected in jars of wine but later in the second century collected in cash.[92] For grain-bearing land, the rules change depending on what land category is in question: cleruchic, royal, sacred, or private. Those who farmed royal land needed to pay rent, while those on private land paid an unfixed harvest tax (ἐπιγραφή).[93] The categories of cleruchic and temple land paid a land tax but not rent (categorized as land ἐν ἀφέσει). According to Vandorpe, in the Fayyum these types of land paid an 'ἀρτάβη-tax' assessed on the whole plot of land (whether or not it was cultivated) equaling ½, 1 or 2 ἀρτάβας, though the Thebaid region saw more complications due to the presence of more established temple networks.[94] More details as to these land categories and associated dues are discussed below given that the land categories are intimately tied to their fiscal status.

Ptolemaic land is most often divided into two main kinds: land which did not produce rent and land that did.[95] In John C. Shelton's assessment of Tebtunis land, the lands that did

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[89] *Land and Power*, 141.

[90] Dogaer, "From Pharaohs to Prefects," 160.

[91] Thompson, *Kerkeosiris*, 104.

[92] Vandorpe, "Agriculture, Temples and Tax Law in Ptolemaic Egypt," in *Cahier de recherches de l'Institut de papyrologie et d'égyptologie de Lille* 25 (2005): 165–71, here page 165. For a closer look at the relationships between the tax farmers and collectors in relation to the ἀπόμοιρα, see Harper Jr. "Tax Contractors."

[93] Vandorpe, "Agriculture, Temples and Tax Law," 166–9; Dogaer, "From Pharaohs to Prefects," 164; Manning, *Land and Power*, 56.

[94] Vandorpe, "Agriculture, Temples and Tax Law," 170.

[95] Manning, *Land and Power*, 54.

not produce rent (in grain) were often those uncultivable in the first place like roads, or waterways (ὑπόλογος ἄφορος ἔκτος μισθώσεως), and land on which the Crown did not ask for rent (often temple land or cleruchic land). There was also village land with surrounding neighborhoods (κώμη συν περιστάσει) which may have been treated fiscally as uncultivable land. A further distinction must be made between those lands which paid rent *in grain* and those that paid *in cash* (e.g. land that was rented for cash instead of grain like grazing land [νομαί ἔκτος μισθώσεως πρός χαλκόν διοικούμεναι]).[96] The types of land often receiving greater attention in scholarship are: Royal, Cleruchic, Temple, and Private. Each type will be characterized and comments on Ptolemaic control will conclude each section.

2.2.3 Crown (Royal) Land - Βασίλικη γῆ

Royal land was a great generator of revenue for the Ptolemies. It was distributed across Egypt and references to this category of land and its farmers (βασιλικοὶ γεωργοί or οἱ γεωργοῦντες βασιλικὴν γῆν 'those who farm royal land') are found in evidence from both the Fayyum and the Nile Valley, resulting in some degree of clarity regarding this land's management.[97] The king was understood as the landlord from which a variety of people would lease, and this land was mostly found in the Fayyum.[98] We see in the lease periods some of the effects of the Nile again given that the lease period varied, and rent for this land changed annually depending on the state of the flood. In terms of rent, Andrew Monson notes that it would depend on the kind of crop planted in addition to the cultivability of the land. Additionally, Monson remarks that these royal farmers were "represented as a community by village elders with quasi-official duties such as resolving disputes and assisting the village scribe with the survey of land for submission to nome-level officials."[99]

The royal farmers who leased this land were after the status and benefits it brought them. Manning describes those benefits as "protection from billets, the stipulation that royal

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[96] "Introduction," in *Graeco-Roman Memoirs, vol. 64: The Tebtunis Papyri IV*, eds., J. C. Shelton and J. Keenan (London: Egypt Exploration Society, 1976), 3.
[97] Rowlandson, "Freedom and Subordination," 330.
[98] Manning, *Land and Power*, 54–5.
[99] Monson, "Royal Land in Ptolemaic Egypt," 370–1.

farmers could only be brought before Greek courts, and the right to be left undisturbed during sowing and harvest time."[100] Here, he draws attention to P. Rein. 18, 22 in which a royal farmer asks for relief from a private lawsuit since he had to focus on working the land. Rent for these tenants was considered to be high, sometimes up to five ἀρτάβαι per aroura which could mean about half of the farmer's crop, but evidently the other benefits outweighed this high price, or farmers had other plots of land that would help supplement.[101] Notably, the cession contracts show that the lease did not have a definitive end point. In theory, a person could hold a given plot indefinitely, but there are instances where royal land was transferred privately between individuals, indicating some degree of autonomy.[102]

As with other topics in Ptolemaic land tenure, older views on royal land are gloomy. They were essentially "bound to the soil," as Jane Rowlandson puts it, who also asserts that government intervention on land was "never applied evenly throughout the regions of Egypt; attention was concentrated on a few areas with obvious potential, and other districts were left to follow their old traditions."[103] Royal land, with its ability to bring in large amounts of revenue for the king, would be a type of land frequently in royal view. Rowlandson admits that there could be conflict between farmers and government officials as they attempt to change the terms of cultivation. She suggests that in some cases the officials would be tempted to go ahead with changes even if the farmers disagreed, but this could cause problems. If the officials are seen as unbending, then the farmers could very well refuse to cultivate the land at all, since this was a voluntary lease. Instead of a master-slave relationship, the king and his tenants appear to be in a relationship perhaps better characterized as a business one (though not necessarily free from coercion). Or perhaps it could be described as a relationship in which the king and his officials bribed farmers by giving them further privileges (which could come in the form of protection during times of crisis) should they agree to the terms of cultivation.[104] As mentioned previously, anyone could lease royal land, even soldiers who were already given plots from the government for their service.

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[100] Manning, *Land and Power*, 55–6.

[101] Rowlandson, "Freedom and Subordination," 328; 344–5. She shares about Dionysius, a royal farmer from the late second century BCE who had eighteen ἄρουρα of sacred land in addition to the royal land he farmed.

[102] Monson, "Royal Land in Ptolemaic Egypt," 370; Rowlandson, "Freedom and Subordination," 336.

[103] Rowlandson, "Freedom and Subordination," 341–2.

[104] Rowlandson, "Freedom and Subordination," 343, with conclusions about the relationship on 346.

2.2.4 Cleruchic Land - Κληρουχικῆς γῆ

After the Greeks had conquered Egypt, the Greco-Macedonian army in general became demobilized. The question then was what to do with these men: either have them return to their Greek homeland(s) or have them remain in Egypt. To increase the demobilized soldiers' usefulness to the state, Ptolemy I Soter settled some 6500 Macedonian soldiers in the Fayyum's reclaimed land, giving them livelihoods by means of a κλήρος, 'allotment' or 'parcel of land,' taken out of crown land.[105] Settling the soldiers on this reclaimed land was a strategic move of the government as it enabled the soldiers to be a ready force for the Ptolemies (acting as "reservists")[106] while also leaving the temple networks in the south undisrupted.[107] These soldiers (cleruchs) made up one of the main types of those serving in the Ptolemaic army with one type being mercenaries. Cleruchs are of concern here because they typically received allotments of land as their payment for service.[108]

These land grants were given as payment for the soldiers' service, essentially as a payment in kind, as Maria Rosaria Falivene notes.[109] Manning remarks that, initially, this land was "held in usufruct," and was only possible to hold because of one's position as a land holding soldier.[110] Thompson explains that providing these men with a parcel of land made them 'landholders' (κληροῦχοι) which then meant that they could make a living via cultivation. They themselves did not necessarily need to be the ones to directly cultivate their land. There are examples of cleruchs subletting their holdings to hired labourers (γεωργὸι μισθῶι) who are paid in produce.[111]

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[105] Thompson, *Kerkeosiris*, 55; Katary, "Land Tenure ," 17.

[106] Patrick Sänger, "Military Immigration and the Emergence of Cultural or Ethnic Identities: The Case of Ptolemaic Egypt," *The Journal of Juristic Papyrology* 45 (2015): 231.

[107] Katary, "Land Tenure," 17. As an example, see the comments on the Edfu land survey discussing percentages of cleruchs in the south: For example, documents from Kerkeosiris contemporary with the Edfu land survey (P. Haun. IV 70 from 119/118 BCE) show that cleruchs made up 33.3% of the village, but in Edfu, the percentage of cleruchs is only 3.2% (Thorolf Christensen, Dorothy J. Thompson, and Katelijn Vandorpe, *Land and Taxes in Ptolemaic Egypt: An Edition, Translation and Commentary for the Edfu Land Survey (P. Haun. IV 70)* [Cambridge: Cambridge University Press, 2017], 39).

[108] Sänger, "Military Immigration," 231.

[109] "Geography and Administration in Egypt," 528.

[110] Manning, *Land and Power*, 179.

[111] Thompson, *Kerkeosiris*, 78

The term κληροῦχος is noted as a general term for landlord, but there are several instances in the third century when this term is used as a title for these soldiers dwelling on the land grants.[112] Typically, the size of the land grant was according to military rank. The largest holding being 100 arouras, in which case the holder becomes a ἑκατονταρούρος from 235 BCE onward.[113] Later into the Ptolemaic reign, the ἑκατονταρούροι became known as κάτοικοι ἱππεις 'calvary settlers.'[114] This was a class found in the late second century onwards who enjoyed the largest grants as high-ranking officials in the ἱππαρχία, 'cavalry regiment.'[115]

Fiscally speaking, in the context of the Ptolemaic land tenure system, this land is categorized as land ἐν ἀφέσει 'in release.' For instance, P. Tebt. 1 63 classifies κληρουχικῆς as that which is 'in release': [κατ]ὰ φύλλον ἱερᾶς καὶ κληρουχικῆς καὶ τῆς ἄλλης [τῆ]ς ἐν ἀφέσει. The consensus is that land 'in release' refers to land that is rent free, given it is a grant from the Greek government to the soldier for services rendered and as a means to create a livelihood.[116] Despite the consensus, Monson presents demotic evidence that contradicts this perspective.

When looking at inheritance of cleruchic land, the papyrological record, according to Dorothy Thompson, puts forward a picture of change over the course of Ptolemaic reign. She provides an overview of these changes, which is summarized here. In the third century, these grants of land were given to those in the Ptolemaic army and were not inheritable. If the cleruch did not return, or was mobilized, the land reverted to crown land and was leased to the royal farmers. In the middle of the century, however, there are instances where cleruchs could hypothecate the land, but if the cleruch died, the land would still revert to crown land. If we fast forward into the late second century, there is evidence to suggest that there came to be a right of inheritance (e.g., P. Tebt. 124), and by the first century, cleruchic land could be inherited by both men and women and remain in their possession (e.g., BGU 1261 = 1734).

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[112] For instance, P. Col. 3 49: Κε-φάλλην Ἡλεῖος τῶν Δημητρίου κληροῦχος ἀρουρῶν ἰκοσιμιᾶς, 'Kephallen, an Elean of the troop of Demetrios, holder of a 21 aroura. Allotment.' Translation from papyri.info

[113] Christelle Fischer-Bovet, "The Ptolemaic Army," *Oxford Handbook Topics in Classical Studies* (online edn, Oxford Academic, 1 Apr. 2014), https://doi.org/10.1093/oxfordhb/9780199935390.013.75, 4. There are several papyri containing this term, but to name a couple: P. Col. 3 49 and P. Petr. 2 2 (1).

[114] Andrew Monson, "Harvest Taxes on Cleruchic Land in the Third Century BCE," *Pap. Congr.* 27 (2014): 1616.

[115] John F. Oates, "Cessions of Katoikic Land in the Late Ptolemaic Period," *Journal of Juristic Papyrology* 25 (1995): 153–161.

[116] Manning, *Land and Power*, 56.

There is also evolution in terms of the quality of the land allotted to these cleruchs. In the third-century, grants of cleruchic land were already cultivated, and Thompson believes this suggests a lack of agricultural knowledge of the cleruchs in the beginning. In later times, there were more plots of uncultivated desert land (χέρσος) being given to cleruchs with the hope of utilizing more land.[117] Focusing solely on the relationship between these land grants and the class of κάτοικος ἱππεύς, John F. Oates remarks that after 1 CE, any reference to this land category disappears from the document trail across Egypt.[118]

While initially the Ptolemaic army was composed of Macedonian soldiers, later as landholders, there were Egyptian soldiers integrated over time among other minorities. The μάχιμοι, as they are called, have been understood as Egyptian soldiers. Christelle Fisher-Bovet attempts to reconstruct the nature of this group while simultaneously deconstructing past erroneous interpretations, such as the assumption that Egyptians were considered as "unfit" to be effective servicemen. More relevant to the present discussion are her conclusions that this group, as known in the technical Ptolemaic sense, refers to those who were generally of Egyptian origin (there are some exceptions noted) serving as infantrymen or (sometimes) as μάχιμοι ἵππεις, calvarymen.[119] Further, it is possible that communities of ethnic minorities in Ptolemaic Egypt evolve out of foreign mercenary settlements (πολίτευμα). Patrick Sänger investigates πολίτευμα under the Ptolemies, drawing attention to the Jewish πολίτευμα of Herakleopolis among others (e.g., πολίτευμα of Cilicians, Boeotians, Cretans, and Idumaeans, etc.). In his view, the Jewish πολίτευμα at Herakleopolis are a good example of Thompson's description that ethnic communities emerge out of military groups, and notes instances where Jewish inhabitants did serve in the Ptolemaic army.[120]

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[117] *Kerkeosiris*, 55–8.

[118] Oates, "Cessions of Katoikic Land," 160.

[119] Christelle Fischer-Bovet, "Egyptian Warriors: The Machimoi of Herodotus and the Ptolemaic Army," *The Classical Quarterly* 63 (2013): 221. Interesting as well is the mention of μαχί(μωι) in P. Tebt. 121, whose role appears to be escorting a large sum of tax money (Francisca A.J. Hoogendijk, "The Practice of Taxation in Three Late Ptolemaic Papyri," *Proceedings of the Twenty-Fifth International Congress of Papyrology, Ann Arbor 2007 American Studies in Papyrology* [2010]: 320). Fischer-Bovet also describes that the Egyptian warriors were given land grants, though smaller than those given to the Macedonian soldiers (e.g., πεντάρουρος is described as a technical term for a μάχιμος who holders 5 arouras ("Egyptian Warriors," 228).

[120] Sänger, "Military Immigration," 235; 248.

2.2.5 Temple (Sacred) Land - Ἱερὰ γῆ

Egyptian temple land (the most common) was land seen to be owned by the Egyptian gods and in the care of priests.[121] Administratively speaking, the priesthoods often served as points of connection between the government and local levels.[122] It was found in abundance in southern Egypt, the region known for "the number and strength of its temples," yet, despite there being differences in land tenure between the south and north "in the Ptolemaic period taxes remained a constant, ineluctable fact of life for the inhabitants of Egypt"[123] and the government took a more active position when it came to taxation.[124] Typically, this land was also considered to be 'in release,' in Ptolemaic records, and therefore did not pay rent but did not escape paying taxes (e.g., the ἀπόμοιρα).[125]

Vandorpe provides insight into the role of temples and their land in the Ptolemaic empire. She explains the significance of the city of Thebes and the Thebaid region. In the New Kingdom, Thebes was the first city, overseen by the priests of Amon. When royal power was in decline, the priests of Amon received more power, eventually making a theocratic state. When the Ptolemies arrived, they appear to have left a great deal of administration to these priests. However, Ptolemy III in 237 BCE began building a temple dedicated to Horus in Edfu as a display of Ptolemaic power. In addition, there was a large amount of private land in the Thebaid region, as opposed to royal or cleruchic. This private land, Vandorpe believes, is given by the temple and the harvest taxes paid on that land supported the temple. This was the case early on, but over time the situation changed.

Shockingly, at the end of Ptolemy III's reign, many private plots of land in the Thebaid were confiscated by the government and sold around 223 BCE. These new holders of land were charged the same harvest taxes, but this time the taxes went to the Ptolemaic coffers (royal granary at Thebes) after being collected by the temples. Vandorpe hypothesizes that this would have produced a large deficit in temple revenue and asks if this was done because the

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[121] Vandorpe, "Agriculture, Temples and Tax Law," 167.
[122] Manning, *Land and Power*, 188.
[123] Christensen, Thompson, and Vandorpe, *Land and Taxes*, 5–6.
[124] Manning, *Land and Power*, 189.
[125] Thompson, *Kerkeosiris*, 93.

Ptolemies needed more money for militaristic purposes (she notes that this happened a few years before the Battle at Raphia). Things became even worse during the Theban Revolt, lasting about 20 years (205–186 BCE). This revolt meant much ownerless land. In response, Ptolemy V and associated officials took this land and put it up for auction, even creating the private account of the king for these incoming auction payments.[126] To compensate for the loss of temple revenue, the government eventually introduced another tax: the σύνταξις or 'subvention,' which is believed by Vandorpe not only as a priestly allowance of sorts, but also as a tax for divine offerings for the temples (the precise date is unknown, but Vandorpe suggests before 196 BCE).

While Vandorpe gives us a glimpse of the south, Thompson provides a glimpse of the happenings in the north using the papyri from Kerkeosiris. In her section on sacred land, she focuses on the state of temples, shrines, and cultish practices in the village of Kerkeosiris using documents mainly from the Tebtunis papyri. These insights stem from sections on sacred land in land surveys. For example, P. Teb. 88 (115–114 BCE) includes an inventory of Egyptian shrines present in the village. This survey provides insight into the kinds of gods worshipped there, notes the person "attached" to the shrine, the number of service days (30 days), accounts of income like land, and a concluding statement affirming no other sources of revenue. Shrines dedicated to the tutelary god, Souchos/Soknebtunis, were classed as 'first-class temples,' (e.g., P. Tebt 60, ἱερᾶς γῆς (πρώτων) ἱερῶν) possibly due to the amount of land allotted to them, but it is also possible that they are first-class because they are for the main god. There are also 'second-class' temples (e.g., P. Tebt. 60: [δ]ευτέρων ἱερῶν) dedicated to other gods such as Thoth and Orsenouphis and the "cult officials" (προφητεία), are cultivators. These shrines could also be inside temple enclosures which were hubs for both religious and secular business. The attachment to a shrine comes from either inheritance, or an intentional purchase from the state. Yet, the evidence from Kerkeosiris suggests if someone was attached to a land-holding shrine, it did not exclude them from renting other properties like royal land or being cultivators

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[126] Vandorpe, "Agriculture, Temples and Tax Law," 167–8. Also, in Dogaer, "From Pharaohs to Prefects," 159. Christensen, Thompson, and Vandorpe note the high percentage of private land (38%) in this region reported in the Edfu land survey (*Land and Taxes*, 6).

of cleruchic land. Often properties were divided up across village lands, so a person's holdings may be divided over regions.[127]

Questions of Ptolemaic power on this land surface when something is to be built. Any construction of a shrine needed the king's approval (e.g., P. Enteux. 6). Importantly, Thompson remarks that the temples are not totally independent from the state. The fiscal codification of land reflects some measure of control from the government as does the government's involvement in legitimizing the titles to temple land.[128] The data put forward by Vandorpe shows that despite the perceived power of temples in the south, the land was not immune to Ptolemaic intervention when it was deemed necessary (e.g., confiscations of private land). Her work further shows that the Ptolemies did take hold of the taxation system. How the Egyptian priests and temples were treated by the Ptolemies also illustrates one minority group the Ptolemies attempted to control.[129] In addition, Thompson has pointed out that a person can in theory hold more than one kind of land, showing some freedom to adjust one's circumstances.

2.2.6 Private Property - Ἰδιόκτητος γῆ

The Ptolemaic phrase for private land, ἰδιόκτητος γῆ, does not make an appearance in the documentary record until the second century BCE, according to Manning. He further remarks that this category of land is simply a way the Ptolemies recognized "the ancient tradition of private holding of land within temple states and elsewhere, conveyable but always with institutional claims, at least in regard to Upper Egyptian land."[130] Though land could be considered as private in some sense, it was not exempt from Ptolemaic taxation. In fact, Christensen, Thompson, and Vandorpe notice the high taxes in the Thebaid region: "Striking is the high rate of tax that was levied by the crown on private land, at least on that which was

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[127] The information in this paragraph summarizes pages 87–91 in Thompson, *Kerkeosiris*.
[128] Thompson, *Kerkeosiris*, 93.
[129] In one of Vandorpe's closing statements, she describes the fate of the Egyptian priests' power: "The grip of the Ptolemaic king on the south became firm at the expense the clergy. There were at the end of the second and beginning of the first cent. BC periods of resistance by the locals, but the Ptolemies were successful in the end" ("Agriculture, Temples and Tax Law," 171).
[130] Manning, *Land and Power*, 196.

cultivated."[131] Monson explains that if harvest taxes were not paid to the temple or the government, then it was possible that officials could confiscate the land.[132] This potential state interference begs the question about the nature of property rights associated with this type of land.

Manning explains that in demotic, 'ownership' and 'possession' are rendered with the same lexeme, causing much confusion about what the holder on record has and what this person can do with the land. There is not necessarily a direct definition or explanation of these property rights, but Manning explains that private land entailed the right to lease, sell, mortgage and convey. It is the smaller plots of land (e.g. gardens and orchards) which are often found in land conveyance documents, but conveying arable land was possible.[133] Private land could be inherited and was often kept within the family, a practice since ancient times. Typically, there were two documents involved: the 'sale' literally translated from demotic as "document in exchange for money" and "document of quitclaim" literally "document of being far."[134]

When speaking of private property, it is necessary to consider the different characters of each region as well and how the differences between them affected their capacity to allow for private property at all. Monson's argument regarding private property is "that the early Ptolemaic Fayyum was marked by communal land rights in contrast to private property rights in the Nile Valley and that the economic incentives of peasants in the Fayyum shifted over time from favoring communal to more individual rights as population density increased."[135] Looking at the demographic aspect of these regions, Monson sees a correlation between an increase in population density and a decrease of communal rights. It has often been thought that private land included only gardens and orchards, but Monson is keen to point out that private land in the Nile Valley was used for grain and various other crops as well. These property rights were fully legal, and law courts were able to enforce them provided the

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[131] Christensen, Thompson, and Vandorpe, *Land and Taxes in Ptolemaic Egypt,* 6.
[132] Monson, "Royal Land in Ptolemaic Egypt," 381.
[133] Manning, *Land and Power*, 194–8.
[134] Manning, *Land and Power*, 209–11. Manning also describes that families would often collectively possess/own land through shares.
[135] Monson, "Royal Land in Ptolemaic Egypt," 364.

contracts were present. He argues that this contrasts with the rights in the Fayyum which were established by occupation and cultivation.[136]

Central to the discussion about establishing the nature of private property is the question of property rights and whether that entails ownership or possession. Eva Jakab is concerned with this topic in her discussions on Ptolemaic auctions (institutions that often dealt with confiscated land). She disagrees with F. Pringsheim who (according to her) uses a model that reads into the evidence a modern definition of land ownership, namely that ownership means no state interference, and that one has exclusive rights to their land. She (as well as Manning) instead turns to New Institutional Economics (NIE) which stresses understanding how institutions affect state development and economic functioning. She stresses the changing character of the environment, and that the following years' land situation cannot be taken for granted and this fact justifies the state's interference. Her discussion concludes by asserting that "obviously, 'public choice' ruled over the legal framework. The main interest of the community (realized by the political regime) was of greater account than any abstract private title," which explains the "highly relative nature of property rights."[137]

Another consideration here is the power of social groups in the south. The strength of the (informal) social groups is not to be underestimated because, as Manning says, the "power of the local elite was always to some extent set up against the power of the central state (i.e. king) in ancient Egypt, and intermarriage allowed powerful families to control entire regions."[138] Though these Egyptian kinship groups did adapt to new Ptolemaic laws, the connections between friends and family "cliques" were difficult to break, so much so that even in formal legal arenas they were sometimes "decisive in disputes" in gaining property.[139] These kinds of disputes were not only coming from Egyptian kinship groups, but also members of Jewish communities as the following section addresses.

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[136] Monson, "Royal Land in Ptolemaic Egypt," 381.

[137] Eva Jakab, "Auctions," 329–34; direct quote from page 334. In her article she argues against Pringsheim's modern definition of ownership (F. Pringsheim, "Der griechische Versteigerungskauf," *Gesammelte Abhandlungen II* (1961): 262–329. See also Manning's use of NIE, "Property Rights and Contracting in Ptolemaic Egypt," *JITE* 160 (2004): 758–64.

[138] *Land and Power,* 185.

[139] Manning draws attention to P. Amh. 40 from Soknopaiou Nesos in the 2nd c. BCE involving a Greek who acquired land for priests of Sobek by bribing officials (*Land and Power*, 185).

The documentary record, though fragmentary, can say something about how the Ptolemies ruled Egypt. The Ptolemies appear to have used the existing system in place, honoring temple networks (to create a working relationship with the local elites) and having land that did not have rent attached to it. They were interested in taxation, but not necessarily in overhauling what existed. They focused on revamping the tax system for their benefit, introducing coinage and auctions, but maintained the general structure of land categories. If the Egyptians are to be used as an example of how the Ptolemies treated those beneath them, and if they were usually hands-off when it came to monitoring agricultural production on the ground, perhaps the Jewish people would have had room to practice those laws which do not come into immediate conflict with Ptolemaic practices. The insights provided by Manning, Monson, Vandorpe, etc., draw attention to an inconsistency of Ptolemaic control over the land tenure system. Recall the potential for negotiation between royal farmers and the government, yet the seemingly stricter rules concerning the use of cultivated land. What the above examples show is the Ptolemaic love for state revenue. If land laws interfere with state revenue, the government would see an issue. The royal farmers are negotiated with because the government desires the rent that comes from the land. The uncultivated land is put up for auction because it means more crops and therefore revenue potential. This historical background gives the impression that whatever system results in the most revenue is the one the Ptolemies desire. The Jewish land laws as stipulated would not always give the government more money. Leaving the land fallow for the sake of letting it rest is the most obvious example, though because it was most likely not practiced in the Jewish homeland, it was probably left aside as well in Ptolemaic Egypt.[140] Perhaps in land-related issues extending beyond the family's private land (e.g., sales, administrative classifications, etc.), then Ptolemaic law would most likely be the default, however there could have been more commercially subversive practices such as those found among demotic documents, as Manning surveys in his discussion on the reconsolidation of private land.

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[140] For summaries on the historical practice of Jubilee see Raymond Westbrook, *Property and the Family in Biblical Law*. Journal for the Study of the Old Testament: Supplement Studies 113 (Sheffield: Sheffield Academic Press, 1991). For a more recent discussion of Jubilee that moves away from questioning the practice's historicity and towards its theoretical plausibility, see Jonathan Kaplan, "The Credibility of Liberty: The Plausibility of the Jubilee Legislation of Leviticus 25 in Ancient Israel and Judah," *The Catholic Biblical Quarterly* 81 (2019): 183–203.

The Egyptians have been shown to express interest in keeping the land within their families, such as when they repurchase family land, and sometimes even illegally. One example is the land transfer described in P. Strassb. 81 from the Peteharsemtheus archive in which Panebkhounis sells four plots of land after having acquired them about fifteen years earlier. Peteharsemtheus, one of Panebkhounis' sons, bought the land back only after a span of eight weeks at the same price for which it was sold (this is described in P. Lond. 3. 1206). In Naphtali Lewis' description of the situation, the price appears to be the problematic factor, and he comments that buying the land back at the same price as it was sold for "strongly suggests a mutual recognition by the parties that Panebkhounis' sale of a few weeks back would not withstand a legal challenge."[141] Manning also describes that the illegal nature of this procedure is implied "by the removal of the upper layer of the papyrus sheet where the name of the vendor appeared."[142] The name Peteharsemtheus was put in the upper abstract and lower main text. Land conveyances had contracts associated with them, which were taxed.[143] Perhaps this apparently illegal conveyance accomplished two things: (1) keeping the land within the family and (2) ensuring no extra cost for a perhaps poorly made decision to sell the land in the first place. It is possible that the Jewish people, in desiring to keep the land within their own family or ensure their family's income, used stipulations found in the Greek Torah to accomplish this. As Raymond Westbrook summarizes, Lev. 25 focuses on kinship and survival of the family, which were priorities for the ancient Israelites. Kinship rights (e.g., inheritance laws, redemption laws, etc.) are often discussed in relation to the governance of agricultural land. It was common for this type of property to serve as the main source of a family's income.[144] If this was the case for the ancient Israelites, perhaps it was the case for Jewish groups in Egypt, which the papyri sometimes suggest. The following section explores what is known of the Jews in Ptolemaic Egypt and their land practices.

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[141] *Greeks in Ptolemaic Egypt,* 148. In this section also are hypotheses regarding the state of the family.
[142] Land and Power, 223–4.
[143] Manning describes that by the mid-second century, a sale tax was imposed on all transfers as well as proper registration of the conveyance (*Land and Power*, 219).
[144] *Property and the Family in Biblical Law,* 11.

2.3 Jews in their Egyptian Home

Egypt was a popular place of refuge for several groups, including the Jews.[145] It was a place of new opportunities, but also a safe zone for refugees or political exiles (e.g. immigration noted in Jeremiah 42–3 or in the *Letter of Aristeas*).[146] Members of the military also found themselves there on many occasions (e.g., the military settlement at Elephantine). When the Greeks overtook Egypt, it became, as Noah Hacham says, home to "the most prominent Jewish Diaspora of the Hellenistic and Roman periods up to its near-complete annihilation at the time of the Diaspora Revolt."[147] In the documentary record, Jewish people are seen to have been part of a πολίτευμα, described by Tcherikover as: "an ethnic group from abroad enjoying certain rights and having its domicile inside a πόλις or country."[148] Jewish reputations under the Greeks are analyzed from more than one angle. Tax records offer one window through which to assess their status.

Ethnicity was not the only deciding factor when it came to legal status.[149] In fact, as Fischer-Bovet summarizes, the Ptolemies (and the Romans) desired to point out and reward those groups who were successful in their governance. This singling out comes through when looking at tax records. She further notes that in the mid-third century, lower tax rates (e.g., salt tax) were given to soldiers and Egyptian priests.[150] This appears to be another advantage given

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[145] Lewis refers to the attraction of Egypt for Greek immigrants as "the lure of the Ptolemaic Eldorado" (*Greeks in Ptolemaic Egypt*, 11.). He notes as well existing texts recording the immigration to Egypt from Sinope, Illyria, Macedon, Thrace, Syracuse, and Marseilles (10).

[146] Tcherikover regards the immigration in Jeremiah, *Letter of Aristeas*, and militaristic Jews as part of the "first wave" of immigration into Egypt (*Corpus Papyrorum Judaicarum volume 1* [Cambridge: Harvard University Press, 1957], 1).

[147] Noah Hacham, "The Third Century BCE: New Light on Egyptian Jewish History from the Papyri," in *Sources and Interpretation in Ancient Judaism: Studies for Tal Ilan at Sixty,* eds., Meron Piotrkowski, Geoffrey Herman, and Saskia Doenitz (Ancient Judaism and Early Christianity—Arbeiten Zur Geschichte Des Antiken Judentums Und Des Urchristentums; Leiden: Brill, 2018), 130; Lewis, *Greeks in Ptolemaic Egypt*, 14.

[148] Tcherikover, *CPJ*, 6.

[149] Ethnicity here is dealt with from the perspective of legal documents drawn up by government officials. It does not address perceptions of ethnicity between social groups (e.g. Greeks, Egyptians, etc.). For a study of this nature, see Koen Goudriaan, *Ethnicity in Ptolemaic Egypt* (Amsterdam: Gieben, 1988). Mélèze Modrzejewski comments on the financial gains of immigrants in Egypt and remarks "Jews as such were not singled out as objects of hostility by the rest of the population but, since they were part and parcel of the dominant Greek-speaking minority, they could sometimes appear hateful in native eyes. Seen in this light, the Egyptians were no more anti-Semitic than they were anti-Persian, anti-Greek or anti-Roman" (*The Jews of Egypt,* 84).

[150] Fischer-Bovet, "Official Identity and Ethnicity: Comparing Ptolemaic and Early Roman Egypt," *Journal of Egyptian History* 11 (2018): 209; see page 235 for the example of salt tax.

to the soldiers and Egyptians in addition to the other perks like land allotments and associated lower tax rates. Presumably, these are the two major groups that the Ptolemies attempted to appease. Yet, when it comes to the Jewish population, they do not appear to be as singled out in the beginning of Ptolemaic reign.

Administrative documents (e.g., tax records) reveal some division based on ethnicity, such as the group referred to as tax-Hellenes. Members of this group are reported to have been citizens of a Greek πόλις (e.g., Ptolemais, Naucratis, or Alexandria), yet the divisions are mostly seen in relation to occupation. At first, positions which spread the Greek culture (e.g., Greek language teachers or athletic coaches) were exempt from both the salt tax and obol tax. But one did not need to be Greek to receive an exemption, such as with policemen. Policemen were often Egyptian and were exempt from the salt tax.[151] This pattern may also be extended to the royal farmers. As discussed earlier, a royal farmer could be anyone (Greek, Egyptian, Jew, etc.), and they were given perks from the government. Based on these observations, the government did not alienate or promote Jewish people in particular. Yet, the Judean communities were seen as "a subset of 'Greeks" when viewed in terms of the Greek-Egyptian dichotomy of the Ptolemaic administration."[152] This means that the Jews are in a superior class to the Egyptians. Despite the general Jewish integration into Ptolemaic society, the archaeological and inscriptional record does show that they had their own places of worship.

There are three related terms used to refer to spaces dedicated to Jewish worship: προσευχή, εὐχεῖον, and συναγωγή. The term προσευχή is thought to refer to a specifically *Jewish* prayer house in Ptolemaic Egypt.[153] The προσευχή was not equivalent to a temple, but much still went on inside. Its main activities were prayer and study, but the building could also serve as a space for general gatherings, schools, a judicial tribunal, lodging, a legal office, a center for information, banking needs, ritual pools, or asylum.[154] The activities in these places

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[151] Fischer-Bovet, "Official Identity and Ethnicity," 217.

[152] Peter Altmann, "The Significance of the Divine Torah in Ptolemaic Egypt in Documentary and Literary Sources from the Third and Second Centuries BCE," *Journal for the Study of Judaism* 52 (2021), 5; Mélèze Modrzejewski, *The Jews of Egypt from Rameses II to Emperor Hadrian* (Princeton, NJ: Princeton University Press, 1995), 81–2.

[153] J. Gwyn Griffiths, "Egypt and the Rise of the Synagogue," *Journal of Theological Studies* 38 (1987): 3.

[154] Flesher and Chilton, *The Targums: A Critical Introduction. Studies in the Aramaic Interpretation of Scripture* (Leiden: Brill, 2011), 3; Griffiths "Egypt and the Rise of the Synagogue," 6. The king could give pagan temples the ability to grant asylum to someone and Modrzejewski believed synagogues could also fulfill this function (Mélèze Modrzejewski, *The Jews of Egypt*, 97).

of worship are believed to have been influenced by both Greek and Egyptian customs. As summarized by J. Gwyn Griffiths, there are possible connections between Egyptian and Jewish thought and parallels between the practices in the Egyptian Per Ankh 'House of Life,' and the προσευχή 'prayer house.'[155] These parallels make Ptolemaic Egypt a venue for the earliest synagogues. The synagogue could be a response to Jewish distance from the Temple as some have hypothesized, and with so many Jews speaking Greek, it follows then that the LXX was translated out of an "urgent need."[156] Yet, Flesher and Chilton acknowledge that its origins are still "shrouded in mystery."[157] The sources above give the impression that Torah in this setting was more for teaching and fostering the faith of Jewish individuals through observance of the law, but Torah has also been thought of as a legal code as discussed in the first chapter.

But what do we know about the relationship between Jewish legal practice and the legal prescriptions of their Greek Torah? Papyrological evidence for Jews living in Egypt which have been classified as Jewish are published in one of the many volumes of the *Corpus Papyrorum Judaicarum* (*CPJ*). It is now known that Jews were widely dispersed throughout the land, sometimes living in the same quarters, sometimes not, appearing to have been in constant contact with non-Jews.[158] References to them make an appearance in places like Edfu, Thebes, but also in the Fayyum.[159] *CPJ* II 108–9 show us tax receipts from Jewish people from Edfu, suggesting that they live in the same area, and it has been suggested that this could have been the case in Alexandria.[160] Relevant to the questions posed in this study are the πολίτευμα papyri from Herakleopolis. It is these Jewish papyri that shed light on issues concerning land and protocols for addressing Jewish-specific complaints. Kugler in particular has proposed that there is Jewish-specific legal reasoning in their petitions to officials.[161] He suggests that their

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[155] See other points of his discussion which include a connection between Jewish and Egyptian immortality, placements of sacred scrolls in tombs, and allegoristic readings of sacred texts ("Egypt and the Rise of the Synagogue," 13–14).

[156] Griffiths' statement can easily give the impression that every Jewish person would be on board with such a translation. This was not necessarily the case. Note that the Galilean rabbis pushed against the Aramaic-speaking Jews upon the suggestion of an Aramaic translation of their scriptures (Flesher and Chilton, *The Targums*, 4).

[157] Flesher and Chilton, *The Targums*, 3.

[158] James Aitken, "Jewish Worship Amid Greeks: The Lexical Context of the Old Greek Psalter," *Temples, Texts and Traditions* (2014): 49.

[159] Hacham, "New Light on Egyptian Jewish History," 137.

[160] Aitken, "Jewish Worship Amid Greeks," 49, for example summarizes this idea.

[161] Kugler, *Resolving Disputes*.

requests contain implicit references to Pentateuchal principles in (often) business transactions. Some of these petitions are land-related and will be explored in the following section to get an idea of which kinds of laws might have been able to work under the Ptolemaic government.

2.4 Jewish Levitical Legal Reasoning?

The papyrological evidence presented by Kugler appears to be the closest we can get to how Jews may have thought about and exercised the land laws (or variants) in Lev. 25. In view here are P.Polit.Iud. 8, P.Polit.Iud 12, Pap.Graec.Mon. 287 + 293, and P. Tebt. 3.1. 817. Brief summaries of each document, summarizing Kugler's observations, show that Jewish residents were interested in and could have operated with select stipulations from Lev. 25 in mind.

2.4.1 P.Polit.Iud. 8 (133 BCE)

This document describes the story of the soldier and Jew Theodotos' loan to Plousia and Dorotheos, a mother and son. Each party is Jewish and lived in an Oxyrhynchite village.[162] Theodotos loaned Plousia and Dorotheos 12 talents, charging a 24% interest/annum. The security for this loan was a 1.5 aroura vineyard offered by the borrowers which Theodotos' wife was to have in title should the loan not be repaid. Repayment did not take place and Theodotos extended the term for one year. Unfortunately, Plousia and Dorotheos failed to repay the loan during this time and their vineyard was seized by and transferred to Theodotos (Ptolemaic practice). Having learned of this transfer several months later, some Jewish residents of Teis (the village of Plousia and Dorotheos) offered a new payment schedule for over another year, but this was not fulfilled either. In response to this, Theodotos appeals to the ἄρχοντες for justice. He desires that the officials write to the Jews in Teis to settle the account. The second hand shows that the ἄρχοντες did take on the case and was going to write or send someone if need be.

The intervention of the Jewish community is certainly a point of interest. Kugler

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[162] Commentary from Kugler, *Resolving Disputes*, pp. 179–204.

hypothesizes that this group could have been operating according to the principle found in Lev. 25:23: "And the land shall not be sold irrevocably, for the land is mine, because before me you are guests and resident aliens." If land cannot be sold irrevocably, then perhaps the conception of these Teis residents was that there is always an opportunity to reclaim one's land. However, the transfer of property to Theodotos' wife could have been problematic in the eyes of the Jews from Teis because she may not have been Jewish given the absence of an ethnic identifier. Kugler notes that "Jewish law and custom also prioritized the retention of Jewish-held lands in Jewish hands, on the view that it was God's gift to them to steward and protect as God's property."[163] If the land was to go to someone who was not Jewish, it could violate a Jewish community's principles and lead them to intervene. Additionally, there are two terms in particular that create connections to Lev.: κτῆσις and ἄφεσις.

Κτῆσις appears in several verses in Lev. 25 and refers to the land given by God to the Jews. In the papyrus, Theodotos uses it, and it could have been a way for him to strengthen the Jewish nature of his petition. If he uses terms found in the Torah and emphasizes his control over the land, he may be perceived as someone who is acting in accordance with Jewish customs and therefore the residents of Teis have nothing to worry about—the land is still under Jewish ownership. In addition to κτῆσις, ἄφεσις may have been used. Kugler suggests ἄφεσιν in place of Cowey and Maresch's πάρεσιν in line 23: ……σιν. If Kugler's reconstruction is accurate, then it means this is a papyrus from a Jewish person who uses a term associated with Jubilee. Yet, in this context, Kugler believes it may indicate some kind of release document given to the Teis residents, as per the conventional meaning of ἄφεσις 'release' and not the practice of Jubilee itself. If it is a release document given to these residents, he further contends it would signal "that the encumbering mortgage on the vineyard had been lifted when Theodotos exercised the ἐπικαταβολή" (procedure for seizing security for a loan).[164] One further point of interest here is the relationship between the officials. Theodotos requests the intervention of the ἄρχοντες to settle the issue with the residents of Teis, implying that the ἄρχοντες has the ability to settle the dispute. Kugler believes this is evidence that Jewish officials could become involved with the ἄρχοντες in Herakleopolis and that petitioners understood the Ptolemaic

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[163] Kugler, *Resolving Disputes*, 192.
[164] Kugler, *Resolving Disputes,* 197.

officials to have greater superiority. Theodotos appeals to the ἄρχοντες for Ptolemaic law, which would guarantee him the vineyard for his wife.

2.4.2 P.Polit.Iud. 12 (135 BCE)

This text tells the story of the elusive Andromachos in paying his rent.[165] A Jew named Nikanor petitions because Andromachos is not paying him the eleven ἀρτάβαι of wheat for the year which he owes to Nikanor's father Tryphon. It could be that the land fell to Nikanor in the form of an inheritance and so it was a leftover debt to Tryphon. Nikanor expresses that he is pressured by Andronikos, the cleruch, for the rent he owes, and the time given to Andromachos for paying has passed. Andromachos is reported by Nikanor as giving excuses for his tardiness or avoiding interaction with him. In addition, Andromachos is noted to have appeared before the Jewish tribunal. A chart outlining the relations is given below:

Andronikos (cleruch)	⟶	Collects rent from all parties
leases to		
Tryphon **Nikanor** (son)	⟶	Rent: ?? to Andronikos
leases to		
Andromachos	⟶	Rent: 11 artabas wheat to Nikanor
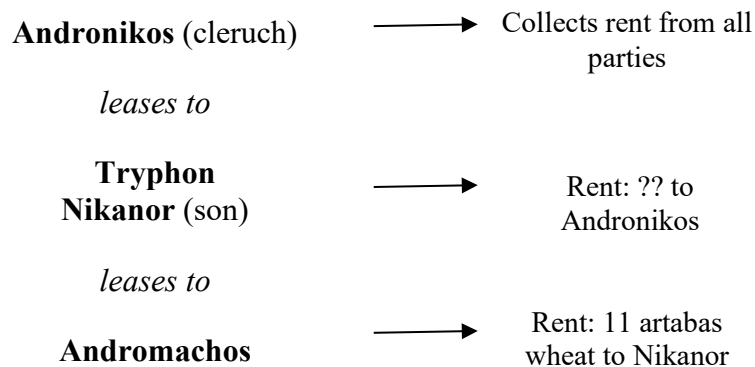
Figure 1: Layers of Tenancy P.Polit.Iud. 12

This papyrus has been noted for its reference to an ancestral oath on the part of Andromachos, which could have connections to Num. 30:3. Yet, the part in focus here is the logic behind Andromachos' appeal which is understood by Kugler to involve the injunctions found in Lev. 25:13–17. Even though the appeal is to the ἄρχοντες, Nikanor makes explicit his Jewish identity and therefore is someone who should be governed by Jewish law. Lev. 25:14–

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[165] Commentary from Kugler, *Resolving Disputes*, pp. 231–41.

17 stipulates that the price of land is according to the number of years the farmer will use the land since at Jubilee, property returns to the original owners. Provided Kugler's analysis is accurate, these stipulations indicate that if Andromachos does not pay the rent, then Nikanor has been 'oppressed' (θλίβω). Kugler speculates that Nikanor may have been asking whether Andromachos has "violated the principle of compensation to a land holder proportionate to the number of seasons you have control over it, derivable from Lev. 25:13–17."[166]

2.4.3 Pap.Graec.Mon. 287 + 293 (133/132 BCE)

Addressed to both the πολιτάρχης (a certain Straton) and the ἄρχοντες is an appeal for another year on leased land by Philippos.[167] His appeal is against the lessor of the land, Chaireas, who is also a Jew. Philippos explains that Chaireas leased him five arouras of cleruchic land for three years. The land was not inundated during one of those years, implying that Philippos could not use his field properly. He further explains that when he went to go sow the field again the next year, Chaireas had already leased the land to someone else even though he had had a bad year.[168] Kugler believes that Lev. 25:13–17 is in Philippos' view when he asks for justice: Chaireas appears to be operating on a calendrical system, while Philippos' complaint suggests he takes literally the stipulation that time on the land is calculated in terms of harvests, and not calendrical years leading up to the Jubilee. Those reading the petition, if Jewish, would presumably understand the basis for the request that Philippos is making. The fact that all parties involved are Jews suggests the applicability of Torah as well. This petition offers "the most direct pieces of evidence for the reliance of petitioners to the πολίτευμα's officials on Jewish norms and customs…"[169] However, it is most unfortunate that there is no second legal hand present in this text that could tell us something about how the authorities responded to such an appeal. For example, we do not know whether Philippos received the

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[166] Kugler, *Resolving Disputes,* 241.
[167] Commentary from Kugler, *Resolving Disputes*, pp. 241–50.
[168] In cases where farmers did have bad years, it was commonplace to offer discounts in rent, not necessarily ask for more time on the land (Kugler, *Resolving Disputes*, 249).
[169] Kugler, *Resolving Disputes*, 250.

extra time he wanted. If he did, it would lend the Levitical stipulations legitimacy and tell us that at least some authorities took Lev. seriously.

Provided Kugler's analyses are correct, these papyri (especially Pap.Graec.Mon. 287 + 293) show that the Jews did, at least on some occasions, point to Lev. 25 as a legitimate legal code that would be recognized by both Jewish and Ptolemaic authorities. What seems difficult to determine is whether they were operating with general customs in mind, or if they were aware of the precise wording in the LXX. There is one other interesting example of a Jewish petition concerning Lev. 25:29–30, also analyzed by Kugler in a later publication.

2.4.4 P. Tebt. 3.1.817 (182 BCE)

This document, also from the second century, is a hypothecated loan contract.[170] Apollonios, a Jewish man of the Epigone, lends another Jewish man of the Epigone, Sostratos, 2 talents and 3000 δραχμαὶ without interest for a year. If Sostratos fails to repay the loan, Apollonios has the right to the security, which in this case is a house. Kugler suggests that this document contains some peculiar features when compared to other hypothecated loan contracts. One such feature is its emphasis on the year length (line 11–12: εἰς ἐνιαυτόν). Other documents will typically use expressions for twelve months.[171] Additionally, this document's repayment clause deviates from the more typical terminology which states the month for repayment (ἐμ' μηνί), opting instead for an anaphoric definite article with ἐνιαυτός referring to the initial ἐνιαυτός concerned with the stipulation of the loan (line 18: ἐν τῶι ἐνιαυ[τῶι]). There is a further mention of the length again, though this time situated in the first supplementary clause (line 23–7), stipulating that Sostratos must repay within the year if he fails to guarantee the house or ensure its viability as security. Not only does this section include another mention of the length, it also deviates in its terms regarding penalties if failing to guarantee security. Kugler explains that the contract merges a non-βεβαίωσις clause with a κίνδυνος clause. The former typically describes a penalty for failing to provide appropriate security (e.g., failing to guarantee, failing to provide unencumbered security) while the latter

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[170] Commentary from Kugler, "Revisiting *CPJ* 1.23 (P. Tebt. 3.1.817)," *Journal for the Study of Judaism* 55 (2024): 335–56.

[171] Kugler cites an example from *CPJ* 1.24.14 (εἰς μῆνας δεκαδύο) (see "Revisiting *CPJ* 1.23," 342).

requires a penalty-free repayment of the loan if there is fault-free property damage. The contract merges these two, making the consequence "an immediate nonpunitive repayment of the loan."[172]

The impression then from this wording is that Sostratos could, if he wished, reclaim the house at any point within the year with full repayment of the loan. Further on the contract details what happens if there are issues with the property during the time of the contract and the loan is not repaid. The consequences in that situation include repaying the full loan amount in addition to interest and a late payment penalty. These two noticeable deviations from other contracts (e.g., emphasis on year length and ability to reclaim without penalty within the year) might be explained by the Levitical principles found in Lev. 25:29–30 which state that if a house (in a walled city) is sold, it is still able to be redeemed within the year. After a year has elapsed, it can no longer be reclaimed, and it does not get released in the Jubilee.[173] The year long redemption possibly is held prominently in this passage and there is no mention of a penalty. When viewed this way, Sostratos is seen as being able to redeem the house without penalty within a year if he can repay the loan in full. Kugler contends that if the two Jewish men were operating according to these Levitical principles, then the peculiarities in this contract imply that "they reworked the Greek legal formulae for a hypothecated loan to create a contract that allowed them to heed a legal principle available to them in their Jewish legal tradition; they were engaging in legal pluralism."[174]

A common theme throughout the Jewish petitions is their desire to keep land within their own kinship networks, according to Kugler. In so doing, they ultimately honor the principle expressed in Lev. 25:23 expressing that all land is the Lord's, and it is not to be sold irrevocably, and this principle may have had benefits in the land tenure system. Kugler, in beginning to answer why Lev. 25 may have played a prominent role in land-related petitions,

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[172] "Revisiting *CPJ* 1.23," 343.

[173] ἐὰν δέ τις ἀποδῶται οἰκίαν οἰκητὴν ἐν πόλει τετειχισμένῃ, καὶ ἔσται ἡ λύτρωσις αὐτῆς· ἕως πληρωθῇ ἐνιαυτὸς ἡμερῶν, ἔσται ἡ λύτρωσις αὐτῆς. ἐὰν δὲ μὴ λυτρωθῇ ἕως ἂν πληρωθῇ ἐνιαυτὸς ὅλος, κυρωθήσεται ἡ οἰκία ἡ οὖσα ἐν πόλει τῇ ἐχούσῃ τεῖχος βεβαίως τῷ κτησαμένῳ αὐτὴν εἰς τὰς γενεὰς αὐτοῦ, καὶ οὐκ ἐξελεύσεται ἐν τῇ ἀφέσει; 'But if anyone sells a dwelling house in a walled city, then its redemption shall stand; until a year of days has elapsed, its redemption shall stand. But if it is not redeemed until a full year has elapsed, the house that is in a city that has a wall shall be confirmed irrevocably to belong to its purchaser, throughout his generations, and it shall not expire in the release.'

[174] "Revisiting *CPJ* 1.23," 345.

situates these principles within Ptolemaic operations. Within the Ptolemaic world, there was such a focus on obtaining property for income, and owning property often meant an increase in power. If Jewish communities could keep their land amongst themselves, it could assist them as they participate in a real estate focused economy.

Chapter two sought to provide a foundation for Ptolemaic administrative practices and Jewish participation in the land tenure system. We have seen that the Ptolemies love state revenue, that they were to some degree tolerant of religious groups, and that they would occasionally intervene when money was at issue. We have also seen that the Jewish people living under the Ptolemies had their own places of worship, were able to occupy a variety of roles, and lived among other residents of Ptolemaic Egypt, not necessarily separate from them. Kugler's work has demonstrated that there could be legal reasoning behind these Jewish petitions that lends credence to the theory of the LXX Pentateuch being used to justify claims to property, sales, avoidance of oppression, etc.

If these papyri do show use of the LXX, perhaps Ptolemaic officials did recognize this as a legitimate legal code and did have some familiarity with the Greek Torah. Yet, there is an absence in direct wording from the LXX among the papyri, but Kugler posits that the Jewish petitioners may not have quoted the LXX directly because non-Jewish officials would not have understood:

> In documents addressed to non-Jewish adjudicators the reasons is obvious: the actual text of the Jewish Scriptures was not likely to be known to non-Jewish officials, so the strategy of the Jews making the contracts and filing complaints would not have been to prompt officials to recognize and enforce specific Torah stipulations, but rather to construct agreements and petitions that hew closely enough to Ptolemaic legal formulae, procedures, and concepts to be recognized and enforced by Ptolemaic officials, while also accomplishing the purpose behind the principle drawn from Torah.[175]

The paucity of direct LXX quotes among the Jewish petitions is an important observation which may cast doubt on the theory of the LXX being translated for use in legal courts. If the Jewish petitioners did avoid direct quotations in the documents where it seems to matter most, then there does not appear to be incentive for translating the LXX according to Ptolemaic legal conventions as Korytko has suggested. Nevertheless, the translation does show

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[175] "Revisiting *CPJ* 1.23," 351.

terms used in the Ptolemaic land tenure system. For example, the use of ἄφεσις in the translation of Jubilee may connect with Ptolemaic land categories (ἐν ἀφέσει) and tax procedures (ἡ ἄφεσις). We have also seen the βεβαίωσις clause, which happens to appear in Lev. 25:23 when YHWH declares the land is not to be sold: καὶ ἡ γῆ οὐ πραθήσεται εἰς βεβαίωσιν; 'And the land shall not be sold irrevocably.' The terms οἰκία and κτῆσις have also appeared in the Jewish petitions which likewise find a place in Lev. (e.g., vv. 25:31 and 10). The translation itself appears acceptable in the sense that it uses terms found within the Ptolemaic land tenure system. These examples may speak to the lexical decisions in the translation, but syntax is another consideration. The next chapter explores Korytko's theory on imperatives, which could be used to support its role as bearer of πολιτικοὶ νόμοι proposed by Mélèze Modrzejewski. It could be the case that the LXX translators did take into account the realities of the Ptolemaic world when rendering their laws, whether or not its direct use is supported by its reception in the papyri. If imperatives were employed to indicate optional laws or laws subject to other legislation, and if the translators used the imperative in this way, then "the translators used the imperative as a legal shorthand in order to mitigate the binding nature of the translated command."[176] It is possible that the translation of the land laws may reflect considerations of Ptolemaic legislation or land practices.

CHAPTER 3: EXTENDING KORYTKO'S THEORY INTO LXX LEV. 25 AND BEYOND

The historical reconstructions presented above regarding Ptolemaic and Jewish operations within the land tenure system do not appear to dismiss the possibility of conflict over land either between the Jews and their neighbors or Ptolemaic officials. If the translation does reflect influence from land tenure realities, then that influence may express itself in the Greek syntax or lexicon of Lev. 25. The Ptolemies have been shown to be sensitive to religious groups living on Egyptian soil often for the sake of peace. On the other hand, the πολίτευμα papyri illustrate the misgivings of certain Jewish petitioners with other Ptolemaic records indicating the participation of Jewish people in the land tenure system and their hope of

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[176] Korytko, *Death of the Covenant Code*, 111.

changing their circumstances. Yet, the papyri are not always clear on the outcome(s) of the petitions, and the reconstructions of Ptolemaic land classification and sales have further shown the ways in which Ptolemaic procedure could come into conflict with the laws in Lev. 25. In light of this ambiguity, the imperatival renderings (if Korytko's theory is correct) may provide more information about Jews in the Ptolemaic land tenure system. This chapter will review imperative translation technique in LXX Lev., and explore possible connections between the imperatives in question (θλίβω and λογίζομαι) and the Ptolemaic land tenure system.

3.1 Imperatives in LXX Leviticus

It is helpful to first establish how the Lev. translator chose to render imperatives and if there are any discernable patterns based on form alone. There are three morphologically distinct[177] Hebrew forms that are rendered into Greek imperatives: the (Hebrew) imperative, imperfect, and perfect. The following chart provides a snapshot of the translation patterns. Each mention of a verse reflects one instance of a verb unless specified by an additional number (e.g., x2).[178]

Table 1: Hebrew Forms Rendered by Greek Imperatives in LXX Lev.[179]

Hebrew	Greek	# of Instances in Lev.	Verses
Imperative	Imperative	39	1:2, 4:2, 6:2 (LXX 6:9), 6:18 (LXX 6:25), 7:23 (LXX 7:13), 8:2, 8:3, 8:31, 9:2, 9:3, 9:7 (x5), 10:4 (x2), 10:12 (x2), 11:2, 12:2, 15:2, 16:2, 17:2, 18:2, 19:2, 21:1, 21:17, 22:2, 22:3, 22:18, 23:2, 23:10, 23:24, 23:34, 24:2, 24:14, 25:2, 27:2
Imperfect	Imperative	30	9:3, 9:6, 13:45 (x2), 16:2, 16:29, 18:24, 19:3, 19:26, 20:2, 20:9, 20:10, 20:11, 20:12,

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[177] The jussive form is often morphologically the same as the imperfect. For this reason, the jussive is not distinguished from the imperfect in this chart. The jussive is distinguished in Lev. by the negative particle but is translated using more than one form.

[178] Voice and Hebrew stem are not distinguished in these results. These categories do not appear to have bearing on imperative vs. future translation decisions.

[179] All imperatival references are found in Appendix A.

			20:13, 20:15, 20:16, 20:27 (x2), 22:2, 24:2, 24:15, 24:16 (x3), 24:17, 24:18, 24:21, 25:14, 25:17, 25:31
Perfect	Imperative	1	25:45

After a cursory glance, the distribution of imperative for imperative and imperative for imperfect is quite close, and so it appears that the imperfect to imperative decision is not exactly rare in Lev. The Hebrew imperfect and jussive forms are often indistinguishable, yet there are some unmistakable jussive forms due to the presence of a negative particle. This subset of forms also shows a mixed translation technique and therefore we cannot assume that the infrequent imperatives are, for example, always jussives in disguise:

Table 2: Hebrew Negated Jussives and Their Greek Renderings Translations in LXX Lev.

#	Verse	MT	LXX	Translation
1	Lev 10:6	אל־תפרעו	οὐκ ἀποκιδαρώσετε	'do not dishevel your hair'
2	Lev. 10:9	אל־תשת	οὐ πίεσθε	'do not drink'
3	Lev. 11:43	אל־תשקצו	οὐ μὴ βδελύξητε	'do not make yourselves detestable'
4	Lev. 16:2	אל־יבא	μὴ εἰσπορευέσθω	'do not come'
5	Lev. 18:24	אל־תטמאו	μὴ μιαίνεσθε	'do not defile yourselves'
6	Lev. 19:4	אל־תפנו	οὐκ ἐπακολουθήσετε	'do not turn to'
7	Lev. 19:29	אל־תחלל	οὐ βεβηλώσεις	'do not profane'
8	Lev. 29:31	אל־תפנו	οὐκ ἐπακολουθήσετε	'do not follow'
9	Lev. 29:31	אל־תבקשו	οὐ προσκολληθήσεσθε	'do not seek'
10	Lev. 25:14	אל־תונו	μὴ θλιβέτω	'do not oppress'
11	Lev. 25:17	אל־תונו	μὴ θλιβέτω	'do not oppress
12	Lev. 25:36	אל־תקח	οὐ λήμψη	'do not take interest'

There are a total of 7 times when the negated jussive is translated into a future form and 4 times when it appears as a Greek imperative, with one subjunctive (βδελύξητε) in 11:43. There is no discernable formal pattern:

οὐ(κ) + future   (Lev. 10:6, 9; 19:4; 29; 29:31; 25:36)

οὐ μὴ + subjunctive   (Lev. 11:43)

μὴ + imperative   (16:2; 18:24; 25:14; 25:17)

Not all jussives are rendered by imperatives. These charts have shown no discernable pattern for rendering a Greek imperative based on form. Because Korytko has proposed a specific function of the imperative within future-dominant texts, the future forms in Lev. will receive some attention here to establish Lev. 25 as (according to Korytko's model) a future-dominant text.[180] There are plenty of instances throughout the book which cannot be charted in full here. Instead, those instances of the future found in vv. Lev. 25:1–34 regarding the land laws are presented to get a sense of the proportion of Greek future to Hebrew imperfect verbs.[181]

Table 3: Hebrew Imperfect Rendered by Greek Future in Lev. 25:1–34

Hebrew	Greek	# of Instances	Verses
Imperfect	Future	31	25:3 (x2), 4 (x3), 5 (x3), 7, 9, 10 (x2), 11 (x4), 12 (x2), 13, 15, 18, 20, 22, 23, 24, 29, 30, 31 (x2), 32, 34

According to this chart, there are then 31 future forms used for an imperfect with only three imperative forms used for a Hebrew imperfect (vv. 25:14, 17, and 31). With this ratio, this text can certainly be considered as dominated by future forms. If there is a tendency for Lev. to translate the Hebrew imperfect into a Greek future, then these infrequent imperatives within a given passage do need some explanation. The MT has imperfect forms and so one would expect the Greek translator to render it as he would any other imperfect, namely, with the future. But there is yet another form used to render Hebrew imperfects: the subjunctive, which was briefly noted in relation to the jussive above. Consider the following subjunctive distribution in Lev. 25:

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[180] As described in Korytko, *Death of the Covenant Code*, 103.

[181] One example being Lev. 25:4: τῷ δὲ ἔτει τῷ ἑβδόμῳ σάββατα ἀνάπαυσις **ἔσται** τῇ γῇ, σάββατα τῷ κυρίῳ· τὸν ἀγρόν σου οὐ **σπερεῖς** καὶ τὴν ἄμπελόν σου οὐ **τεμεῖς**; 'but in the seventh year there **shall be** Sabbata—a rest for the land, Sabbata for the Lord; you **shall not sow** your field, and **you shall not prune** your vine' (NETS).

Table 4: Hebrew Imperfect as Greek Subjunctive in Lev. 25:1–34

Hebrew	Greek	# of Instances	Verses
Imperfect	Subjunctive	12	25:2, 14, 15, 16 (x2), 20 (x3), 25, 26, 29, 30
Perfect	Subjunctive	4	25:25, 26 (x2), 28
Infinitive	Subjunctive	4	25:14, 22, 29, 30

The subjunctives can render both a perfect and an imperfect, as well as an infinitive.[182] What all four tables show is a lack of formal pattern for rendering imperfects generally in LXX Lev. Because the category of the Hebrew imperfect is so broad,[183] the translator was left to decide between the future, imperative, subjunctive, etc. The imperfect form (combined with perfect and jussive) represents a semantically broad range in the Hebrew implying a collection of types of Greek modality or mood. The Greek future along with the subjunctive both warrant their own studies, as each will have their own particular nuances. Perhaps the most relevant example of a nuance due to the development of the Greek language is when a prohibition is expressed with μή in the present imperative or the aorist subjunctive in the second and third person (both singular and plural).[184] Korytko's theory explains the imperative as a formal way to indicate that a law may or may not be followed when it appears in an apodosis as a command/command verb. While he makes no assertion that the imperative functions the same across the text, what this brief survey of Levitical forms establishes is that the translator does not select the imperative based on form only. This information lends credence to Korytko's theory because it helps to showcase the creativity of the translator, leaving the idea of political influence a possibility when rendering these volitional forms. The pattern of Levitical renderings can be conceptualized as:

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[182] Investigations into the infinitive will be saved for a future study.
[183] For example, Williams differentiates between multiple kinds of imperfect: incomplete action imperfect, potential imperfect, permissive imperfect (may), desiderative imperfect (want to), obligative imperfect (ought to, should), injunctive imperfect (must), prohibitive imperfect (shall not), conditional imperfect, imperfect after a telic particle (in order that) (paragraphs 167–75, *Hebrew Syntax*).
[184] Smyth, §1840.

Table 5: Hebrew Imperfect Translations into Greek

Hebrew Imperfect	Greek Future
	Greek Imperative
	Greek Subjunctive

The data presented above suggest a decision-making process on the part of the Greek translator in choosing between the future, imperative, and subjunctive forms. Because there is a more explicit morphological distinction between the Greek forms, it may be useful to approach the ambiguous Hebrew forms from the perspective of the Greek. It could be that the translator had his own interpretation of the Hebrew and rendered it in the form he thought captured its meaning in context, but to verify this is difficult. Perhaps it simply felt natural to the translator to include the imperative, or there were in fact external influences.

Because of the ambiguity here as to the translator's intentions (or unconscious decisions), it opens the possibility for looking closer at Ptolemaic decree syntax and politics as potential influences on the translation. There are clearly differences in how the future, imperative, infinitive, and subjunctive forms are used in the legal realm of Hellenistic Greek as Korytko has demonstrated in his survey of decrees.[185] It is a viable avenue for understanding the imperative (and perhaps the subjunctive and future commands). The following section surveys the imperatives found in Lev. 25:1–34, attempting to ascertain the potential for the translation to show influence stemming from Ptolemaic law or legal practices. Each imperative is first compared with the Hebrew text, and this is followed by lexical investigations into the documentary record to (1) see if it can be established as legal terminology and (2) ascertain conceptual correspondence to Ptolemaic law or practices to understand why the translator may have opted for an imperatival rendering. It is important to emphasize here that in order for there to be political influence, conceptual connections must be made, but direct connections to Ptolemaic legislative lexemes would provide the strongest foundation. However, insofar as it concerns the imperative for imperfect renderings in Lev. 25, the results are at best ambiguous. Additionally, these investigations give rise to a question pertaining to further formal

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[185] Korytko, *Death of the Covenant Code*, 83–94. Here he provides an overview of the types of decrees, legal language, etc.

distinctions, namely, the difference between administrative statements and true commands. The instances of θλίβω are commands in that they demand another person to fulfill an action, with the legislator imposing their will on the recipient. For λογίζομαι (and imperatival εἰμί in 25:45 for that matter), it might be best to label its function in 25:31 as a statement made in relation to how something will be categorized according to a given Levitical system. Nevertheless, the inquiry into these verbs in light of the documentary record still yields helpful information which may be utilized for further exegesis of the chapter.

3.2 θλίβω in Lev. and Ptolemaic Papyri

3.2.1 Lev. 25:14 and 17: No Cheating!

Table 5: Textual Comparison of Lev. 25:14

MT	NRSV	LXX	NETS
וְכִי־תִמְכְּרוּ מִמְכָּר לַעֲמִיתֶךָ אוֹ קָנֹה מִיַּד עֲמִיתֶךָ **אַל־תּוֹנוּ** אִישׁ אֶת־אָחִיו׃	When you make a sale to your neighbor or buy from your neighbor, you shall not cheat one another.	ἐὰν δὲ ἀποδῷ πρᾶσιν τῷ πλησίον σου, ἐὰν καὶ κτήσῃ παρὰ τοῦ πλησίον σου, **μὴ θλιβέτω** ἄνθρωπος τὸν πλησίον·	But if you make a sale to your neighbor, even if you make an acquisition from your neighbor, let a person not oppress his neighbor.

Verse 14 introduces a hypothetical situation (indicated by ἐὰν) in which a person sells to or buys from their neighbor. Within this sale, supposedly a sale of land, a person is not supposed to 'oppress' the person with whom they are conducting the business. Here, θλίβω renders ינה 'to oppress.'[186] The Hebrew verb is accompanied by the negative particle אל, as opposed to לא (found in v. 17), making it a clear jussive form.[187] Despite the formal difference between negative particles and morphology in verses 14 and 17 (as will be shown below), both are rendered with θλίβω accompanied by μὴ in the Greek text, but there is a change in

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[186] HALOT, s.v. "ינה."

[187] Karl V. Kutz, Rebekah L. Josberger, *Learning Biblical Hebrew: Reading for Comprehension: An Introductory Grammar* (Bellingham WA: Lexham Press, 2018), 200.

person.[188] The Hebrew text uses second person, while the Greek text uses third. The translator is thought to have preferred the use of the third-person singular for it to agree with the subject ἄνθρωπος.[189] It is not unusual for אישׁ to be followed by a verb in the third person and for the translator to maintain this pattern (e.g., Lev. 22:21, 24:17, 27:28, etc.). Perhaps upon seeing אישׁ, the translator automatically rendered it by ἄνθρωπος and made θλίβω third person. References to person in this verse provide some points of interest.

There are three kinds of addressees in the Greek version of the business transaction: 'you' (the direct addressee), the neighbor (that person 'you' is involved with), and then more generally the third 'person,' serving to perhaps broaden the law to everyone who is intended to follow it. Here in v. 14, πλησίον is used consistently despite the Hebrew using two different terms: אח 'brother,' and עמית 'neighbor.' The meaning of the Greek term πλησίον has implications for who the law involves. Those interpreting the Hebrew text believe that both terms in v. 14 refer to fellow Israelites. One commentator, Jacob Milgrom, holds that עמית is always used in relation to an Israelite such as in Lev. 18:20 and 19:17. He argues further that אח is not used to imply that someone may cheat a non-Israelite, but the two terms are used in relation to Israelites because it is they who inherit the land.[190] The Greek response to both Hebrew terms is πλησίον, which is a case of lexical flattening interpreted by John William Wevers as still Israelite specific. He understands πλησίον σου as a typical phrase referring to a countryman but, in this context, refers to another Israelite.[191]

V. 14 is the only time in Lev. 25 when אח is rendered with πλησίον. On all other occasions in the chapter, אח is rendered with ἀδελφός, 'brother,' and the laws pertain to the redemption of kin when the focus becomes helping a fellow Israelite redeem themselves.[192] The most telling of these occurrences is in 25:47 and 48, when an Israelite (ἀδελφός σου, 'your brother' for אחיך) enters poverty and sells themselves to a resident alien or guest, then 'one of his brothers shall redeem him' (τῶν ἀδελφῶν αὐτοῦ for מאחיו). Redemption as described in the

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[188] Another difference between the MT and the LXX here is that the MT uses a second-person plural for 'to sell': תמכרו, while the Greek has the singular form: ἀποδῷ. In this regard the LXX is closer to the Samaritan Pentateuch (Wevers, *Notes*, 408).
[189] Wevers, *Notes,* 409.
[190] *Leviticus 23–27: A New Translation with Introduction and Commentary* (New Haven & London: The Anchor Yale Bible, 2001), 2177.
[191] *Notes,* 408.
[192] ἀδελφός in place of אח is found in Lev. 25:25, 35–6, 39, 46–8.

chapter appears to be confined to kinsfolk. If we take ἀδελφός as the term used in this chapter to mean fellow Israelite, then perhaps πλησίον is used to mean a person generally in one's vicinity. Yet, occurrences of πλησίον within the chapter complicate this reading. The term appears only three times: Lev. 25:14, 15, and 17. Lev. 25:15 uses πλησίον in place of עמית and in the context of correct payment according the years since the Jubilee. It would not make sense to stipulate paying according to the number of years since the Jubilee for a non-Israelite. Lev. 25:17 uses πλησίον for עמית as well. Contextually, it does not appear likely that πλησίον was included to generalize the law, but perhaps it was included for consistency between v. 14–15, and 17. This brief departure into the terms for participants in the sale illustrates that contextually the laws are likely Israelite-focused, not appearing to extend outside of that group.[193] Wevers interprets πλησίον as a fellow Israelite in this context, but it may not always be a fellow Israelite. Greek πλησίον—technically an adverb—can be used substantivally to refer to "the one who is near or close by" or a "fellow human being."[194]

Perhaps πλησίον does not necessarily need to refer to someone who is living beside you. For instance, P. Lond. 7 2027, 263–229 BCE, 4: ἵνα πλησίον ὑμῶν ἦι; 'so that he can be near you,' but this appears to be an instance of adverbial use and not substantival.[195] Here Asklepiades writes to Zenon about Erasis and Erasis' nephew Erilochos who is "a candidate for a land assignment" (line 2). Asklepiades requests that Zenon take care that they obtain a suitable billet. His preference is Philadelphia so he can be near Zenon, but not necessarily his immediate neighbor. Curiously, the text continues to request that these two men not be cheated in the land measurement (lines 4–5): καὶ περὶ τὴν γεωμετρίαν ἵνα μηθὲν ἀδικηθῶσιν; '…and that in the land measurement they are not cheated.'[196] Another verb associated with cheating then is ἀδίκεω, also found in UPZ 1 110, line 60, similar to Lev. 19:13 where there is an injunction to not wrong a neighbor: οὐκ ἀδικήσεις τὸν πλησίον; 'you shall not act unjustly to a neighbor.'

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[193] There is still the possibility that the translator's use of πλησίον was to extend the law more broadly given that there is no possessive suffix in the Greek translation, which changes the translation to: 'let not a person oppress the neighbor (μὴ θλιβέτω ἄνθρωπος τὸν πλησίον).

[194] BDAG, s.v. "πλησίον."

[195] Lewis, *Greeks in Ptolemaic Egypt*, 25.

[196] Lewis, *Greeks in Ptolemaic Egypt*, 25.

There are renderings elsewhere in the chapter which may support a more general reading of πλησίον. But the Greek rendition shows another change. It uses the phrase ἄνθρωπος τὸν πλησίον instead of rendering the third person Hebrew suffix ‑ו in אחיו (lit. 'his brother,' translated by NRSV as 'one another'). This behaviour is understood to be abnormal by Wevers who explains that when אחיו appears elsewhere in Lev., the translator does render the suffix (Lev 25:25: ἀδελφοῦ αὐτοῦ for אחיו). The addition of ἄνθρωπος may make the translation more applicable to anyone a Jewish person encountered in a sale. Now we must ask if the translator prioritized consistency in choosing πλησίον, or if he translated it with a mind to broaden the law to anyone. The translation flattens the lexical variation in the Hebrew and switches the person from second to third in the last part of the verse ('let a person not oppress his neighbor'), removing the direct addressee 'you'. V. 14 is an exhortation to refrain from putting one's neighbor into a bad financial situation and to some extent, this is echoed in v. 17.

Table 6: Textual Comparison for Lev. 25:17

MT	NRSV	LXX	NETS
ולא תונו איש את־עמיתו ויראת מאלהיך כי אני יהוה אלהיכם:	You shall not cheat one another, but you shall fear your God; for I am the LORD your God.	μὴ θλιβέτω ἄνθρωπος τὸν πλησίον· καὶ φοβηθήσῃ κύριον τὸν θεόν σου· ἐγώ εἰμι κύριος ὁ θεὸς ὑμῶν.	Let not a person oppress his neighbor, and you shall fear the Lord your God; it is I who am the Lord your God.

Verse 17 follows a different pattern despite being in the same section and using the same verb as in v.14. Instead of a jussive, an imperfect form is used. This imperfect form is clear given the presence of the negative particle לא.[197] The third person appears again in the Greek to render the Hebrew second person, presumably due to the presence of איש as in v. 14.

On a conceptual level, Lev. 25:14 and 17 do not appear very different. Verse 14 provides an injunction against oppressing your neighbor which verse 17 is also against. With regard to the Hebrew text, the oppression in v. 14 may refer to cheating in business transactions as proposed by Milgrom.[198] It is interesting as well that some of the prophets use ינה in contexts

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[197] Kutz and Josberger, *Learning Biblical Hebrew*, 200.
[198] *Leviticus 17–22*, 1705.

of robbery or payment of debt (e.g., Ezek. 18:7).[199] Lev. 25:14 however does make it explicit that money is at stake because of the sale's mention. Milgrom translates ינה in this context as 'cheat,' and understands the purchase price at the time of sale to be the focus of v.14. In contrast, he asserts that in v.17, the verb takes on the connotation of 'oppress' and refers to the price at the time of redemption.[200] It is true that verse 14 appears in relation to a specific sale situation whereas verse 17 appears to operate more on its own followed by a general injunction to fear God, as though summarizing the content of associated passages. Regardless of whether or not one accepts Milgrom's interpretation of the Hebrew, Greek θλίβω is a suitable rendering that encompasses both specific and general options.

In Greek Lev. more broadly, θλίβω appears only four times: 19:33, 25:14, 17, and 26:26. Lev. 19:33 employs the future form θλίψετε as opposed to 25:14 and 17 using the imperative θλιβέτω to render ינה, while 26:26 has the infinitive form θλῖψαι rendering שבר 'to break.'[201] The closest parallel to Lev. 25:14 and 17 is 19:33.

Lev. 19:33 is couched in discussion about how to treat a guest (or alien). Following 19:35 is an injunction to "not do what is unjust in judgment in measures and in standard weights and in balances." In both v. 19:33 and v. 25:14, matters of money appear to be in view. If v. 19:35 is continuing the idea of not oppressing a guest, then oppression here is related to business. There are two different people involved in these passages: a neighbour (v. 25:14) and a guest (v. 19:33). Each of these people may or may not be 'oppressed.' Location is another difference. Lev. 19:33 forbids the oppression of a guest on private property, while Lev. 25:14 and 17 make no mention of location. It is interesting to note as well that θλίβω is quite similar to ἀδικέω ('to harm').

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[199] An example is Ezekiel 22:29: "The people of the land have practiced extortion and committed robbery; they have oppressed (ינה) the poor and needy and have extorted from the alien without redress." This context gives the impression that extortion and robbery are thought to count as oppression.

[200] *Leviticus 23–27*, 2177–8.

[201] HALOT, s.v. "שבר." Typically, the Lev. translator uses συντρίβω to render שבר as in Lev. 6:21, 11:33, 15:12, 26:13, and 26:19, often referring to breaking something in a physical sense (e.g. Lev. 15:12: καὶ σκεῦος ὀστράκινον, οὗ ἂν ἅψηται ὁ γονορρυής, συντριβήσεται; 'Any earthen vessel that the one with the discharge touches shall be broken.' So it is somewhat odd that θλίβω was used in 26:26 in relation to breaking bread (if we go with the Hebrew). NETS translates 26:26 (ἐν τῷ **θλῖψαι** ὑμᾶς σιτοδείᾳ ἄρτων) as 'when you are hard pressed for want of bread…,' conforming more closely to the Greek sense of θλίβω indicating some form of oppression.

This term appears three times in Lev. (vv. 6:2, 6:4, and 19:13). Lev. 19:13 is perhaps the most relevant to the discussion here because it likewise appears in a prohibition commanding that "you shall not harm your neighbour" (οὐκ ἀδικήσεις τὸν πλησίον), but this time in the future form and in direct connection with plundering and withholding wages.

With a summary of θλίβω as found in Lev. established above, we now turn to looking at references to θλίβω in the documentary record. The strongest kind of evidence that would support a conclusion that imperative θλίβω was influenced by Ptolemaic law would be commands or prohibitions involving θλίβω in royal decrees or administrative documents in connection to financial oppression in either future or imperative forms. However, papyrological evidence does not contain such instances. This does not mean that Korytko's theory is incorrect, it only means that there is not enough evidence to form a solid conclusion as to why the translator thought that θλίβω should be understood as an optional law. Nevertheless, understanding more of how θλίβω was employed in the documentary record can provide conceptual clues as to what specifically may have counted as oppression in the Ptolemaic world. This in turn can help to establish how it was used in Lev. and if there is reason to suspect political influence on the Lev. translation.

3.2.2 The Greek Perspective— θλίβω

The verb θλίβω is often a general term describing an array of circumstances. Moulton and Milligan call it "common" and its usage "varied."[202] They provide many papyrological examples where the term is used in a variety of contexts such as in relation to working oxen hard (P. Tebt. II 423, early 3rd c. CE). It has several somewhat vague glosses such as 'oppress,' 'afflict,' or 'distress,' in a metaphorical sense, and is used in the passive to indicate a person who is heavy laden.[203] P. Mich. 1 55 (240 BCE) illustrates a somewhat vague use of the term: τὰ δ᾽ ἄλλα συντόμως προσδέχου καὶ αὐτοὺς ἡμᾶς· καὶ τῶν ἐν οἴκωι δέ, κἂν αὐτὸς θλίβηι διατηρήσ[ας] ἐμοῦ τὸν τόπον… 'For the rest be prepared to receive a visit from myself shortly. And of things at home, even if it trouble you to keep watch on my place.'[204] This document

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[202] Moulton and Milligan, s.v. "θλίβω," 292.
[203] LSJ, s.v. "θλίβω."
[204] APIS Translation found at: https://papyri.info/ddbdp/p.mich;1;55.

suggests a weaker version of the term, alluding to some minor difficulty or inconvenience in watching over the home. Yet there are texts where the verb is used in more extreme situations such as in UPZ 1 122.

UPZ 1 122 is a petition from a pious man on his way to a temple who was mistakenly stabbed in the leg by a bodyguard. Now he requests that someone assist him in some way to the temple because of his injury (lines 19–23):

ἐὰν φαίνηται, συντάξαι τοῖς παρά σου μὴ κωλύειν με, ἐὰν βούλωμαι ἐπανάγειν

εἰς τὴν κώμην διὰ τὸ χωλὸν ὄντα τοῖς

ἀναγκαίοις θλίβεσθαι, ὅπως μὴ ὑπὸ τῆς λιμοῦ διαλ[υ]θῶ;

If it is clear, order those with you not to hinder me, if I wish to go to the village since now being lame, I suffer as to life's necessities, so that I will not be destroyed by hunger."[205]

This form of oppression, in connection with harassment, appears to be physical or verbal. In SB 18 13881 the term is also used in the context of irrigation. It is a complaint to Kleon about the fair division of labour—which workers chip the hard stones, and which chip the soft. The workers present their request and follow it with (lines 7–8): ἵνα μὴ ἡμεῖς θλιβώμεθα; "so that we may not be oppressed."[206]

It appears that θλίβω is a general term and can be used in connection with violent affliction, hard work, or mild difficulties in managing a house. There are some examples where it is used in relation to finances such as in UPZ 1 45. In this text, the petitioners ask that the

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[205] There is a translation found in Thomas Evan Grafton, *Health and Healing in the Documentary Papyri: A Comparison with the Healing Texts in Luke-Acts* (Ph. D Dissertation, Asbury Theological Seminary, 2017), 55: "If it should be made known, let it be arranged by you for them not to hinder me if I wish to go up into the village so that I will not be destroyed by hunger. Since on account of being lame I am afflicted in the prisons." This translation interprets ἀναγκαῖος as 'prison,' but there is the possibility that it refers to life's necessities in general. If the man is lame from a mistaken attack and is requesting help for when he goes to the village, it does not sound like he dwells in a prison. Instead, he seems to be requesting that someone assist him on his way so that he does not fall by the wayside and starve. He could have had trouble functioning as he used to prior to the injury in addition to not wanting to repeat the unfortunate situation (see LSJ, s.v. "ἀναγκαῖος," II.3 where it appears as plural noun). As an adverb, it can also refer to privy parts (see LSJ, s.v. "ἀναγκαῖος," IV: οἱ ἀ. τόποι from Vett.Val.113.9). If used similarly, then the man may be pointing out more about the damages from the stabbing which makes the account sound even more extreme and would justify the request even further.
[206] See Roger S. Bagnall and Peter Derow, *The Hellenistic Period* (Malden, MA: Blackwell Publishing Ltd., 2004), page 169 for a full translation.

arrears from a salary be collected. The document uses θλίβω and states: μὴ ὑπεριδεῖν ἡμᾶς θλιβομένας 'we ask you so that in our do not forget us in our distress.'

However, perhaps the best example of θλίβω used in relation to finances is P. Lips II 124. P. Lips II 124, from either the Herakleopolite or the Arsinoite nome, offers an example of θλίβω in relation to taxes paid by the (κάτοικοι) ἱππεῖς around the time of Ptolemy VI's tax reform in his 24th year. The portion containing θλίβω is as follows (lines 29–31):

τῶν δὲ καταλειπομένων μ(υριάδων) κγ Δψοζ [τε]λουμένων παρ' ἡμῶν θλιβόμενοι καθ' ὑπερβολὴν καὶ ἐν τῆι τούτων παραδόσει διὰ τὰς ὑποδειχθείσας αἰτίας…
But since the remaining 234,777 were paid by us, and even by paying this amount we were extremely hard pressed for the reasons stated…[207]

Though the reasons for the tax reform, in the words of Charikleia Armoni and Klaus Maresch, "liegen im Dunkeln," the reform entailed that taxes were no longer assessed on the basis of yield or conditions of the Nile.[208] Instead, as Armoni and Maresch observe, a fixed amount was expected from this group of landholders equaling 243,577 ἀρτάβαι annually. Further, they see two major problems with this reform. One is that it assumes a permanency in landholding, and the second assumes that the land allotments will have a consistent number of workers. There are many circumstances which could disrupt a person's tenancy leading to a cession of land or a return of a parcel to the crown, which is what appears to be alluded to in this text. In addition, keeping up with the tax demand would mean a reliance on stored grain from good harvests during the less optimal ones. There are six columns to this text which in part summarize the plight of the (κάτοικοι) ἱππεῖς in having to pay debts that are not their own as a consequence of the new tax system and, as Armoni and Maresch believe, an attempted coup by followers of Galestes or at least those against Ptolemy VIII.[209] This group appears to have held plots which were then confiscated due to their disobedience.

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[207] Based on the translation provided by Duttenhöfer, Archiv für Papyrusforschung, 26.
[208] "Zur Besteuerung der Katöken Ägyptens zur Mitte des 2. Jh. v.Chr.: P.Lips. II 124," *Zeitschrift für Papyrologie und Epigraphik* (2016): 322.
[209] "Zur Besteuerung der Katöken Ägyptens," 322–3.

A commentary on this text provided by Ruth Duttenhöfer clarifies that whatever debts they had associated with their parcels of land were then put onto the existing κάτοικοι, resulting in 8,800 ἀρτάβαι extra for those not involved in the coup (excluding those in the Thebaid).[210] The κάτοικοι were obviously not pleased with this and petitioned the king to grant relief and to add more landowners so the burden could be distributed. The former was granted while the latter was not. Yet, another petition was submitted because the κάτοικοι were still going to be charged the 8,800 by a certain Dioscorides, which they believed to be against the king's initial command (see lines 44–7). In their explanation of why they submitted the petition, they refer to how they felt about meeting their own tax burdens in the first place without the added debt of those whose allotments were confiscated, stated in lines 29–31 outlined above.

It would, of course, be frustrating for the landholders to be charged debts that were not their own. In this context, θλίβω is used in response to the new taxation system in general and the difficulty these landholders have had in meeting the requirements. Given the context of this papyrus, we can conclude that in this instance, θλίβω is used in relation to financial systems which make for heavy financial burdens. It is important to mention as well is the later revocation of this system by Ptolemy VIII in his 31st year perhaps in response to the problems caused by this procedure.[211] Here we have a situation where those under the king see the tax system as oppressive because it does not consider what they actually produce on the land. In other words, the system does not bend to the 'on the ground' realities of those farming the parcels of land. Consider as well that this is in response to a system imposed by the government. Of course, a context like this is not the only place where θλίβω occurs, but if read into Lev. 25, it could add another element that is not limited to cheating. It could instead point to the consequences of such actions. Because the tax system is robust, the landholders are thrust into a host of difficulties and here they perceive that as their current state.

With regard to θλίβω's counterpart, ἀδικέω, it is found as an imperative in P. Cair. Zen. 3 59509: καὶ μὴ ἀδικηθῶ ὑπὸ Ἐτεάρχου [μήτε] κατὰ τοῦτο μήτε [κατ' ἄ]λλο μηθέν; 'and let

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[210] Ruth Duttenhöfer, Archiv für Papyrusforschung und Verwandte Gebiete Begründet von Ulrich Wilcken Beiheft 10 Griechische Urkunden der Papyrussammlung zu Leipzig (P. Lips II) (Leipzig: K. G. Saur Verlag, 2002), 26.
[211] Armoni and Maresch, "Zur Besteuerung der Katöken Ägyptens," 328.

nothing be wronged by Etearchos, with regard to this or anything else.'[212] This verb is also used in relation to finances. Somoelis (a Jewish granary guard) writes to Zenon about his sown land and account associated with it. He appears worried about Etearchos' involvement in his account and complains that he is oppressed ('pressing me into service for everything') by Etearchos. He then asks Zenon to write to Etearchos requesting him to be more considerate.

This term evidently has a wide range without obvious, direct connections to financial legal terms. It is difficult to know how severe a situation needs to be in order for θλίβω to be used. P. Mich. 1 55 shows a 'soft' sense of the term in relation to watching over a home, and the more tax-related papyri allude to financial trouble. Yet UPZ 1 122 refers to someone asking for assistance because he has been stabbed. Nevertheless, this verb has been used in financial situations and so would most likely be considered suitable within the context of Lev. 25.

3.2.3 Applying Korytko's Theory to θλίβω in LXX Lev. 25

The survey presented above shows the semantic range of θλίβω and establishes that this term does not appear to be counted as legal terminology. Conceptually, its appearance as an imperative in Lev. 25 could still imply a connection, but this connection does not seem reachable given the evidence on hand. It is a vague term that refers to oppression of some kind, and that kind is dependent on the perspective of the petitioner via their assessment of a given situation. This does not mean, however, that Korytko's theory is incorrect. If we understand the imperative to act as an optional law subject to other circumstances, and if we understand Lev. to be a legal text, then imperatival renderings of θλίβω among future forms would imply that not oppressing a person in a sale is subject to other considerations or legislation. Because of the lack of legal texts mentioning θλίβω, it is difficult to explain what other considerations a person may be subject to in terms of Ptolemaic law. Nevertheless, chapter two has established some of the operations of the Ptolemies and their love of state revenue. Sales and leases have been known to involve government officials, especially those concerning land, which is at issue here in Lev. 25:14 and 17. Speculatively, it is possible that the imperative in 25:14 and 17 is an acknowledgement that oppression as defined within Jewish communities and

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[212] Translation from J. Bauschatz, *Law and Enforcement in Ptolemaic Egypt* (Cambridge: Cambridge University Press, 2013), 143–44.

oppression as defined in the Ptolemaic system differ. The translator (or those reading/listening to Lev. 25), might agree that one should not oppress their neighbor, but their ideas of oppression may or may not match those of their government who makes these (often financial) decisions, which Jewish people may be subject to given the larger scale of the transactions and Ptolemaic interest in land. The instance of θλίβω in Lev. 19:33, with its explicit mention of location further assists in supporting the theory.

Lev. 19:33 also deals with oppression of someone in a relationship, yet 19:33 uses the future form instead of an imperative as in 25:14, 17 despite similarities in both syntax and semantics. The choosing of these forms could imply a more complex decision-making process on the part of the translator. Compare the following:

(25:14): Ἐὰν δὲ ἀποδῷ πρᾶσιν τῷ πλησίον σου, ἐὰν καὶ κτήσῃ παρὰ τοῦ πλησίον σου, μὴ θλιβέτω ἄνθρωπος τὸν πλησίον·
But if you make a sale to your neighbor, even if you make an acquisition from your neighbor, let a person not oppress (θλιβέτω) his neighbor.

(19:33): Ἐὰν δέ τις προσέλθῃ προσήλυτος ὑμῖν ἐν τῇ γῇ ὑμῶν, οὐ θλίψετε αὐτόν·
Now if some guest approaches you in your land, you shall not oppress (θλίψετε) him.

It is important to observe that there are several grammatical similarities between these verses. In both verses, θλίβω receives negation, the future with οὐ and the imperative with μὴ. Additionally, each are hypothetical situations introduced by ἐὰν making the verbs part of the apodosis. Further, θλίβω is used transitively in both cases, acting on the guest/neighbor. Syntactically these verses have a lot in common, and the only real difference is person. Lev. 25:14 (and 17) is in the third person while 19:33 is in the second person. There is no mention of a general אִישׁ in 19:33 as the semantic agent doing the oppressing as found in 25:14 and 17. Yet semantically, the use of θλίβω between the verses does have some similarities. Something noticeable about these verses is their difference in location. One occurs on someone's private land, while the other might occur outside of a person's land. If we understand 25:14 as occurring in a public sphere, then this would be another point in favor of understanding the term as interacting more with the Ptolemaic world and therefore having a higher chance of coming into conflict with Ptolemaic business practices. Lev. 19:33, being on one's own land

and containing the future form, could likewise imply that Jewish understandings of oppression can take place on one's own land where governmental affairs do not typically take place.

The difficulty with θλίβω, however, is that it is a term that could host various kinds of affliction as it refers generally to a state of the recipient experiencing some form of hardship that could hurt their ability to live (e.g., a lack of money leads to poverty, which leads to hunger, etc.). In other words, we cannot say based on the evidence that θλίβω refers to a specific kind of cheating in a type of land transaction, or to refer to a specific kind of manual labor, making it more difficult to pinpoint exactly which 'set' of afflictions are in view. Based on Lev. 25:14 and 17 and 19:33, it seems to be the case that θλίβω has financial matters in mind, but Lev. 26:26 is different in that it does not refer to finances, but to being 'hard-pressed for want of bread.' Here, θλίβω appears as an infinitive in the dative for שבר 'to break.' If all four of these verses are considered together, then θλίβω can be seen as referring to financial oppression in addition to being afflicted with hunger. These uses of θλίβω appear to fit nicely with the Ptolemaic evidence, but do not assist in narrowing down further what kind of financial oppression could conflict with Ptolemaic practices. This verb is not quite as supportive of Korytko's theory as the verbs associated with the death penalty, and it does begin to show some interpretive difficulties if we take the theory for granted. Verbs without direct connections to Ptolemaic legislation cause more speculative conclusions, and it is unclear whether Jewish readers of these verses had a specific kind of Ptolemaic financial oppression in view that could motivate the change to an imperative reflecting Ptolemaic law. The possibility remains that this term was used as a 'catch all' for Ptolemaic financial practices which could complicate the execution of this Levitical law since it is more liable to be open to interpretation on the part of the recipient. The next verse to include an imperative is Lev. 25:31, dealing with land classification—a major concern of the Ptolemies as discussed above in chapter two.

3.3 Λογίζομαι in Lev. and Ptolemaic Papyri

3.3.1 Lev. 25:31: Wall-less Villages

Table 7: Textual Comparison for Lev. 25:31

MT	NRSV	LXX	NETS
וּבָתֵּי הַחֲצֵרִים אֲשֶׁר אֵין־לָהֶם חֹמָה סָבִיב עַל־שְׂדֵה הָאָרֶץ יֵחָשֵׁב גְּאֻלָּה תִּהְיֶה־לּוֹ וּבַיֹּבֵל יֵצֵא׃	But houses in villages that have no walls around them shall be classed as open country; they may be redeemed, and they shall be released in the jubilee.	αἱ δὲ οἰκίαι αἱ ἐν ἐπαύλεσιν, αἷς οὐκ ἔστιν ἐν αὐταῖς τεῖχος κύκλῳ, πρὸς τὸν ἀγρὸν τῆς γῆς λογισθήτωσαν· λυτρωταὶ διὰ παντὸς ἔσονται αὗται, καὶ ἐν τῇ ἀφέσει ἐξελεύσονται.	But houses in farmsteads, those that have no wall around them, let them be classed as the field of the earth; these shall always be redeemed, and they shall expire in the release.

Lev. 25:31 is situated in a section dealing with the redemption status of houses in walled or wall-less villages, houses in the cities of Levites, and fields bordering cities of Levites (vv. 29–34). With regard to the Hebrew text, Avraham Faust has pointed to the two different legal systems at play during this period, being the Israelite and Canaanite laws, that may have given rise to this difference in house status making houses in unwalled settlements open for redemption. He summarizes that past scholars have believed the urban centers to be dominated by Canaanite law and so the houses may not have been redeemed as easily as in the less urban centers (e.g., villages) dominated by the Israelites. This would provide the reasoning for the previous verse (v. 30) which stipulates houses within walled cities after a year will not expire in the release. However, Faust disagrees and points to archaeological evidence suggesting that both villages and cities were walled, so the term עיר simply refers to a settlement and 'wall' is there just as a descriptor. Further, Faust understands בתי חומה as farmsteads. In other words, he sees this phrase as referring to isolated houses on farmsteads that are more tied to the land since "it was inconceivable to let the purchaser keep the farmhouse while the farmland was returned to the original owner."[213] This law is certainly interesting when it is considered in the context of Greco-Roman Egypt in which the landscapes and structures may differ.

Walls in Egypt could surround an individual house or a larger settlement (or both). Archaeological findings presented by Eric Uphill inform us of past house structures. An individual house may be surrounded by a wall and often forms a yard or courtyard. Walled towns, such as Nekheb (El-Kab) existed too. This is an interesting example of a small, circular,

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[213] Faust, "Cities, Villages, and Farmsteads: The Landscape of Leviticus 25:29–31," 108.

double-walled town in Upper Egypt. The circular format of the town resembles the hieroglyphic determinative for a city, which is a drawn circle with a diagonal cross. The shape of the town, determined by circular walls, is thought to show that the plan was originally not rectangular. It is argued that this shape emerged organically, and the walls were added later. The town itself was one of the nome centers in the Pharaonic period and served as an administration locale and market town.[214] There do appear to have been settlements with no surrounding walls, however. For example, the diagram presented by Paola Davoli of the plan for Soknopaiou Nesos in the Roman period suggests only a partial wall. She explains that evidence for city planning is lacking from the Ptolemaic period because the Romans built on the new settlements that the Ptolemies created, in for example, lesser populated areas and in the Fayyum region.[215] So, not all settlements had walls. If Lev. does imply the norm to be an encircled settlement, then unwalled settlements with farmsteads in Ptolemaic period would be a different situation than illustrated in Lev.

If the term ἔπαυλις is understood as farmstead (or farm building), as the NETS translation suggests, then P. Heid. 6. 372 is a wonderful example of the term being used in the context of farming. Though fragmented, it does allude to some kind of animal husbandry happening in an ἔπαυλις: καὶ ἄλλη[ς] ἐπαύλεω[ς ἐν ἧι] χηνοβόσκια καὶ οἰκημ[άτων] τῶν ὄντων ἐν τῆι α[ὐτῆι] κώμηι...'and of [the] other courtyards in which [are] goose pens and of the apartments in the same village...' Wevers understands ἔπαυλις as referring to 'enclosures' in Lev. 25:31.[216] Paul Harlé and Didier Pralon mention that this term is uncertain in its sense. After the Roman period, ἔπαυλις designated cattle pens separated from dwellings instead of groups of residences. Here it may refer to rural properties.[217] LSJ contains a direct reference to Lev. 25:31 to illustrate the only time it is used in a fourth sense. Here, it is translated as 'unwalled village.' However, this does seem problematic based on the above discussion,

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[214] Eric P. Uphill, *Egyptian Towns and Cities* (Princes Risborough: Shire Publications, 1988), 12–15. See an example of a walled house on page 12 and see the diagram for the walled town of Nekheb (El-Kab) on page 14. In addition, Eyre tells us that vineyards and olive groves were often walled in ancient Egypt ("Water Regime," 60).

[215] "Egyptian Houses in Their Urban and Environmental Contexts: Some Case Studies of the Roman and Late Roman Periods," in *Households in Context: Dwelling in Ptolemaic and Roman Egypt*, eds., Caitlín Eilís Barrett and Jennifer Carrington (London: Cornell University Press, 2023), 50.

[216] Wevers, *Notes,* 411.

[217] *La Bible D'Alexandrie LXX 3: Le Lévitique* (Paris: Édition du Cerf, 1988), 201.
Harlé and Pralon, *La Bible D'Alexandrie*, 201.

especially considering a very well-established term for village in Greek: κώμη, appearing even in P. Heid. 6. 372.

What is at issue here is not the houses, it is the cultivable land. In other words, whether the house is in a settlement or not has no bearing on the enactment of the Jewish land laws because there might still be cultivable land within a farmstead within a village of sorts. The term οἰκία is argued by Larry Perkins and Spencer Elliott to mean "the total physical, inhabited complex or structure."[218] If Faust is correct in his interpretation that בתי חומה refers to a farmstead, perhaps the Greek is closer to the Hebrew text in this regard.

The verb under scrutiny, λογίζομαι, renders חשׁב in the Niphal, which is equivalent to 'be reckoned,' 'be worth,' 'be regarded as,' and 'count.'[219] Semantically then there is quite a bit of overlap with Greek λογίζομαι which also appears to have financial and reckoning elements in the documentary record (discussed below). It also appears to be one of the few verbs used for counting or reckoning in Lev.

Λογίζομαι appears a total of four times in Lev.: 7:8 (MT 18), 17:4, 25:31, and 27:23, all used for הׁשׁב, 'be reckoned, be worth, be regarded as.'[220] Curiously, all Greek forms except for 25:31 appear in the future and there is some deviation from how it is used in the documentary record. The verb λογίζομαι can appear in contexts when computing a number, but Lev. makes a distinction between classification/reckoning and computing as illustrated in Lev. 25:27 when συλλογίζομαι is used for הׁשׁב instead of λογίζομαι. This verb is a key word to study because it deals with classification and what counts in a given legal system. Issues surrounding person are excluded here because all appear in the third person. What should first be mentioned is the sensitivity to the derivations of λογίζομαι displayed by the translation of Lev. Three versions of it appear: λογίζομαι (7:8, 17:4, 25:31, and 27:23), συλλογίζομαι (25:27, 50, 52), and προσλογίζομαι (27:18). All three versions are used to render הׁשׁב, suggesting nuances between the Greek terms.

The first instance of the verb is found in Lev. 7:8, which deals with what will be credited to the one who eats a sacrifice on the third day (e.g., οὐ λογισθήσεται αὐτῷ· μίασμά

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[218] "The Use of οἰκία/οἶκος in Greek Exodus: An Attempt to Understand Principles of Lexical Variation in Greek Exodus," *Journal of Septuagint and Cognate Studies* 54 (2021): 126.
[219] HALOT, s.v. "חשׁב."
[220] HALOT, s.v. "הׁשׁב."

ἐστιν). Secondly, Lev. 17:4 addresses who will be perceived as guilty in light of the system when someone has mismanaged a sacrifice (e.g., καὶ λογισθήσεται τῷ ἀνθρώπῳ ἐκείνῳ αἷμα). The last future form in 27:23 (e.g., λογιεῖται πρὸς αὐτὸν ὁ ἱερεὺς) refers to the priest who assigns an amount to give to the Lord. It can be said that each instance of the future form deals with laws that could be viewed as occurring only within the Israelite administrative system and so do not come into conflict with Ptolemaic law. Classification of land is up to a different administrative system in Ptolemaic Egypt, so it is not impossible that the imperative in this verse is a subtle acknowledgement of less control in this realm—if Korytko's theory of imperatives is correct. The use of λογίζομαι does appear to only occur in situations where classification or reckoning is involved, unlike its counterparts συλλογίζομαι and προσλογίζομαι.

The verb συλλογίζομαι appears in contexts involving the computation of the years of sale (25:27), a wage taking into account when a person was first sold until the next Jubilee (25:50), and a price based on a set number of years left until the Jubilee (25:52). Overall, computation appears to be how συλλογίζομαι is used in Lev. and there are parallels to this in the papyrological record shown below. The other verb, προσλογίζομαι, appears once in 27:18 in the context of the price of a field according to the number of years left until the next release, though this time with a deduction involved.

3.3.2 The Greek Perspective— λογίζομαι

Λογίζομαι is often used in contexts of counting or classifying as mentioned above. Typical glosses can include: 'reckon,' or 'calculate that...,' 'take into account,' or 'consider.'[221] It makes several appearances in Greek literature. One such instance is in from Hdt. 1.38 where it is used with an accusative and infinitive, which is a structure LSJ translates as 'reckon, consider that':[222]

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[221] LSJ, s.v. "λογίζομαι."

[222] LSJ lists several other texts using the syntax 'c. acc. et inf': Id.2.46 and Ar.V.745, for example.

εἷς γὰρ μοι μοῦνος τυγχάνεις ἐὼν παῖς· τὸν γὰρ δὴ ἕτερον διεφθαρμένον τὴν ἀκοὴν οὐκ εἶναί μοι λογίζομαι.'

'You are my only son: for that other, since he is ruined, he doesn't exist for me.'[223]

The father does not consider one of his sons to 'count' as his own. This form of λογίζομαι is semantically closer to the usage in Lev. 25:31. The father assigns the status of son, and this assignment does appear in the papyrological record but often in cases tied to accounting and assigning some value to a person or object involved in a calculation.

BGU 16 2606 (7 BCE) lines 5–6 illustrate a basic use of λογίζομαι: λογίζομαι τὸ ὀψώνιον; 'I count the salary.' However, there is some impression of reckoning a value to a person in SB 6. 9103 (248 BCE, lines 8–9):

καλῶς δὲ ποιήσεις ἀ[πο]στείλας ἡ[μῖν τὴν] κατὰ φύλλον γεωμετρίαν ἵνα ἐκ π[λήρους] λογιζώ[με]θα πρὸς τοὺς γεωργούς.

'and you will do well sending to us the measurement according to [the] crop (land survey) in order that we might make a thorough reckoning with the farmers.'

This is a letter from Leon, a toparch, to Apollonios, the finance minister, who complains that he has not been able to finish settling accounts with farmers after harvest time. Leon sees Demetrios, the σιτολόγος (grain official) and his party, as the ones at fault because they have not given him the measurements of the land which are then used to assess how much is owed for rent (ἐκφορίον). Leon asks Apollonios for the measurements (κατὰ φύλλον γεωμετρίαν) so that he is able to finish his accounting with these farmers.[224] Here, the accounts appear to be reckoned with the farmers, as in assigning them a value to pay. It is an assignment based on a land survey. P. Cair. Zen. 4 59723 (259–28 BCE, line 21) then provides us with an example of allocation. The goal of this text is to provide an account of the area allotted to different kinds of crops and to provide an assessment of what each crop is worth (the gross value), perhaps on

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[223] A. D. Godley, trans., *Herodotus, with an English translation* (Cambridge: Harvard University Press, 1920).
[224] A brief commentary on this papyrus is offered by Roger Bagnall in "The Toparch Leon and His Archive," *Greek, Roman, and Byzantine Studies* 15 (1974): 217.

land managed by Zenon.[225] The relevant portion of this report concerns barley: [εἰ]ς κριθὴν λογιοῦνται εἰς ἀρ(τάβας) κε; 'the barley will be reckoned at 25 ἀρτάβαι.'

Similar to θλίβω, λογίζομαι does not appear in royal decrees as commands or prohibitions. However, this verb is used in contexts where someone is in authority to reckon accounts, assess payments, etc., on behalf of the Crown. This is the case in P. Cair. Zen. 4 59723. The government is to receive rent from 1000 arouras as per the stipulations in a previous lease. Campbell Cowan Edgar even comments that "the Crown appears to have had an interest in controlling [the land]" given the government supervision he identifies in this text.[226] Notably, the root *λογ appears in many terms, including ones associated with accounting and assignment, such as λογιστήριον, 'office.' For example, P. Col. 4.88 (243 BCE) shares the story of one man's frustrations with a village scribe and his accounting skills. This text contains three letters in total, and it is the second one with a mention of λογιστήριον. This second letter is addressed to Anosis the village scribe of Philadelphia from Eukles. Eukles accuses Anosis carelessness in maintaining accurate records. He first describes that he learned Anosis did not take into account the breakage of pottery that occurred when it was transported via donkey when reporting to the λογιστήριον 'record office,' nor did he take into account the remainder of the funds still owed the potters. He then adds that Anosis failed to deliver to the λογιστήριον the reports of pigs ready to be slaughtered. Because of his inaccurate reports to the record office, Eukles believes he has acted like a scoundrel. In this story, λογιστήριον is the record office that is home to the village scribe and where one does τὸν λόγον 'the accounting.'[227] In addition to nominal derivations are compound versions of λογίζομαι. There are many variations, and those that appear in the papyrological record are prefixed with: (δια-), (ἀπο-), (κατα-), (προς-), (συλλ-) (ἀνα-) (ἐκ-) or (ἐπι-). Because two of these (προς-, and συλλ-) appear in Lev. as discussed above, some attention will be given to them here to supplement the discussion of λογίζομαι. In asking after the differences between λογίζομαι, συλλογίζομαι, and προσλογίζομαι, perhaps more nuance regarding λογίζομαι can be ascertained. Within the papyrological record, λογίζομαι is the more common term in general. These three terms do have subtle differences despite all sharing some notion of 'reckon' or 'count.'

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[225] Campbell Cowan Edgar, *Zenon Papyri IV* (Hildesheim, NY: Georg Olms Verlag, 1971), 152; no. 59723.
[226] *Zenon Papyri IV*, 152.
[227] Summary and translation are found on Papyri.info: https://papyri.info/apis/columbia.apis.p87.

There are very few mentions of συλλογίζομαι from the third century. There are only three documentary sources, all involving Zenon's estate affairs: P. Cair. Zen. 4 59598 (246 BCE, 3–4), 4 59635 (263–229 BCE, 9), and 4 59710 (263–229 BCE, 59). The first mention in P. Cair. Zen. 4 59598 is in the context of calculating travel expenses along with something else (this part is fragmented but there appears to be a mention of something else with the presence of τε to indicate a sense of 'both'): συλλογεισάμενος οὖν τό τε φόρε[τρον] [......] [ἀπ]όστειλον; 'then after calculating both the travel expenses [and]....send off.' If this interpretation is correct, then there are at least two things to calculate together. The second instance in P. Cair. Zen. 4 59635 seems to be a report of various ongoing tasks from one of Zenon's employees. Lines 9–12 read: συλλογιζόμενοι δὲ εὑρίσκομεν εἰς τρεῖς καὶ δέκα ἀρούρας μήκωνος μόνον, τὸ δὲ λοιπὸν ἁλμυρίδ\α/; 'and reckoning these we find approximately 13 arouras for poppy only, and the rest [is] salted up land.' In this instance, counting the number of arouras fit for a certain kind of crop appears to be at issue. P. Cair. Zen. 4 59710 is then used similarly to P. Cair. Zen. 4 59598 in reference to the calculation of expenses for swine.[228] This variation of λογίζομαι based on these instances does not seem to include explicit references to the classification of an object or person. The use implies counting, putting multiple pieces together for assessment, whether that is a plot of land or expenses. Λογίζομαι as shown above can have the sense of calculation or counting, but classification appears to be a more unique feature of this term. The use of προσλογίζομαι may also put forward some nuances, but texts coming from the second and third centuries are few in number as well, and many of those instances are reconstructed text (e.g., JJP 50 86 38, 238–213 BCE or P. Petr 3 42f 250 BCE).[229] One example

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[228] For brief summaries of each papyrus, see Edgar, *Zenon Papyri IV*: P. Cair. Zen. 4 59598 is found on page 52, 4 59635 on page 79 and 4 59710 on page 140. Further, there are some comments on 4 59710 (*CPJ* I 11) in Tcherikover, *Corpus Papyrorum Judaicarum volume 1* (Cambridge: Harvard University Press, 1957), 137–8.

[229] Surprisingly, there is an instance in the papyrological record where the verb appears in the same form and used in a similar way as verse 31, though it is quite late and therefore will not be used in support of Ptolemaic conclusions on the verb—P. Oxy. 3 533 (a letter to Apion) lines 8–10 (175–225 CE): αἱ πρόσοδοί μου αἱ διὰ τῶν γεωργῶν διαστ[αλ]εῖσα[ι] ἢ παρὰ τῷ ταμείῳ ἐ[ν π]αραθέσει **λογισθήτωσαν** ἢ ἐν ἀσφαλεῖ [ἐσ]τω παρὰ [τοῖ]ς γεωργοῖς ἵνα θεῶν θ[ελ]όντων ἐὰν ἀνεθῶσι μὴ ἔχωμεν περιπλοκὴν π[ρ]ὸς τὸν ἀντίδικον, ἢ ὁ κίνδυνος αὐτῶν ἤτω πρὸς τοὺς γεωργούς; 'Let my revenues which are paid through the cultivators either be placed on deposit at the store-house or be kept in safety in the possession of the cultivators, in order that if the gods will, we may, if they are neglected, have no complications with our adversary, or the cultivators must bear the risk.' (Translation found at https://papyri.info/ddbdp/p.oxy;3;533).' Λογίζομαι is not used here in relation to classification of land. It is used here to convey instructions for what to do with a person's revenues. This imperatival usage appears to be functionally the same as v. 31 because it provides instructions for the revenues just like v. 31 provides instructions for what to do with houses during the Jubilee.

that appears quite similar in usage to συλλογίζομαι is in P. Tebt. 1 72_5, 114–13 BCE, reporting on crops in Kerkeosiris. Lines 106–7 are indications that certain shares are 'according to [the] year of reckoning the lists of lands subject to dues…and for this reason nothing is delivered until the 34ᵗʰ year 33 ἀρτάβαι; κατ' ἔτος προσλογιζομένου τοῖς ἀπαιτησίμοις. Based on this translation, this line might be interpreted as referring to the time when lists are collected and the types of land listed are assessed to see what they need to pay.[230] LSJ differentiates προσλογίζομαι by putting forward the glosses 'count in addition,' or 'take into account besides.'[231] Perhaps with this translation in mind, Lev. 27:18 mentioned above takes into account (in addition to the regular computation) a deduction in the calculation of the years until the Jubilee for the price of a field.

3.3.3 Using Korytko's Theory for Imperative Λογίζομαι in LXX Lev. 25

Based on the evidence above, λογίζομαι does not appear to be legal terminology, though it does seem to be accounting terminology. Lev. 25:31 concerns the classification of houses/land into one of two categories: open country vs. walled cities. Those houses classed as the former are able to be redeemed, while those classed in the latter are irredeemable after one year. The classification of land, according to the Ptolemies, is not exactly this system, but they are concerned with cultivable land as well. It does not seem to be the case that they cared about the houses specifically (though they would be concerned with each member of a household paying their individual taxes). The Ptolemaic system for cultivable land involves four main categories: cleruchic, royal, private, and sacred as discussed in chapter two. The Levitical land laws appear to be confined to relations between family and close kin who may feel obligated to practice the land laws associated with cultivable land. Additionally, λογίζομαι is not necessarily a direct command in Lev. 25. It could be argued that it is an administrative statement which explains how houses are classed according to the Jubilee system. There is no person who is singled out and commanded *per se*. Though this imperative appears among

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[230] For several notes on this lengthy text, see 316–23 in Bernard P. Grenfell, Arthur S. Hunt, and J. Gilbart Smyly, *The Tebtunis Papyri Part 1* (London: Henry Frowde, 1902).
[231] LSJ, s.v., "προσλογίζομαι."

future forms, it seems to be operating the same as the verses prior in the sense that it shares how the land is to be classified according to a divine system. While conceptually, the act of classifying these lands could fall to someone, this verb may not be a viable candidate for the theory since it seems to be operating differently than the imperative found in Korytko's future-dominant texts which will be shown in chapter four.

At first glance, λογίζομαι and θλίβω may appear to conflict with Ptolemaic law but the evidence points in different directions and each verb has associated difficulties. For example, we saw that θλίβω is a relatively vague term, and though it can be used in connection to financial matters and therefore does not seem out of place in Lev. 25, the evidence lacks direct connections stemming from Ptolemaic legislation. Λογίζομαι likewise lacks these direct connections and is even used in other situations in Lev. outside of the land tenure realm (e.g., Lev. 17:4 dealing with guilt). It may also be seen as an administrative statement referring to the Jubilee and how land/houses are classified according to a divine system. There may very well have been Ptolemaic legislative papyri commanding or prohibiting something to do with λογίζομαι and θλίβω, but the papyri are silent in this regard, leaving conclusions more speculative. It is possible that there are other verbs in Lev. which are easier to connect to Ptolemaic legislation. To further extend the theory, a verb sketch will assist in determining other potential areas of conflict and formal influence.

3.4 Verb Sketch

There are approximately 32 times when a Hebrew imperfect verb is rendered with a Greek imperative throughout Lev. The following table is intended to locate the kinds of verbs that undergo this change. It is organized according to verb, first with the Hebrew along with the person, followed by the Greek and its person with the verb's basic semantics in the last column.

Table 8: Hebrew Imperfects as Greek Imperatives in Lev.

Verse	Hebrew Imperfect	Person	Greek Imperative	Person	Semantics
9:3; 24:15	דבר	2nd	λαλέω	2nd	Speaking
24:2	לקח	3rd	λαμβάνω	3rd	Taking
9:6	עשׂה	2nd	ποιέω	2nd	Doing
13:45	היה	3rd	εἰμί	3rd	Being
13:45	עטה	3rd	περιβάλλω	3rd	Covering
16:2	בוא	3rd	εἰσπορεύομαι	3rd	Entering
18:24	אל + טמא	2nd	μὴ + μιαίνω	2nd	Defiling
19:3	ירא	2nd	φοβέω	3rd	Fearing
19:26	לא + אכל	2nd	μὴ + ἐσθίω	2nd	Eating
20:2, 9, 10, 11–13, 15, 16, 27; 24:16–17, 21	מות	3rd	θανατόω	3rd	Putting to Death
24:16	רגם	3rd	λιθοβολέω	3rd	Stoning
22:2	נזר	3rd	προσέχω	3rd	Paying Attention
24:18	שׁלם	3rd	ἀποτίνω	3rd	Repaying
25:14, 25:17	אל + ינה	2nd	μὴ + θλίβω	3rd	Oppressing
25:31	חשׁב	3rd	λογίζομαι	3rd	Reckoning

These are the verbs which are translated from Hebrew imperfects/perfects/jussives into imperatives in Lev.[232] Some are found in narrative sequences (e.g., 9:3), while others appear in legislative contexts (e.g., 13:45). First, the bulk of the passages containing the imperatival rendering are found in relation to the death penalty. Second, and most crucial, not all semantic content of the verbs listed above (at first glance) seem to have overlap with Ptolemaic law. There are some verbs which show potential for connections to the Hellenistic world such as 19:26, which speaks out against eating on the mountains (μὴ ἔσθετε ἐπὶ τῶν ὀρέων), and other religious practices like ornithomancy. There could be potential here for conflict with other religious laws, however, there are some which do not look promising for Hellenistic legislative connections. One of those is λαλέω, used mostly in narrative structures. This verb can be helpful for illustrating problems when there are expectations of consistency. It is worth noting that though Korytko does not claim consistency in imperative function across Ex. or other books, consistency in how the imperative operates is a consideration when it comes to the reception of this text. This will be discussed in further detail in chapter four. The following extendibility test is intended to offer another test the boundaries of the theory.

3.5 Extendibility Issues

The verb λαλέω is found in contexts where a character is told to speak and make a command. Used in a narrative context with dialogue between characters does not immediately suggest a need for adaptation to Ptolemaic law (or other). In verse 9:3 Moses tells Aaron to speak to the council of Israel regarding whole offerings, and 24:15 is when the Lord commands

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[232] With regard to the jussive, it is unclear in Korytko's list whether the form is intended to be part of this group given the lack of explicit distinction, but the jussive forms are included here given their close relationship to the imperfect (see Korytko, *Death of the Covenant Code*, 82, fn. 105; see also past discussions of Hebrew jussive and imperfect forms in John Bright, "The Apodictic Prohibition: Some Observations," *Journal of Biblical Literature* 2 (1973): 185–204. In this discussion he summarizes those who have attempted to distinguish the force of the two forms. The differences between the forms are often in terms of their generality or permanence [Williams, *William's Hebrew Syntax,* paragraph 186]. Further, see John A. Cook's analysis of these forms and their placement in his framework for Hebrew modals. He places the forms in the same linguistic category as irrealis, which conveys the possibility that an event can happen, yet has not: John A. Cook, "Mood/Modality in Biblical Hebrew Verb Theory," in *Society of Biblical Literature Annual Meeting, Philadelphia, PA*. 2005). It is worth noting however that semantically speaking, according to Kutz and Josberger, the jussive is "dependent on the compliance of the individual," whereas the (negated) imperfect (as indicative) assumes total compliance [Kutz and Josberger, *Learning Biblical Hebrew,* 195–6. They note here the imperfect that is used throughout the Ten Commandments]).

Moses to speak to the Israelites about cursing God. In verse 7:19, the Lord again commands Moses to speak to the Israelites, this time about deliverance offerings. Semantically speaking, all contexts appear quite similar: a command is given to someone else to speak to the Israelites concerning an issue. This does not appear to have an influence on the choice of future or imperative. Perhaps there is something special about the type of offering, but then the expectation for change concerns the verb carrying the semantic weight, not the initial speaking verb which sets the stage. Looking at the grammatical context instead provides more hope for a potential explanation for the behaviour of λαλέω.

The most dominant translation patterns for λαλέω are imperative – imperative and an aorist indicative – piel vav consecutive.[233] There are only three other deviant patterns:

(7:19)   λαλήσεις (future) → דבר (imperative)
(9:3; 24:15)   λάλησον (imperative) → תדבר (imperfect)
(20:2)   λαλήσεις (future) → תאמר (imperfect)

Upon closer inspection, the word order of three of these verses is the same, deviating from the standard verb (V) then indirect object (IND OBJ) order for speaking commands. Instead, τοῖς υἱοῖς Ἰσραὴλ ("the sons of Israel") is clause initial instead of the verb (verb clause initial is common when it appears as an imperative, e.g., fn. 48). The same phrase is found in 20:2, but this time the Greek future form renders a Hebrew imperfect, in accordance with the more future-dominant pattern throughout Lev. and therefore will remain 'on the shelf' in this analysis. The remaining verses exhibit the following clause structure:

LXX 7:19	καὶ τοῖς υἱοῖς Ἰσραὴλ λαλήσεις λέγων	IND OBJ - V
MT 7:29	דבר אל־בני ישראל	V – IND OBJ

LXX 9:3	καὶ τῇ γερουσίᾳ Ἰσραὴλ λάλησον λέγων	IND OBJ - V
MT 9:3	ואל־בני ישראל תדבר	IND OBJ - V

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[233] Found in vv. 1:2; 4:2; 6:25; 7:13; 12:2; 15:2; 16:2; 17:2; 18:2; 19:2; 22:18; 23:2; 23:24; 23:34; 25:2; 27:2. There is one plural instance in 11:2 (λαλήσατε for דברו). For aorist indicative to vav consecutive, not all are named here as there are numerous examples such as in Lev. 1:1, 4:1, 5:14, 6:1, 6:8, etc.

LXX 24:15   καὶ τοῖς υἱοῖς Ἰσραὴλ λάλησον καὶ ἐρεῖς πρὸς αὐτούς   IND OBJ - V

MT 24:15   ואל־בני ישׂראל תדבר   IND OBJ - V

In all Greek instances, the intended addressee in dative form comes *before* the verb instead of after it. In 7:19, דבר does appear clause initially, but the Greek reverses it. In the other two verses, the Hebrew word order is maintained. There could be something about the word order that necessitates different verb forms in the case of 9:3 and 24:15. Yet it is curious that there are only two instances where an imperfect is switched to an imperative. It is in these cases when there are such dominant patterns in place and no obvious semantic deviations point to a different theory of imperatives that the likelihood of a different *Vorlage* becomes higher (especially with the reversed word order in 7:19). It would be much simpler to say that because in the majority of cases, 'speak to the sons of Israel' uses a piel imperative, the others were made to match for the sake of consistency (assuming a cohesive text) or there was a different order in the *Vorlage*. Note as well that in both 9:3 and 24:15, the word order is the same, dealing with the same speaking command. In this case, (provided the MT reads as the *Vorlage*), the Hebrew was more syntactically varied, and the Greek translation flattened these distinctions.

Nevertheless, the intention here is not to provide definitive answers to the λαλέω puzzle. Though Korytko does not attempt to explain the occurrences of this verb, what this example shows is that it does not make sense to use the theory to explain this instance λαλέω. It could still be the case that the function of the imperative isolated by Korytko is intended to be used only for legislative contexts, though perhaps one of the most confusing pieces is determining when an imperative will be used as opposed to the future form. Considerations of Ptolemaic instruction can only take us so far when interpreting the imperatives. For example, consider Lev. 25:4: "But in the seventh year there shall be Sabbata—a rest for the land, Sabbata for the Lord; you shall not sow your field, and you shall not prune your vine." If Lev. were truly sensitive to Ptolemaic land laws, then the imperative would be best to include here since there is emphasis on sowing and reaping in the Ptolemaic empire, the threat of auctions, etc., yet the future form prevails. If this historical reconstruction is correct, the logic of Korytko's theory simply does not make sense to extend into the Lev. 25 land laws and so cannot be used

to support the idea that the translation reflects Ptolemaic realities for the benefit of Greek-speaking officials. The investigations of θλίβω and λογίζομαι, their status' as commands, and initial tests on extendibility for the sake of recipient clarity have produced some doubt as to the validity of the theory. Upon closer inspection as well, Korytko's theory does contain some problems on its foundational levels that revolve around these same issues. The last chapter will re-examine some of the underpinnings of Korytko's theory and offer some future avenues of research for ascertaining other motivations behind imperatival forms in the LXX Pentateuch and Ptolemaic documents.

CHAPTER 4: A RESPONSE TO KORYTKO'S IMPERATIVE THEORY

For the purposes of the following chapter, it is worth re-stating Korytko's approach and theory of imperatives before moving forward into a description of suggested amendments or further considerations. At the beginning of Korytko's monograph are two goals:

(1) "attempt to provide a comparative analysis of these [literary and documentary] sources to establish a more accurate reading of the Greek text…"[234]

(2) "…look to the world of Classical and Greco-Egyptian law and their language to see if further light can be shed upon the translation transformations under discussion."[235]

After naming his goals, he states (in relation to laws concerning the death penalty in LXX Ex.):

> Here I will propose that the translator may have drawn upon various aspects of Greco-Egyptian legal practice, language, and formulations when rendering the Hebrew text. The resulting conclusion from these two investigative strata, should they prove true, would be that the translator rendered these laws involving the death penalty in such a way so as to intentionally conform to Greco-Egyptian law.[236]

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[234] *Death of the Covenant Code*, 1.
[235] *Death of the Covenant Code*, 1.
[236] *Death of the Covenant Code*, 1–2.

This proposal encompasses all lines of his exegetical inquiry found throughout the monograph, including the theory of Greek legal imperatives. He prioritizes phenomena found within the Greek language of the literary and documentary sources, comparing the switches between the future and imperative forms within Greek legal syntax and singling out those texts which most resemble the patterns found in LXX Ex. death penalty laws. The Ex. translator is noted to have used the imperative form for a Hebrew imperfect only ten times in vv. 21:1–23:19, with six of these in the context of the death penalty. In the same range of passages, Korytko reports 133 occurrences of the future form to render either the imperfect or prefixed conjugation.[237] With these occurrences in view, he looks to legal genres in the Ptolemaic world to find a basis for this switch between forms in Ex., focusing on Ptolemaic decrees. He notes that the Ex. translator does frame his laws as προστάγματα, a kind of decree introduced by the Ptolemies.[238] The Ptolemaic legal texts he isolates are those which he refers to as future-dominant texts because of the prevalence of the future form.[239]

Korytko emphasizes that the switches between the future and imperative forms are rare among Ptolemaic decrees. In fact, he notes that "decrees can use either the future tense or the imperative for their command verb. However, *a decree does not switch between the two.*"[240] The typical command forms found in Classical Greek civic laws are either the third-person imperative or infinitive with the future form absent.[241] The use of the imperative and the infinitive command forms do carry into the Ptolemaic period, but one noted difference is that "the future tense is also used for legal commands when governing the populace, a distinction from the Classical sources."[242] Any kind of switch between forms in these legal contexts is

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[237] *Death of the Covenant Code*, 81–2.
[238] *Death of the Covenant Code*, 82.
[239] These texts are found on pages 103–9 in *Death of the Covenant Code*.
[240] *Death of the Covenant Code*, 90.
[241] *Death of the Covenant Code*, 83–4.
[242] *Death of the Covenant Code*, 88, commenting specifically on royal decrees governing a populace and differentiating from the future tense that was already used in leases and contracts. There is an interesting example found in Aristophanes *Clouds*, 1352. There is a chorus leader addressing Strepsiades telling him to share the origin story of how Strepsiades got into a quarrel. The chorus leader says: ἀλλ᾽ ἐξ ὅτου τὸ πρῶτον ἤρξαθ᾽ ἡ μάχη γενέσθαι, ἤδη λέγειν χρὴ πρὸς χορόν· πάντως δὲ τοῦτο δράσεις;᾽ But first you need to tell the Chorus here how your fight originally started. That's something you should do in any case.' (Translation: Evan Hayes and Stephen Nimis, eds., Ian Johnston, trans. *Aristophanes' Clouds: A Dual Language Edition* [Oxford OH: Faenum Publishing, 2017], 147). Judy Glaze interprets this use of future as a command, so this instance could be an example of an early use of the future form as a command, though the English translation reads more

then seen as peculiar and worth exploring further because of the well-documented fixity of legal syntax.[243] After a survey of his three foundational Ptolemaic future-dominant legal texts, he proposes the theory that the imperative functions as an indicator of an optional command. The translation tactic of the Ex. translator is then understood to employ this legal formula which "is signaled through the employment of the third person imperative as the penal command verb of a given law in contrast to the future tense used for the penal command verb."[244]

Korytko's study relies on a multitude of legal texts, establishing the fixity of tense form among them, and this does provide a strong foundation for his conclusions regarding the function of the imperative among future forms. However, there are some aspects of his organization of the data that appear to require further delineation in addition to a need for further discussion as to the implications of his findings. For example, if the Ex. translator did draw from Ptolemaic legal syntax when rendering the imperative, the question of translational consistency arises. If the purpose of using this legal syntax is to offer accessibility to those reading it, then we might expect some form of consistency across the translation for textual clarity. Further, there are some issues which are sidelined in Korytko's study, such as differentiating between administrative statements and actual commands, or the nuances of the Greek imperatival infinitive in relation to the imperative.

The present study takes no issue with comparing LXX linguistic phenomena to Ptolemaic legal texts; however, it does disagree with the general approach taken by Korytko to the organization of the imperative, future, and infinitive forms within those texts. The present study advocates for a purely syntactic analysis of the command forms found among Korytko's mixed tense form texts apart from his legal genres. To clarify, he does specify that his study focuses on the syntactic level, but his categorization of the forms and comparison to LXX Ex. gives one the impression that the comparison should only happen between LXX Ex. and a certain group of Ptolemaic legal texts because both contain future oriented verbs as the dominant verb form with occasional imperatives. This approach may be said to address the

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like advice. Nevertheless, Strepsiades does proceed to tell the Chorus about the fight. ("The Septuagintal Use of the Third Person Imperative," (M.A. thesis, Harding Graduate School of Religion, 1979), 36.
[243] *Death of the Covenant Code*, 90.
[244] *Death of the Covenant Code*, 5.

broader discourse patterns of the text, not isolate syntactic instances.[245] Ultimately, the present study disagrees that the mixed-command form texts should be categorized according to the more dominant verb form; instead, the comparisons should stretch across Ptolemaic administrative and legal texts. When analyzed apart from his legal genre (i.e. future-dominant texts), further considerations arise that may offset Korytko's conclusions but refine the organization of the data and define avenues for further research.[246]

This chapter will present two potential and related linguistic problems with Korytko's imperative-dominant and future-dominant genres: (1) the lack of fine distinction between administrative statements and true commands, and (2) the lack of attention given to the infinitive as a command form. Both considerations arise when isolating texts based solely on how frequent a certain command form appears in relation to other command forms. The former point also appeared in the analysis of the Lev. 25 land laws. Additional issues arise with Korytko's theory when asking questions concerning the reception of these texts in relation to the theory of πολίτικοι νόμοι. The goal of this final chapter is not to propose an entirely new framework for the imperatives (in either the LXX Pentateuch or Ptolemaic texts); instead, it focuses on the ways in which Korytko's theory may need amending and why it is difficult to see how it can explain the imperatives in Lev. 25.

4.1 Re-examining Korytko's Evidence

Perhaps the best place to begin the discussion is in reference to Korytko's primary data and his own categorization of the texts. This provides the basis for the following section involving suggestions for refining the theory. Korytko readily outlines some of the more difficult documents to categorize and is clear in saying that "I am not attempting to allocate airtight categories for the legal genres of Ptolemaic Egypt…rather I attempt to note the broader

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[245] Korytko also appears to operate on the discourse level in his analysis of Ptolemaic texts when he seeks to isolate genres based on command forms, moving the focus away from the syntax and putting more focus on the text as a whole.

[246] "Syntax" is defined by R. W. M. Dixon as "study of the organization and interrelation of the components of a grammar above the level of word" (*Basic Linguistic Theory Volume 3: Further Grammatical Topics* [Oxford: Oxford University Press, 2012] 477. The present study also attempts to be mindful of clause-specific elements, with clause defined as "the description of some activity, state, or property. Consists of an obligatory predicate which requires certain core arguments and may also have peripheral arguments" (*Basic Linguistic Theory Vol. 3*, 467).

categories of law that are substantially attested and then demonstrate that fixed syntactic patterns existed for Ptolemaic law in general."[247] He further asserts that his argumentation "is dependent on the fixity of syntactic rules, not the proper taxonomy of every text."[248] He divides this portion of his study into the following sections: (1) future tense in relative clauses of imperative-based texts, (2) future tense payment verb exception, (3) imperative-dominant examples with added future (not payment verb) and (4) future-dominant examples with added imperative (equivalent to Greek Ex.).[249]

In the first category, Korytko comments on "the most straightforward category of future tense verbs"[250] in imperative-dominant texts, which is the future form in a relative clause. He asserts that in these cases, the future form is "not a command but is used to describe an anticipated event related to the legal materials at hand. It is a descriptor and is not itself a command."[251] The example he provides is from P. Freib. 3 34, Fr.2.29–30:

ἐὰν δέ τι βασιλικὸν κώλυμα γένηται, παρ'] ὅ οὐ δυνήσεται βεβαιοῦν Πτολέμαρχος τὴν [μίσθωσιν, ἀποδότω Πτο[λέμαρχος...
'But if there may be some royal hinderance, on account of which Ptolemarchos will not be able to confirm the rent, Ptolemarchos shall give'

This is the only explicit example provided and following this, Korytko summarizes that the other examples collected show this same usage. This relative clause is embedded in a larger conditional clause that uses an imperative to later command Ptolemarchos (ἀποδότω). In a footnote, this document is described as a contract and Korytko believes "it demonstrates the point none the less" despite it being part of a genre outside of Ptolemaic decrees. Within this footnote as well is an admission that because this trait is found in a contract, "it might suggest that some of these rules crossed the boundaries of genre, as is the case with the future tense used for payment stipulations."[252] The future tense used with payment stipulations comprises

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[247] *Death of the Covenant Code*, 91.
[248] *Death of the Covenant Code*, 91. See his classification of texts in Appendix 1.1.
[249] *Death of the Covenant Code*, 94–114.
[250] *Death of the Covenant Code*, 94.
[251] *Death of the Covenant Code*, 94.
[252] *Death of the Covenant Code*, 94, fn. 160.

his next section and is named as an exception to the patterns found in legal texts. Korytko does not settle on a conclusion as to why there are times when πράσσω and ἀποτίνω appear as imperatives in some texts, while appearing in the future form in others. However, he does mention that these verbs are in the future tense when used in connection with the royal treasury (τό βασιλικόν). Here he speculates that "when it came to royal goods and monies owed to them, the future represented a more forceful royal tenor" but holding that further investigation into these verbs is warranted. However, he does believe that the pattern among these payment verbs "corroborates the claim that a switch in command verb is not haphazard."[253]

Following this section is a discussion on imperative-dominant texts with instances of future form. He establishes here again that if there are penal commands in imperative form, then the rest of the text has the penal commands in imperative form. He further suggests that infinitives can be in these texts as well. Among these imperative dominant texts as well is one reoccurring example of a future form: ὁ βασιλεὺς διαγνώσεται 'the king will make it known.' This phrase is understood not as a command, but an indication that the king will take up action at a later date.[254] His next main example comes from the *Revenue Laws* (P.Rev. 54.15–16): παρα[κ]αταστήσουσι δὲ οἱ πριάμενοι τὴν [ὠ]ὴν καὶ ἀν[τιγ]ραφεῖς; 'the contractors shall also appoint clerks.' With regard to this example, Korytko notes that it appears as the first directive of the section and it is an event intended to happen only once. He describes that "there is no behaviour being moderated, but rather this instruction acts as a prerequisite to the upcoming directives (in the imperative) for these clerks" and these future forms "represent a structuring of the economic system through the appointment of certain groups to roles of authority."[255] He further addresses the use of future forms related to the prices of goods in P.Rev.34.1–8; P.Rev. 40.9–20; P.Rev.53.4, 18–19, 23; P.Rev. 56.14–18. These examples are described as not in reference to an action, but in reference to prices being set by the Ptolemies. Korytko remarks that "it seems that once again the future tense is used for prerequisite matters."[256] His last two examples refer to the death penalty and appear in SEG 9 1.52–3, 71–2. The first listed is SEG 91 1.52–3 (321 BCE):

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[253] *Death of the Covenant Code*, 96.
[254] *Death of the Covenant Code*, 96.
[255] *Death of the Covenant Code*, 97–8.
[256] *Death of the Covenant Code*, 99.

Ὃς ἂν τὰς Πτολεμαίου γνώμας [λύσηι ἅς ἐς Κυρην]αίους Πτολεμαῖος κα[θεῖ]σε, θανάσιμος ἔσται

'Whoever [will undermine] the decisions imposed by Ptolemy [on the Cyre]naeans should be liable to the death penalty.'

The examples found in SEG 9 1.52–3, 71–2 are hypothesized as indicating "something of a solemn royal voice akin to what may be seen with the future used for payments to the royal treasury (and possibly for setting prices) as described above."[257] With these examples in mind, we turn to Korytko's final section on future-dominant texts.

His first example is P. Paris 62, r.5.12-15:

τῶν δὲ καταβολῶν σύμβολα **λαμβανέτωσαν** παρὰ τοῦ τραπεζίτου ὑπογραφὰς ἔχοντα παρὰ τῶν ἐπακολουθούντων, ἐὰν δ' ἄ[λλ]ως οἰκονομῶσιν, ἄκυροι αὐτοῖς **ἔσονται** αἱ δόσεις.
'For the payments (the collectors) **should receive** receipts from the bank manager, which bear the signatures of the witnesses. If they act differently, the payments **should be** invalid.'[258]

      There are a few elements of this text explained by Korytko worth noting. The first is that both the future and the imperative appear in the same section. The second is that there are about 150 lines of strictly the future tense, and this segment is the only one containing an imperative. Korytko draws attention to two main ideas in the text: (1) that it acknowledges the person might manage themselves differently (i.e. the person does not attempt to retrieve the receipt or signatures), and (2) there is no punishment if the person does not collect the receipt.[259]

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[257] *Death of the Covenant Code*, 102.

[258] Korytko's citation has the translation based on Ulrich Wilcken, *Urkunden der Ptolemäerzeit. Erster Band: Papyri aus Unterägypten, vol. 1 of Urkunden der Ptolemäerzeit* (Berlin & Leipzig: de Gruyter, 1927), 509, and Lewis, *Greeks in Ptolemaic Egypt*, 18–9. It is curious that both of the imperative and the future are rendered in English using 'should.' Perhaps a better translation would be 'For the payments let them (the collectors) receive receipts from the bank manager, which bear the signatures of the witnesses. If they act differently, the payments will be invalid.' This translation reflects the distinction between the imperative and future form more clearly.

[259] Korytko, *Death of the Covenant Code*, 104.

He concludes that here the use of λαμβανέτωσαν as an imperative indicates that "it is permissible not to undertake the action, though this is not without some consequence as is spelled out in the next sentence."[260] His second example is from SEG 9 72.26–32 (325 BCE–300 BCE):

Αἴ κα ἐπὶ βωμῶι θύσηι ἀρῆιον, ὅ τι μὴ νόμος θύεν, τ[ὸ] ποτιπίαμμα ἀφελὲν ἀπὸ τῶ βωμῶ καὶ ἀποπλῦναι καὶ τὸ ἄλλο λῦμα ἀνελὲν ἐκ τῶ ἱαρῶ, καὶ τὰν ἴκνυν ἀπὸ τῶ βωμῶ καὶ τὸ πῦρ ἀφελὲν ἐς καθαρόν· καὶ τόκα δὴ ἀπονιψάμενος, καθάρας τὸ ἱαρὸν καὶ ζαμίαν θύσας βοτὸν τέλευν, τόκα δὴ **θυέτω** ὡς νομ[...]οκώχιμος μέστα ἐς ἀδελφεῶν τέκνα.

"If one sacrifices on the altar a sacrificial animal which is not customary to sacrifice, he is to remove the residue of grease from the altar and wash it off and remove the remaining refuse from the sanctuary and remove the ash from the altar, and the fire to a pure (place). And only then after having washed himself off, having purified the sanctuary and sacrificed as a penalty an adult animal, precisely then **let him sacrifice** as one liable to the law up to the children of brothers."[261]

Here Korytko describes that the recipients of these laws are unknown, but it is still a future-dominant text with the occasional imperative. The verb θύω appears as an imperative only here, but is future in several others locations (e.g., lines 11, 37, 46, 57, 61, 67, 74, etc.). The laws outlined above stipulate what is to happen when someone sacrifices incorrectly. Here Korytko draws attention to two main ideas: (1) θυέτω is used in reference to an offering that is unnecessary and (2) if the sacrifice is made, it is made in accordance with another set of laws. This set of laws then is seen as subject to another set of laws (ὡς νόμος/νομοκώχιμος).[262] The final future-dominant text is SB 5 8008 (2).49–59 (= C.Ord.Ptol. 22; 260 BCE):

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[260] *Death of the Covenant Code*, 104.
[261] Translation from Dobias-Lalou et al., "Sacred Laws," IGCyr (2022), http://doi.org/10.6092/UNIBO/IGCYRGVCYR, filename: IGCyr016700.
[262] *Death of the Covenant Code*, 106.

Τῶν δὲ στρατευομένων καὶ τῶν ἄλλων τῶν κατοικούντων ἐν Συρίαι καὶ Φοινίκηι, ὅσοι συνοικοῦσιν γυναιξὶ λαϊκαῖς, [ἃς] ἀνειλήφασιν, **μὴ ἀπογραφέσθωσαν**. Καὶ εἰς [τὸ] λοιπ[ὸν] δὲ **μηδενί ἐξέστω** ἀγοράζε[ιν] μηδὲ [ὑ]ποτί[θε]σθαι σώματα λαϊκὰ ἐλεύθερα παρευρεσει μηδ[ε]μιᾶι, πλὴν τῶν ὑπὸ τοῦ διοικοῦντος τὰς κατὰ Συρίαν καὶ Φοινίκην προσόδους ἐν προσβολῆι διδ[ο]μένων, ὧν ἡ πρᾶξις καθήκει, καὶ ἐκ τοῦ σώματος γίνεσθαι, καθότι ἐν τῶι νόμωι τῶι ἐπὶ τῆς μισθώσεως γέγραπται.

"Whoever of the soldiers on active duty and the other military settlers in Syria and Phoenicia are living with native wives whom they have captured **need not declare them**. And for the future **no one shall be allowed** to buy or accept as security native free persons on any pretext, except for those handed over by the superintendent of the revenues in Syria and Phoenicia for execution, for whom the execution is properly on the person, as it is written in the law governing farming contracts."[263]

This text is filled with future forms, and it is in this section only that two imperatives appear as Korytko observes. The commentary for this text is multilayered. This set of laws in lines 49–52 is directed towards soldiers whose wives are from the lower class or native population. Normally, these wives would need to be registered with officials in twenty days (the time beginning when the decree is posted), or else a person risks losing a slave and provokes a further kingly decision on the matter. Korytko understands μὴ ἀπογραφέσθωσαν as referring to the soldiers' exemption from the registration and interprets the imperative as indicating that a soldier had the option of registering their wife, but that it was ultimately not necessary. The second imperative, (μηδενί) ἐξέστω is explained as referring to "those handed over by the superintendent of the revenues in Syria and Phoenicia for execution," possibly referring to the later mentioned farming contracts. The farming contracts were intended to explain what is legal when it comes to selling or accepting the lower class or native population as security. Korytko draws attention then to the reality that purchasing people from the native population was legal sometimes, indicating variation in the government body in legislation regarding these sales. He then concludes the section by saying "just as with μὴ

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[263] Translation from Bagnall and Derow, *The Hellenistic Period*, 112; no. 64. All following examples use this translation.

ἀπογραφέσθωσαν, the action commanded with the imperative is understood to be one that may or may not be followed, depending on other legal materials and considerations."[264]

These are (in summary) Korytko's future-dominant texts provided to illustrate his imperative theory. What must first be addressed is the need for an explicit distinction between declarative statements and true commands.

4.2 Administrative Statements vs. True Commands

One critical distinction that must be made before comparing the future and imperative forms is to isolate those forms which are administrative statements from those which are true commands (i.e. forms that are unambiguously in the imperative mood directed at another party).[265] Korytko does draw distinctions (to some extent) in his discussion of the future forms which appear in imperative-based texts. We see this made in reference to some future forms serving as statements that "establish jurisdiction" in the *Revenue Laws*.[266] In relation to the payment verb, he makes an exception and notes that the payment verbs πράσσω and ἀποτίνω appear in the future form in connection to the royal treasury. He also acknowledges that the future form embedded within the relative clause in P. Freib. 3 34 is not a true command but "used to describe an anticipated event."[267] However, there could be a broader distinction to

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[264] Korytko, *Death of the Covenant Code*, 109; discussion of this text is found on pages 108–9.

[265] Language has three grammatical moods: interrogative (e.g., a phrase that asks a question), declarative (e.g. a phrase that makes a statement), and imperative (e.g., a phrase that expresses an order/command). The imperative mood expresses an order. Put simply, and order is "an instruction given to people to make them act in the way other people want them to" (Nuria del Campo Martínez and Francisco José Ruiz de Mendoza, "A Constructionist Approach to Illocution: A Case of Orders," *Miscelánea: A Journal of English and American Studies* 45 [2012]: 18). Put differently, the imperative form (e.g., run!) is often used in the imperative mood which is a grammatical way to express an order (another term we can use here is 'directive'). Imperatives are not the only forms which can express commands. In English for example, 'can you close the window?' is often interpreted as an order, yet it uses an interrogative. The imperative form is versatile and has been shown to carry with it many pragmatic overtones varying between languages (e.g., impoliteness, brusqueness, etc.) in addition to having various functions (e.g. expressing advice, invitations, requests, demands, etc.). See chapter one in for an introduction to imperatives in Alexandra Y. Aikhenvald, *Imperatives and Commands*, Oxford Studies in Typology and Linguistic Theory (Oxford: Oxford University Press, 2010), 1–16; Aikhenvald further lists examples of imperatives in English on page 198. In Greek, orders are most often used for commands, permissions, and assumptions (Nikita Salmin, "3rd Person Imperatives in Old Indo-European Languages," [PhD. Dissertation, Praha 2024], 36). And perhaps most important here is acknowledging that Greek orders can be in the imperative, future, subjunctive, or infinitive form on the grammatical level.

[266] *Death of the Covenant Code*, 98. Pages 97–8 expand on this idea.

[267] *Death of the Covenant Code*, 94.

make. Perhaps future forms should be categorized based on whether or not they are an administrative statement or a true command. Korytko does not appear to make these broader distinctions in the discussion of future forms among his future-dominated texts. The best text to illustrate these categories is SB 5 8008 (2), in reference to which Korytko affirms "if the laws in Exod 21–23 were intended to be viewed under the heading of προστάγματα, then this text offers the closest analogy of a syntactic parallel within that genre."[268]

SB 5 8008 (2) is labelled as 'future-dominant,' but most of the future forms are administrative assertions.[269] The fact that these are not true commands might indicate that these instances of the future are ill-suited as data points for Korytko's theory. For example, in lines 39–43 we find:

ἐὰν δέ τις μὴ ἀπογράψηται ἢ μὴ ἀναγάγηι τοῦ τε σώματος στερηθήσεται καὶ προσεισπραχθή σετ-αι εἰς τὸ βασιλικὸν ἑκάστου σώματος (δραχμὰς) Γ καὶ ὁ βασιλεὺς περὶ

αὐτοῦ διαγνώσεται.

"If anyone does not declare or present him he shall be deprived of the slave and there shall in addition be exacted for the crown 6,000 drachmas per head, and the king shall judge about him."

In this example, the lack of declaration is punished. Fines and the confiscation of property are actions that the government can do and will do. It appears that all administrative declarations are in the future form. When the topic turns to the soldiers and what actions are required of them, the imperative is used (lines 49–59). One interpretation is that the future form is used for administrative laws associated with the government system, and the imperative may be used for when commands address another person and their actions. However, there does appear to be an exception to how the future form is used, possibly indicating a different kind of future that may imply varying force between the command forms of future and imperative (lines 23–6):

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[268] *Death of the Covenant Code*, 107.
[269] See Appendix B for all future forms in this text.

ποιήσονται δὲ καὶ κατ' ἐνιαυτὸν τὰς ἀπογραφὰς ἐν τοῖς αὐτοῖς χρόνοις καὶ τὰ

γινόμενα **τάξονται**, καθότι ἐν τῆι \παρὰ/ τοῦ βασιλέως \ἐπιστολῆι/ διασεσάφηται

ἐν τοῖς καθήκουσιν μεισὶν κατὰ [τ]ὸ διάγραμμα.

'And **they shall make** each year at the same time declarations and **shall pay** the sums due as it is set out in the letter from the king, in the proper months according to the schedule.'

Here there is a future form used for an actual command, not a statement about administrative practices. It commands those with tax contracts and the κωμάρχαι (leaders of the village) to declare and pay. Confusingly, prior to this injunction, they are commanded using the subjunctive form ([ποι]ήσωνται) in line 16 for registering both taxable and tax-free livestock, and line 21 (εἰδῶσιν) for declaring whatever livestock are left unregistered. One observation is that this registration happens on the village level. Lines 23–6, though also (presumably) happen in the village and deal with making declarations and payments according to the rules laid out in a kingly letter. So even these uses of the future have direct connections to the administration, and we are told as well that if these declarations and payments are not made, they will be subject to penalties (line 26–8). Korytko does point out the more specific use of the future form for τάσσω ('to pay'), and how this often appears in the future tense in relation to money owed to the royals.[270] This is the only time that the future appears to give a true command within this text. Further, Korytko's exception from P.Rev.54.15–16 ('the contractors shall also appoint clerks') is arguably also a direct command to the contractors and therefore not an exception, but one example among others where the future form is used in the imperative mood. However, this interpretation depends on whether one understands the contractors to be part of the government collective (i.e. a party separated from the set of policies that are being established). It is necessary as well to make this distinction in LXX Lev. (and Ex.).

LXX Lev., though appearing to be comprised of commands, does arguably contain administrative statements in the indicative mood. For example, LXX Lev. 6:38:

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[270] *Death of the Covenant Code*, 95.

καὶ ὁ ἱερεὺς ὁ προσάγων ὁλοκαύτωμα ἀνθρώπου, τὸ δέρμα τῆς ὁλοκαυτώσεως, ἧς αὐτὸς προσφέρει, αὐτῷ ἔσται.

And the priest who offers a person's whole burnt offering: the skin of the whole burnt offering that he offers shall be his.

This passage explains what portion of the sacrifice is allotted to the priest according to the sacrificial system. According to the laws of this whole burnt offering, the skin belongs to the priest, and this statement is in the future form (e.g., ἔσται). Another example (already mentioned in chapter three) comes from Lev. 7:8 with λογίζομαι in the future form:

ἐὰν δὲ φαγὼν φάγῃ ἀπὸ τῶν κρεῶν τῇ ἡμέρᾳ τῇ τρίτῃ, οὐ δεχθήσεται αὐτῷ τῷ προσφέροντι αὐτό, οὐ λογισθήσεται αὐτῷ·

But if when eating, he should eat some of the meat on the third day, it will not be accepted for him who offers it, nor shall it be credited to him;

Here, there is an assertion of what will be credited to the person who eats meat on the third day. Whereas 7:9 is (arguably) an instance of a true command:

καὶ κρέα, ὅσα ἂν ἄψηται παντὸς ἀκαθάρτου, οὐ βρωθήσεται, ἐν πυρὶ κατακαυθήσεται· πᾶς καθαρὸς φάγεται κρέα.

And meat that touches any unclean thing shall not be eaten; it shall be burned up by fire. Anyone clean shall eat meat.

This command appears directed at people who may eat unclean meat. Interestingly, administrative assertions in Lev. also appear in imperatival form. For those instances of imperatival form, there are notable instances in Lev. 25:31 and 25:45 which use the same verbs as the previous examples: λογίζομαι in v. 31 (outlined in chapter three) and εἰμί in v. 45:

καὶ ἀπὸ τῶν υἱῶν τῶν παροίκων τῶν ὄντων ἐν ὑμῖν, ἀπὸ τούτων κτήσεσθε καὶ ἀπὸ τῶν συγγενῶν αὐτῶν, ὅσοι ἂν γένωνται ἐν τῇ γῇ ὑμῶν· ἔστωσαν ὑμῖν εἰς κατάσχεσιν.

'also from the sons of the resident aliens residing among you—from these and from their families who have been born in your land you shall acquire; let them be to you as a possession.'

Lev. 25:45 stipulates the status of resident aliens who have been acquired and how they will be considered (i.e. considered to be possessions). With the distinction between administrative statements and true commands in mind, then Lev. 25:31 and 45 with imperatival forms of λογίζομαι and εἰμί are arguably ill-suited as data points for testing Korytko's theory. These instances might be the result of a translation technique used for the jussive. A recent study done by Zachary Adam Vickery investigates translation tactics for volition and mood in LXX Psalms. He provides statistics that show the translator's preference to render jussives as Greek imperatives. In one section he notes that the Psalms translator renders third-person jussives as imperatives 148 times.[271] Additionally, Lev. does use the imperative for the jussive on occasion (e.g., 16:2, 25:14, etc). Perhaps Lev. 25:31 and 45 are further instances of this. There may even be room to surmise that Lev. 25:14 and 17 are also the result of an attempt to render the Hebrew jussive given the switch in person combined with the clear jussive form in v. 14.

While SB 5 8008 may still be referred to as a future-dominant text, it contains mostly statements and not commands fit to compare to LXX Ex. death penalty laws. According to this framework, differentiating between the use of the future here and the imperative associated with the soldiers is what should be compared, not just any future form which may be a statement or assertion. This is also relevant to P. Paris 62, r.5.12–15 which is focused on by Korytko for its future and imperative forms adjacent to one another. Here, however, is another administrative statement: ἄκυροι αὐτοῖς ἔσονται αἱ δόσεις; 'the payments should be invalid.' The payments are invalid only because the Ptolemaic system says they are invalid. To summarize, not much is gained in understanding the imperative form as a command when it is compared to general administrative statements in the future—these forms are used in two different moods (i.e. declarative and imperative mood). Perhaps the best approach is to isolate the examples where the future is shown to convey a real command to a third party and where the imperative is shown to do the same thing.

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[271] "Volition and Mood in the LXX-Psalms," MLitt(R) Thesis, University of Glasgow, 78.

When these data points are isolated, it clarifies the research direction. The possibility exists that when the future and imperative forms are both used for commands, they may indicate a subtle difference in force. These should be collected from all legal texts which assists in keeping these future commands within some kind of genre. Korytko does speculate on a potential difference in force associated with the future form. Some time will be given in the next section to explain how the future form when in the imperatival mood may carry greater weight than the imperative.

4.2.1 Speculations on the Force of the Future Form

There are some thoughts on the nature of the Greek future form provided by Korytko. He speculates that "perhaps the [future] usage indicates…something of a solemn royal voice akin to what may be seen with the future used for payments to the royal treasury…"[272] He follows this comment up with one from Tjen, who observes that "the imperatival future seems to have a stronger force than the imperative."[273] There is linguistic precedent for their speculations and this brief section will survey cross-linguistic uses of the future and imperative forms within commands relying on literature that considers a variety of languages. Observations on the English imperative and future forms are a good starting point. The insights of Martínez and Mendoza will provide this basis.

One pragmatic element of a command that is critical to acknowledge is the authority of the speaker. There are several forms that can convey a power dynamic—the traditional form being the grammatical imperative mood—yet the power of the imperative has been questioned, as summarized by Martínez and Mendoza. They claim that "…studies give evidence that the imperative mood is prototypically used to direct attention with a low degree of imposition."[274] This is strengthened by observations that cross-linguistically, the imperative has been used in a variety of directive speech acts (not only commands). The form's versatility can suggest a more generic form applicable to a variety of contexts. On the other hand, declarative and interrogative sentences can be in the imperative mood. For example, the future form can be used as a command in a declarative sentence. Martínez and Mendoza provide the following

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[272] Korytko, *Death of the Covenant Code*, 102.
[273] Tjen, *On Conditionals*, 189.
[274] Martínez and Mendoza, "A Constructionist Approach to Illocution," 20.

example: "You are going to play in the competition." They perceive two main things happening in this statement: (1) the speaker is reminding the listener that they are obligated to bring about a desired action and (2) the speaker is specific about the desired action. Notably, they remark,

> By expressing certainty about the carrying out of the action that is the object of the speaker's wishes, this realization presents the addressee as lacking optionality under the speaker's authority. Furthermore, the expression of certainty about the addressee's future course of action points to the position of authority held by the speaker.[275]

To summarize, Martínez and Mendoza observe that the imperative form in more than one language lacks strong imposition and is used in many kinds of directives. They further provide an example where the future form in a grammatically declarative statement, "going to," is used as an order that indicates certainty, a lack of optionality, and the speaker's authority. Though this is an English example, it is a useful starting point for considering what nuances may be associated with imperative and future forms in Hellenistic Greek. The study of Martínez and Mendoza helps to extract some possible features and forms of orders, but Aikhenvald addresses imperative forms more specifically, and considers a variety of languages, both in and outside of the Indo-European family.

Not all languages have imperatival forms (e.g., some in the Athabascan family), yet they are able to express directives using other forms such as the imperfective aspect, the future, and certain modalities.[276] In Cavinena, statements marked as imperfective serve as a strong directive that cannot be disobeyed while Navajo displays something similar, as does Chemehuevi, where a future suffix can indicate a directive along with a sense of obligation: 'you are to VERB.' However, there are languages where the reverse is true, according to Aikhenvald. She shows that the future is employed when attempting to convey a milder command (e.g., Jarawara) making the analysis of directive forms to be done on a language-by-language basis.[277] In response to varying degrees of force perceived with different forms,

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[275] Martínez and Mendoza, "A Constructionist Approach to Illocution," 23–4.
[276] Aikhenvald, *Imperatives and Commands*, 257.
[277] Aikhenvald, *Imperatives and Commands*, 266. Curiously, she comments that, "in Modern Hebrew, a future form is employed in lieu of regular imperative which is considered too harsh: future forms are considered a politer option." (*Imperatives and Commands*, 268). This is precisely the opposite of the perceived force the imperfect as in the Ten Commandments.

Aikhenvald constructs a 'command hierarchy' for Marathi as an example showing that in this language, the future obligative is used as a stronger command:

Stronger command/less polite

1. Future obligative
2. Direct imperative
3. 'Obligative'
4. Suggestive
5. Optative
6. Future

Weaker command/more polite
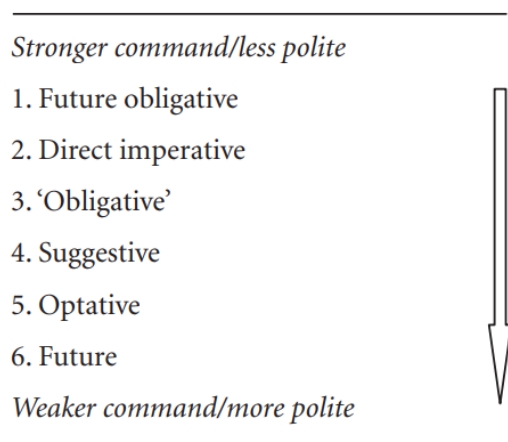
Figure 1: Degrees of command in Marathi[278]

A 'command hierarchy' such as found in Marathi may be found in Greek commands. Perhaps the future is, in a sense, stronger in force than the imperative. In analyzing the moods in Homeric Greek, Jo Willmott remarks that "it is cross-linguistically common for future markers to develop a directive use" and they refer to actions that are "incomplete at the moment of speech."[279] Yet, there is another trait that she assigns the future: some degree of certainty. One of her (rather sad) examples comes from Hom. 4.238:

ἡμεῖς αὖτ' ἀλόχους τε φίλας καὶ νήπια τέκνα ἄξομεν ἐν νήεσσιν, ἐπὴν πτολίεθρον ἕλωμεν.
'We'll drag their dear wives and helpless children back to the ships, once we take their city.'

The future form is likewise found in Ptolemaic contexts. These often occur in the third person, but there is an enlightening occurrence of the future in a letter (P. Mich. I 48, 3–4; 251 BCE) addressed to Zenon from Apollonius:

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[278] Taken from Aikhenvald, *Imperatives and Commands*, 274.
[279] Willmott, *The Moods of Homeric Greek*, 83.

καλῶς οὖν ποήσεις ἀγοράσας ἡμῖν καὶ ἀποστείλας εἰς Πτολεμαίδα.[280]

'Therefore, please (lit. 'you will do well') buy them for us and send them to Ptolemais.'

In this letter, Apollonios is in a position of authority. Bruno focuses on the verb ποιέω and its use in high to low situations, such as here in P. Mich. I 48. Her commentary on this example is brief, but she recognizes an authority dynamic and the use of the future as being "the most modal of tenses," noting that the appearance of a future form of ποιέω in a high to low address, "may involve a particular illocutionary force."[281] Perhaps 'force' involves some or all of the features described above: certainty, expectation, and obligation. Apollonios may be said to have absolute certainty of his idea of what the correct action is in addition to a comfortability in asserting this to Zenon as an order. This is a projection into the future; a statement indicating the certainty of Apollonios and perhaps a strong directive for Zenon to follow orders. It is also possible that the use of the future increases the 'threat' of the act if Apollonios is able to reprimand Zenon such that he experiences an undesirable outcome.[282] Bruno further addresses the imperative form more specifically.

Imperatives within documentary letters are used in a variety of ways, as Bruno has illustrated in looking at the papyri from John L. White's corpus.[283] She pays attention to the

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[280] Bruno, "Forms of the Directive Speech Act," 233. Example taken from John L. White, *Ancient Letters* (Philadelphia: Fortress Press, 1986), 51; no. 25.

[281] Bruno, "Forms of the Directive Speech Act," 234. Illocutionary force is a phrase found with Speech Act Theory. The basic assumption of the theory is that utterances are acts. When a linguistic utterance is spoken or written, an act is performed, i.e. something is done. According to J. L. Austin, there are three types of linguistic acts: locutionary, illocutionary, and perlocutionary. It is the illocutionary category into which the directive would fall since it focuses on the use of the utterance by the speaker (e.g., advising, promising, etc.) (see overview in Marina Sbisà, "Speech Act Theory," in *Key Notions for Pragmatics*, Handbook of Pragmatics Highlights, ed. Jef Verschueren and Jan-Ola Östman [Amsterdam; Philadelphia: John Benjamins Publishing Company, 2009]). However, J. R. Searle built on Austin's idea. Since Austin, Searle has proposed that the illocutionary act is the complete speech act, seeing instead an "illocutionary point" (purpose) as the act's central feature (J.R. Searle, "A Taxonomy of Illocutionary Acts," in *Language, Mind and Knowledge*, ed., Keith Gunderson [Minnesota Studies in the Philosophy of Science, vol. VII. Minneapolis: University of Minnesota Press, 1975], 346. The illocutionary point coincides with the speaker's intention (e.g., getting someone to do something for you), which is signaled by a series of linguistic indicators to give indications of illocutionary force. These indicators often include mood (e.g., imperative, declarative, interrogative), but on a lower level include modals, adverbs, intonation, etc. One wonders where participant authority would fit into this framework. Maybe this could count as an indicator within the illocutionary force associated with the imperative.

[282] One qualifying remark will be made here: the phrase καλῶς οὖν ποήσεις does appear elsewhere (e.g., *BASP* 53 46 4, etc.) and may be a more fossilized saying that may have lost its force. Nevertheless, the possibility remains that at its inception it did carry some degree of force for the recipient.

[283] John L.White, *Light from Ancient Letters* (Philadelphia: Fortress Press, 1986).

different forms used in the letters to express directive speech acts. She has noted that the imperative is the neutral form used in a variety of ways whose force is often mitigated by surrounding clauses or phrases. This makes the imperative form quite malleable, and subject to change in one feature or another depending on the linguistic context, author's profile, genre constraints, etc. This is why she emphasizes the socio-pragmatic context of the imperative form. She includes several examples of the imperative being used in a variety of situations, but two here suffice to illustrate how they may be employed by the author. She is interested in the fact that the papyri, as written documents, allow for addressor and addressee to meet "across space and time," meaning that there must be other linguistic strategies for inducing someone to do something.[284] This makes personal letters great case studies. Not all her features are relevant for 'legal level' commands (e.g., element of politeness), but her study serves (like the others) as a way to extract features that may be involved in the legal use of the imperative. One of her examples is from P. Hib. I 43, 2–9; (261–60 BCE):[285]

σύνταξον μετρῆσ[αι] τὸ σήσαμον τὸ ἐμ Πέλαι Πρωτομάχωι \ καὶ τῶι σιτολόγ [ωι,] / οὐ γὰρ ἔστιν ἐν τῆι πόλει σήσαμον. ἵνα οὖν μηθὲν ὑστερῆι τὰ ἐ[λ]αιουργῖα **φρόντισον** ἵνα μὴ αἰτίας ἔχῃς καὶ τοὺ[ς] ἐ[λ]αιουργ οὓς **ἀπόστειλόν** μοι.

'**Command** that the sesame which is at Pela be measured out to Protomarchos and to the sitológos ('grain/seed officer'), because there is no sesame in the city. **Take care** therefore that the oil manufacture not fall behind, lest you be blamed; and **send** the oilmakers to me.'

This directive is from an officer to a subordinate, labelled by Bruno as a recommendation. This shows that the imperative has been used by someone in a position of authority to someone lower in status. Notice the series of imperatives with little attempt to 'soften' the command. Other examples show this dynamic is not mandatory for the imperative. These forms can be used between equals (P. Mich. I 6, 3–4; 257 BCE), or from someone lower addressed to someone higher (e.g., P. Cair.Zen. I 59021, 46–50; 258 BCE). Other linguistic indicators can help to mitigate the force of the imperative. For instance, P. Mich. I 6, 3–4:[286]

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[284] Bruno, "Forms of the Directive Speech Act," 221.
[285] Bruno, "Forms of the Directive Speech Act," 223. This example is from White, *Ancient Letters*, 25; no. 3.
[286] Bruno, "Forms of the Directive Speech Act," 223. This example is from White, *Ancient Letters*, 34–5; no. 11.

ἐὰν δ' ἀρὰ μὴ κατα-[λάβηι ἐκεῖνον παρ' ὑμῖν, ἐπιστολὰς πα]ρὰ τῶν φίλων λαβὲ πρὸς αὐτόν.
'And if he does not [come upon the latter in your company,] get [letters of introduction] to him (i.e. Kleoniskos) from his friends.'

In this instance, "the fulfilment of the request…is subjected to the circumstances of the conditional sentence…'if he does not meet him,' which mitigates its force."[287] The conditional is shown to assist in mitigating the force of the imperative, which may otherwise be interpreted as brusque and too forceful between friends. Bruno concludes that "despite their overt relation to the directive act, imperatives apparently lack a corresponding specification of their illocutionary force: their wide-ranging use results from their basic implicitness about the socio-pragmatic environment." Ultimately, the imperative is seen as a malleable form without necessarily having a certain inherent force.

The survey of linguistic literature along with the future and imperative forms gives us an idea of why the Ptolemies may have leaned toward using the future tense as one way to deliver a strong command. It may convey a sense of authority, certainty, and obligation. For SB 5 8008, perhaps there is evidence to suggest a command hierarchy as Aikhenvald has explored, in which the future form is stronger and more obligative than the imperative form used in relation to the soldiers. In other cases, the future form is used simply to describe the structure of administration or a process. In this way, it may be considered as a statement, not necessarily a command. In other words, the Ptolemies take advantage of the future form to indicate certainty in the legislation because it is their own legislation, and they can set the parameters of their system. The imperative appears to function in contexts where the onus is on the recipient of the law (aside from cases of payments). And though there may be conflicting examples, the imperative does appear to function this way in some of Korytko's future-dominant texts. In SEG 9 72, after a series of infinitives describing a set of actions, the focus shifts to the person sacrificing. In SB 8008, the focus is shifted to the soldiers' action when the laws relevant to them are stipulated. These observations are not intended to be comprehensive, but to be additional features of the texts to consider when addressing the Ptolemaic use of the

[287] Bruno, "Forms of the Directive Speech Act," 226.

imperative and future form. Likewise, because the infinitive can also be used as a command form, it should receive further attention. The following section qualifies Korytko's discussion of the infinitival form. There are motivations for using this form and this could provide further clues for understanding nuances associated with the imperative and future forms.

4.3 The Infinitive Form

Korytko spends little time addressing the nuances associated with the infinitive when used as a command form within legal texts. This is due to his perspective that the infinitive does not affect his theory: "The infinitive can be found mixed in with either future tense or imperative and does not seem to be part of the rule."[288] He also acknowledges that "texts with only infinitives do not seem to use imperatives sporadically, though perhaps if more documentation survived we would see this."[289] While the infinitive does not appear to interfere with the imperative and future command forms, it does have a discernable function from the imperative as Rutger J. Allan describes in his investigation of the *infinitivus pro imperativo*.[290]

The infinitive form differs from the imperative in two fundamental ways: finiteness and person inflection. Employing an infinitive is understood by Allan as a way to place emphasis on the action indicated by the verb in infinitival form:

> …the use of the imperatival infinitive (or, *infinitivus pro imperativo*) can be explained by means of the notion of *procedure*. The imperatival infinitive refers to the appropriate action that is to be carried out as part of a practical or conventional social procedure (*script*, *frame*) which is evoked in the discourse or by the extra-linguistic situation of the interlocutors. Unlike the imperative proper, the imperatival infinitive does not involve a direct appeal of the speaker to the hearer. As its directive force depends on the appropriateness of the action within a particular procedure, the imperatival infinitive can be seen as a more indirect type of directive expression.[291]

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[288] *Death of the Covenant Code*, 91.
[289] *Death of the Covenant Code*, 91; fn. 147.
[290] "The infinitivus pro imperativo in Ancient Greek: The Imperatival Infinitive as an Expression of Proper Procedural Action," *Mnemosyne* 63 (2010): 203–228.
[291] "The infinitivus pro imperativo in Ancient Greek," 203.

One of the sections in Allan's work is dedicated to describing the infinitive's use in practical procedures. Some of Allan's data comes from Homer. The imperatival infinitives used by Homer (127 out of 193 instances of the infinitive) appear in cases where there is "a specific problematic situation which has to be dealt with by following the appropriate practical procedure."[292] He further addresses non-literary contexts of the imperatival infinitive and reports that they are commonly used in prescriptive laws and in medical procedures. A relevant example from his findings is from IG XII⁵ 593 from the 4th c. BCE:

οἵδε νό[μ]οι περὶ τῶγ κατ[α]φθι[μέ]νω[ν· κατὰ] [τά]δε θά[πτ]εν τὸν θανόντα· ἐν ἐμ[α]τίο[ις τρ][ι]σὶ λευκοῖς, (…), ἐξεναι δὲ καὶ ἐν ἐλάσ[σ]οσ[ι μ][ὲ] πλέονος ἀξίοις τοῖς τρισὶ ἑκατὸν δ[ρα][χ]μέων. ἐχφέρεν δὲ ἐγ κλίνηι σφ[η]νόπο[δ]ι [κ][α]ὶ μὲ καλύπτεν…
'These are the laws regarding the dead. Bury the dead in the following manner: in three white cloths, (…), in fewer is also allowed, not worth more than 300 drachmae. Carry out [the corpse] for burial on a bier with wedge-shaped legs and do not cover it.'[293]

This use of the imperatival infinitive is also reported by Allan to be in the medical texts (though it would not carry with it the same potential force as in a legal context). For example, in the Hippocratic corpus (Hp. Epid. 6.5.15):

ἄδιψον· **ξυνέχειν** στόμα, **σιγᾶν**, ἄνεμον ξὺν τῷ ποτῷ ψυχρὸν **ἐσάγειν**
'To be free from thirst: keep mouth shut, be silent, take breath together with the cold drink.'[294]

Both examples show the imperatival infinitive in contexts where the procedures are the focus, but it is the inscription from IG XII⁵ 593 from before that is the closest in form to another of Korytko's foundational texts: SEG 9 72.26–32 (325 BCE–300 BCE):

Αἴ κα ἐπὶ βωμῶι θύσηι ἀρῆιον, ὅ τι μὴ νόμος θύεν, τ[ὸ] ποτιπίαμμα ἀφελὲν ἀπὸ τῶ βωμῶ καὶ ἀποπλῦναι καὶ τὸ ἄλλο λῦμα ἀνελὲν ἐκ τῶ ἰαρῶ, καὶ τὰν ἴκνυν ἀπὸ τῶ βωμῶ καὶ τὸ πῦρ ἀφελὲν

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[292] "The infinitivus pro imperativo in Ancient Greek, 212.
[293] "The infinitivus pro imperativo in Ancient Greek, 213.
[294] "The infinitivus pro imperativo in Ancient Greek, 214.

ἐς καθαρόν· καὶ τόκα δὴ ἀπονιψάμενος, καθάρας τὸ ἱαρὸν καὶ ζαμίαν θύσας βοτὸν τέλευν, τόκα δὴ **θυέτω** ὡς νομ[...]οκώχιμος μέστα ἐς ἀδελφεῶν τέκνα.

'If one sacrifices on the altar a sacrificial animal which is not customary to sacrifice, he is to remove the residue of grease from the altar and wash it off and remove the remaining refuse from the sanctuary and remove the ash from the altar, and the fire to a pure (place). And only then after having washed himself off, having purified the sanctuary and sacrificed as a penalty an adult animal, precisely then **let him sacrifice** as one liable to the law up to the children of brothers.'[295]

The example from SEG 9 72 is similar to the one from IG XII[5] 593 because they both present a series of appropriate actions for a given situation. In the case of SEG 9 72, the series of actions is used to tell a person what is required of them if they make an inappropriate sacrifice. This connects well with Allan's observations of the infinitive in the Homeric examples where infinitives are used to list a correct sequence of events in response to incorrect ones. Notice too that only after the procedures are described, the imperative is employed when there is a direct appeal to the person sacrificing. It is worth considering that when analyzing this piece of text, more attention should be given to the forms immediately surrounding the imperative as it is possible that these nuances in the relationship between the infinitive and imperative are the driving factors behind the appearance of the imperative when giving a direct command. As a further note on this particular text, perhaps it should not be classified among Korytko's foundational texts because it is not a Ptolemaic legal text and is instead a legislative text of a religious nature, not stemming from the royal office.

Korytko's comparison emphasizes potential similarities to Ptolemaic legal documents, but SEG 9 72 is an inscription from Cyrene and it addresses purity in a sanctuary, not politics or state laws.[296] Korytko does emphasize the other legislation mentioned (ὡς νομ[...]οκώχιμος

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[295] Translation from Dobias-Lalou et al., "Sacred Laws," IGCyr (2022), http://doi.org/10.6092/UNIBO/IGCYRGVCYR, filename: IGCyr016700.

[296] The location of this inscription is not a problem for Korytko. He establishes that "the data collected for this study are not confined to Ptolemaic Egypt, but this should not be suspect. The legal syntax used in the Hellenistic world was quite stock" (*Death of the Covenant Code*, 91). This remark touches on a fundamental idea in historical and philological reconstructions, namely, the degree to which a law or practice was standardized across regions (in law, language, etc.). Korytko does present several comments on the perceived

μέστα ἐς ἀδελφεῶν τέκνα),[297] but the imperative itself may not be used to subtly imply other legislation. SEG 9 72 is an inscription to be used as a reference for both worshippers and sacred officials. This inscription is believed to have been clearly displayed in Apollo's sanctuary in Cyrene, and it could be that the imperative signals to the priests that they can let the person sacrifice according to another set of rules.[298] Interestingly, essentially the same phrase is found in line 37 but this time in the future: τόκα δὴ θυσεῖ 'he will sacrifice,' but there is no mention of other legislation, and the sacrifice refers to a tithe. Instead, the text is followed by what happens if the person does not follow the tithing rules: αἰ δὲ μή, τῶν α[ὐ]-[τ]ῶν δησῆται; 'if not, he will require the same things.'

However, when looking at other laws of a religious nature, there are other instances where legislation is mentioned explicitly, but among infinitive forms. This suggests that the imperative is not the only form employed when referring to other legislation and therefore might not be a kind of legal shorthand. Further, if there are explicit references to other laws found among SEG 72 9, SB 5 8008, and other sacred laws, it does seem to suggest that if competing or other legislation were in view, the scribe may not take issue outlining it explicitly. An example of a reference to other legislation surrounded by infinitives comes from the regulations from the Amphiareum at Oropus (*LSCG* 69, lines 6–8):

ἐπαναγκάζειν τὸν νεωκόρον τοῦ τε ἐροῦ ἐπιμελεῖσθαι κατὰ τὸν νόμον καὶ τῶν ἀφικνεμένων εἰς τὸ ἐρόν·

'To compel the neokoros (sanctuary attendant) to take care of the sanctuary and of the visitors to the sanctuary according to the law.'[299]

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fossilization of Greek legal language alluded to earlier in this study which certainly strengthens his case (e.g. remarks from Leiv Amundsen, "The Classical Greek Background of Ptolemaic Law and Administration of Justice," in *Acta Congressus Madvigiani (Proceedings of the Second International Congress of Classical Studies*, eds., Carsten Hoeg, Per Krarup, and P. J. Riis [Copenhagen: Ejnar Munksgaard, 1958], 264). However, because SEG 9 72 is not a Ptolemaic government legal document, it might not be fair to assume the imperative would function the same here as in government legal documents.

[297] Korytko, *Death of the Covenant Code*, 107.

[298] For commentary, see Jan-Mathieu Carbon, Saskia Peels, and Vinciane Pirenne-Delforge, "CGRN 99: Dossier of Purity Regulations at Cyrene," CGRN (2022), http://cgrn.ulg.ac.be, filename: CGRN 99, introduction commentary.

[299] Translation and commentary found in Eran Lupu, *Greek Sacred Law: A Collections of New Documents (NGSL)* (Leiden: Brill, 2005), 9–11. In the *Collection for Greek Ritual Norms*, this text is labelled as *CGRN* 75

The set of regulations in this portion of *LSCG* 69 is directed at the priest of Amphiaraus who must visit the sanctuary at certain times of the year (from the end of winter until the season for ploughing). After these regulations, the text (according to commentator Eran Lupu) goes on to describe situations concerning offences, fines, etc.[300] These stipulations are mostly found in the imperative form when the priest's actions are in view,[301] so the text is unlike SEG 9 72 in this regard, but similar in that it references legislation. In this instance, the stipulation appears as an infinitive (ἐπαναγκάζειν), not an imperative despite the reference to 'the law': κατὰ τὸν νόμον.

This section on the imperatival infinitive serves to supplement Korytko's comments on the infinitive form and more broadly the discussion of command forms when considered across legal texts. It further serves to cast doubt on Korytko's claim that the imperative is an "asterisk" used to direct recipients of the law to other legislation which may "affect the performance of the imperative verb."[302] Yet, there are also some other implications of these findings that cross into the territory of reception.

4.4 Conceptual Concerns

There are two avenues to explore further when it comes to the implications of Korytko's conclusions including consistency, and by extension, genre. The theory that the LXX Pentateuch was a set of civic laws for the Jews does give the impression that the theory of imperatives, if true, should be consistent across the text for the sake of readers' clarity.

It may be true that the LXX Ex. and Lev. translators mimicked some form of Ptolemaic legal syntax and/or discourse. If so, it is possible that the translators intended to have these

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and is found at Jan-Mathieu Carbon, Saskia Peels et Vinciane Pirenne-Delforge, "CGRN 75: Dossier of regulations from the Amphiareion at Oropos," in *Collection of Greek Ritual Norms [CGRN]*, 2017-. URL: http://cgrn.ulg.ac.be/file/75/.

[300] *Greek Sacred Law*, 10.

[301] E.g., lines 9–10: ἂν δέ τις ἀδικεῖ ἐν τοῖ ἱεροῖ ἢ ξένος ἢ δημότης, ζημιούτω ὁ ἱερεὺς μέχρι πέντε δραχμέων κυρίως καὶ ἐνέχυρα λαμβανέτω τοῦ ἐζημιωμένου; 'If anyone commits an injustice in the sanctuary, whether he is a stranger or a fellow-citizen, the priest should have the authority to punish him with a fine of up to 5 drachmae, and he must take a pledge from the one being punished.' Translation from Carbon, Peels and Pirenne-Delforge "CGRN 75."

[302] *Death of the Covenant Code*, 109.

books (in whatever form they had them in) be read as a Ptolemaic legal text (perhaps as a city decree).[303] In this case, the translation technique may assume functions of Ptolemaic verb forms found in these texts. However, if the purpose of the translation was to give clarity to Ptolemaic officials and worshippers reading the document as a legal text,[304] it seems plausible that some degree of consistency might appear in how the imperatives function. However, there are many imperatives across the LXX Pentateuch and across genres. As shown above in chapter three, there are several Levitical verbs that are found as a third person imperative to render a Hebrew imperfect (shown in Table 5). We can then subdivide these imperatives based on the contexts in which they appear: narrative sections involving directions for Aaron and his sons (vv. 9:6, 24:2, 16:2, and 22:2) or speaking (9:3 and 24:15), and legislative sections where the laws extend beyond Moses, Aaron, and his sons (13:45, 18:24, 19:3, 19:26, 20:2, 9–13, 15–16, 27, 24:16–18, 21, and 25:14, 17, 31). Using the third person imperative for a Hebrew imperfect within a narrative portion should immediately give reason for pause. If Ptolemaic political/other legislation is the motivator behind the third person imperative in Lev., it does not appear appropriate to search for it in directives specifically for Aaron and his sons. This would suggest that there is perhaps more than one kind of imperative (i.e. different rules for inside narratives as opposed to legislative contexts) or there are different considerations.[305] Based on instances of the imperative in narrative contexts (and tests of consistency for verbs like λαλέω), it is unlikely that Korytko's theory can be extended into Lev. in these sections.

There does not appear to be one framework that might explain all instances of imperatives, and so it seems necessary to treat them on a case-by-case basis. Korytko does not claim to have found the one framework to explain all imperatival renderings in the entirety of Ex. or the rest of the Pentateuch, but if the imperative is to be understood as an indicator of

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[303] Korytko, *Death of the Covenant Code*, 110.

[304] See Korytko, *Death of the Covenant Code*, 112–13 for his speculation on if the readers would understand the function of the imperative in LXX Ex.

[305] The third person imperatives in the commands given to Aaron and his sons through Moses (but from God) appear to be examples of those imperatives which are commanded through an intermediary which are one of the kinds of "true third person imperative," with the two other kinds being those commanded through an intermediary and those which are not ("Septuagintal Use, 12–15). Glaze offers Exodus 11:2 as an example: λάλησον οὖν κρυφῇ εἰς τὰ ὦτα τοῦ λαοῦ, καὶ αἰτησάτω ἕκαστος παρὰ τοῦ πλησίον καὶ γυνὴ παρὰ τῆς πλησίον σκεύη ἀργυρᾶ καὶ χρυσᾶ καὶ ἱματισμόν; 'Speak then secretly to the ears of the people, and let each one ask from his neighbor and a woman from her neighbor silver and gold articles and clothing.' Recall the study as well on λαλέω where it was illustrated that the translator may have prioritized consistency in tandem with the Hebrew text.

legal shorthand, it leaves one wondering how readers of Ex. would interpret the other imperatives in the text. When considering the recipients of the law, how would a worshipper or Ptolemaic official know that an imperative is the result of correspondence with a Hebrew imperative or a deviation from translating a Hebrew imperfect? Put differently, it seems difficult to imagine how readers could have discerned between the imperatives if they only have access to the Greek forms.

CONCLUSION

The first chapter of this project established hermeneutical and methodological concerns, the character of the Lev. translation, and the theory of the LXX Pentateuch acting as a civic law code for Jewish groups living under the Ptolemies. The translation itself is prioritized in this study and no concrete claims are made pertaining to the mind of the translator. We saw that Lev. is willing to make changes to the translation for topics such as currency or technical terms, making it possible to inquire about other potential influences that are derived from the Ptolemaic world. One such influence could have been political, provided the theory of πολιτικοὶ νόμοι is correct. Some research has shown this influence in Lev. Related studies have further asked after political influence as an explanation for translation technique, such as Korytko, who believes the Ex. translator may have translated according to Ptolemaic legal syntax in which the imperative is legal shorthand.

With this background in mind, the question asked was: Is there reason to believe we can read through the imperatives of LXX Lev. 25 to gain more historical information of Jewish land practices under the Ptolemaic government? Korytko's theory of imperatives suggested this possibility given that the Lev. translator also renders certain Hebrew imperfects with imperatives. This theory provided a potential avenue for understanding more about these practices with its emphasis on comparing Ptolemaic legal syntax and terminology and LXX. If imperatives mitigate the force of a law, perhaps the laws prohibiting the oppression of one's neighbor (Lev. 25:14, 17) and the stipulation of land classification (Lev. 25:31) could conflict with Ptolemaic law.

In order to answer this question, the second chapter sought to establish what is already known of the Ptolemies and Jews during this period. It took philological and historical comparative methods to (1) reconstruct what is known of the Ptolemies, their control over land, and Jewish land practices, in addition to (2) establish that because the Ptolemies were revenue-focused, their land practices had the potential to override some of those stipulations in Lev. 25. This chapter characterized the Ptolemies as largely interested in revenue and showed that they would intervene in the land tenure system when revenue was at stake. Yet, they often come across as a government willing to negotiate, and they do not seem to have held the land tenure system in as tight a grip as once thought. This allowed for some flexibility in the system, especially given the variability between regions (though this would depend on the type of land conflict). This chapter further provided some insight into the Jews from Herakleopolis and was largely informed by the work of Kugler who took a closer look at the Jewish legal reasoning that may underlie P.Polit.Iud. 8, P.Polit.Iud. 12, Pap.Graec.Mon. 287 + 293, and P. Tebt. 3.1.817. The Ptolemaic government may have been interested in revenue but these papyri (provided Kugler is correct in his reasoning) show that there were opportunities for Jewish people to practice variations of their laws under the Ptolemaic system. No hard lines can be drawn on all potential areas of conflict between Jewish and Ptolemaic land law. We would need a document that, for example, shows a dispute over leaving land fallow. Perhaps a scenario in which the government wanted to auction a piece of land, but a Jewish petitioner tries to act against it and still claim it as their own despite the inactivity on the property. Without this kind of data, it is difficult to claim anything concrete about how the government would respond in such cases where revenue was at stake. Yet, what the Jewish papyri show is a set of Jewish petitioners feeling confident enough to petition for what they desire in relation to land while (potentially) appealing to their own law.

With this background, chapter three attempted to extend Korytko's theory to imperatives θλίβω and λογίζομαι. This was also not as fruitful as once expected. When extending Korytko's theory into Lev., it became apparent that there are problems, yet the translator does show decision making when rendering a Hebrew imperfect. The survey in this chapter suggested that there may have been other concerns of the translator that are more internal to the text's discourse and do not necessarily point to influence from historical

circumstances (e.g., sensitivity to the jussive form). The evidence is not strong in indicating that the verbs in Lev. 25:14, 17, and 31 were thought of as legal terminology and there is little to connect them conceptually to government-related issues. It was also shown that not all imperatives could be considered as direct commands to another party as in the case of Lev. 25:31 and 45. Further, when the theory is extended into Lev. in order to test for functional consistency, not all imperatives appear to conflict with Ptolemaic law. The best example of this was the brief case study of imperatival λαλέω which may have been the product of a different kind of consistency that concerned the translator.

Chapter four then attempted to further isolate problematic areas in the underpinnings of Korytko's theory in light of chapter three. The first of these was differentiating between administrative statements and true commands in the Ptolemaic texts accompanied by some speculation as to the reasons behind using the future form. The second problematic area was the lack of attention to the infinitive. The discussion of the infinitive casts doubt on Korytko's theory that the imperative also served as a shorthand way to point to other legislation. The third problematic area concerned issues of functional consistency and genre. If the imperatives indicated an optional law subject to competing legislation, then it is difficult to see how the readers (either Jewish or Ptolemaic officials) of the LXX would discern the meaning of the imperative when there are others in more than one genre (e.g., narrative portions involving Moses, Aaron, and his sons). Issues of discernment suggest the translator may not have been mindful of this syntax in the first place if we consider the reception of this text and expectations of consistency. Perhaps a more cautious route to take with these imperatives in Ptolemaic texts is to understand them as malleable forms subject to the constraints of each individual passage depending on who is speaking, their level of politeness, the intended force, subject emphasis, etc., as shown in studies from researchers such as Joseph Fantin or Judy Glaze who categorize imperatives based on the roles of the participants within the text.[306]

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[306] Joseph D. Fantin, *The Greek Imperative Mood in the New Testament: A Cognitive and Communicative Approach* (New York NY: Peter Lang, 2010); Glaze, Judy. The Septuagintal Use of the Third Person Imperative." M.A. thesis, Harding Graduate School of Religion, 1979.

To summarize, this study holds that we cannot read through the Greek imperatives of the Levitical land laws because of the issues surrounding the delineation of data and conceptual considerations. In addition, the jussive may indeed be the driving factor behind the imperatives in Lev. 25, though the aim is not to present an entirely new framework for the imperatives. It is this study's hope to be a thoughtful response to Korytko's theory and further contribution to understanding translation technique in LXX Lev. Despite this negative result, Lev. still uses terms found in the Ptolemaic land tenure system (ἐκφορίον, ἄφεσις, οἰκία, ἀδικέω, λυτρός, κτῆσις, etc.). Additionally, if Kugler is correct in his conclusions that Lev. 25 is circulating within the Jewish imagination, then perhaps despite all translation technique with its occasional stereotyping, pluses, etc., it could still be used as a reference point for Jewish people who may have enacted Levitical land laws under a relatively tolerant government.

APPENDIX A: IMPERATIVES IN LXX LEV. AND HEBREW EQUIVALENTS

Verse	MT	LXX	Greek Person
1:2	דַּבֵּר	λάλησον	2
4:2	דַּבֵּר	λάλησον	2
6:9	צַו	ἔντειλαι	2
6:25	דַּבֵּר	λάλησον	2
7:13	דַּבֵּר	λάλησον	2
8:2	קַח	λάβε	2
8:3	הַקְהֵל	ἐκκλησίασον	2
8:31	בַּשְּׁלוּ	ἐψήσατε	2
9:2	קַח הַקְרֵב	λάβε προσένεγκε	2 2
9:3	תְּדַבֵּר קְחוּ	λάλησον λάβετε	2 2
9:6	תַּעֲשׂוּ	ποιήσατε	2
9:7	קְרַב עֲשֵׂה כַּפֵּר עֲשֵׂה וְכַפֵּר	πρόσελθε ποίησον ἐξίλασαι ποίησον ἐξίλασαι	2 2 2 2 2
10:4	קִרְבוּ שְׂאוּ	προσέλθατε ἄρατε	2 2

10:12	קְחוּ	λάβετε	2
11:2	דַּבְּרוּ	λαλήσατε	2
12:2	דַּבֵּר	λάλησον	2
13:45	יִהְיוּ יַעְטֶה	ἔστω περιβαλλέσθω	3 3
15:2	דַּבְּרוּ	λάλησον	2
16:2	דַּבֵּר אַהֲרֹן	λάλησον εἰσπορευέσθω	2 2
16:29	תְּעַנּוּ	ταπεινώσατε	2
17:2	דַּבֵּר	λάλησον	2
18:2	דַּבֵּר	λάλησον	2
18:24	תִּטַּמְּאוּ	μιαίνεσθε	2
19:2	דַּבֵּר	λάλησον	2
19:3	תִּירָאוּ	φοβείσθω	3
19:26	תֹאכְלוּ	ἔσθετε	2
20:2	יוּמָת	θανατούσθω	3
20:9	יוּמָת	θανατούσθω	3
20:10	יוּמַת	θανατούσθωσαν	3
20:11	יוּמְתוּ	θανατούσθωσαν	3

20:12	יוּמָ֫תוּ	θανατούσθωσαν	3
20:13	יוּמָ֫תוּ	θανατούσθωσαν	3
20:15	יוּמָ֫ת	θανατούσθω	3
20:16	יוּמָ֫תוּ	θανατούσθωσαν	3
20:27	יוּמָ֫תוּ	θανατούσθωσαν	3
	יִרְגְּמוּ	λιθοβολήσατε	2
21:1	אֱמֹר	εἶπον	2
21:17	דַּבֵּר	εἶπον	2
22:2	דַּבֵּר	εἶπον	2
22:3	אֱמֹר	εἶπον	3
22:18	דַּבֵּר	λάλησον	2
23:2	דַּבֵּר	λάλησον	2
23:10	דַּבֵּר	εἶπον	2
23:24	דַּבֵּר	λάλησον	2
23:34	דַּבֵּר	λάλησον	2
24:2	צַו	ἔντειλαι	2
	וְיִקְחוּ	λαβέτωσάν	3
24:14	הוֹצֵא	ἐξάγαγε	2
24:15	תְּדַבֵּר	λάλησον	2
24:16	יוּמָ֫ת	θανατούσθω	3

	יִרְגְּמוּ	λιθοβολείτω	3
	יוּמָת	τελευτάτω	3
24:17	יוּמָת	θανατούσθω	3
24:18	יְשַׁלְּמֶנָּה	ἀποτεισάτω	3
24:21	יוּמָת	θανατούσθω	3
25:2	דַּבֵּר	λάλησον	2
25:14	אַל־תּוֹנוּ	μὴ θλιβέτω	3
25:17	לֹא תוֹנוּ	μὴ θλιβέτω	3
25:31	יֵחָשֵׁב	λογισθήτωσαν	3
25:45	וְהָיוּ	ἔστωσαν	3
27:2	דַּבֵּר	λάλησον	2

APPENDIX B: FUTURE FORMS IN SB 5. 8008[307]

Lines	Greek Text	Translation
4–7	ἐὰν [δ]έ τινε[ς] [μὴ] [ποιῶ]σιν, [καθότι] προγέγραπται τῆς τε[λ]είας στε[ρηθήσονται] [καὶ] [ἔνοχοι] ἔσονται τοῖς ἐκ το[ῦ] δια[γ]ράμματ[ος] [ἐπιτίμοις]	And if any [do not do] as has been written above, [they shall be deprived of] the livestock and shall be [subject to the penalties] in the schedule,
14–15	π[ερὶ] [δ'] [αὐ]τῶν ὁ βασ[ιλεὺς] [δια]γνώσεται, [τὰ] [δὲ] [ὑ]πάρχον[τα] [αὐτῶν] [ἀ]ναλημφθ[ήσεται]	The king will judge concerning them and their belongings shall be confiscated.
23–6	ποιήσονται δὲ καὶ κατ' ἐνιαυτὸν τὰς ἀπογραφὰς ἐν τοῖς αὐτοῖς χρόνοις καὶ τὰ γινόμενα τάξονται, καθότι ἐν τῆι \παρὰ/ τοῦ βασιλέως \ἐπιστολῆι/ διασεσάφηται ἐν τοῖς καθήκουσιν μεισὶν κατὰ [τ]ὸ διάγραμμα.	And they shall make each year at the same time declarations and shall pay the sums due as it is set out in the letter from the king, in the proper months according to the schedule.
26–8	ἐὰν δέ τινες μὴ ποιῶσίν τι τῶν προγεγρ[α]μμένων τοῖς αὐτο[ῖ]ς ἐπ[ι]τίμοις ἔνοχοι [ἔσ]ονται οἷς καὶ οἱ ἀπογραψάμενοι τὴν [ἰδί]αν λείαν εἰς ἄλλα ὀ[ν]όματα.	If any do not carry out something of the aforesaid, they shall be liable to the same penalties as those registering their own cattle under other names.
29–30	μηνύει[ν] δὲ τὸν βουλόμενον καὶ λήψεται τῶμ μὲν κατὰ τὸ διάγραμμα πρασσομένων ἐπιτίμων,	Anyone who wishes may inform (on violations), in which case he shall receive a portion of the penalties exacted

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[307] Translation of all lines of text taken from Bagnall and Derow, *Hellenistic Period*, 111–13.

		according to the schedule,
39–43	ἐὰν δέ τις μὴ ἀπογράψηται ἢ μὴ ἀναγάγηι τοῦ τε σώματος στ ερηθή-σεται καὶ προσεισπραχθήσεται εἰς τὸ βασιλικὸν ἑκάστου σώματος (δραχμὰς) Γ καὶ ὁ βασιλεὺς περὶ αὐτοῦ διαγνώσεται.	If anyone does not declare or present him he shall be deprived of the slave and there shall in addition be exacted for the crown 6,000 drachmas per head, and the king shall judge about him.
43–4	τῶι δὲ μηνύσαντι δοθήσοντα[ι] [το]ῦ \ἑ[κά]σ(του)/ σώματος (δραχμαὶ)	To the informer shall be given…drachmas per head.
60	εἰ δὲ μή, τοῖς αὐτοῖς ἐπιτίμοις ἔνοχοι ἔσονται	Otherwise, they shall be liable to the same penalties,
61–3	τοῖς δὲ πρ[ο]σαγγείλασι δοθησεται ἐκ τῶν πραχθη-σομένῳ ἑκάστου σ[ώμ]ατος (δραχμαὶ) τ.	Informers shall be given 300 drachmas per head from the sums exacted.

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