SETTING THE RECORD STRAIGHT: ALTERNATIVE DOCUMENTS OF A PROTEST IN THE ROMAN ARMY OF EGYPT

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Documentation is the trade-mark of the twentieth-century historian. We take it for granted that we must be able to document points we make by reference to our sources. In a more particular sense we mean by ‘documents’ a certain type of source-material — the papers that belonged to the occasion itself, as distinct from the presentation of it in subsequent literary treatments. This corresponds to the distinction between primary and secondary sources. In the case of Roman history, we typically mean by ‘documents’ the coins, inscriptions and papyri that survive directly from the time, as distinct from the treatment of the history by ancient writers. By appealing to documents, we hope, we may replace the perspectives of the ancient historians by the more immediate record of what was actually said at the time.

The modern study of ancient history rests upon a documentary revolution which took place during the nineteenth century. It was during this period, above all in the German academies and universities, that the effort was launched to bring together systematically all the documentary sources for the ancient world. Ironically enough, the paramount figure in this movement, Theodor Mommsen, was most famous in his own day as the author of a powerfully opinionated History of Rome, which has stamped its prejudices indelibly upon all subsequent treatments of the subject.

Yet during the same time the study of the documents opened up whole new ways of analysing ancient history, akin to what is done in modern history from archives and other sub-literary sources for a matter. New questions became possible, about many aspects of demography, economics or social history, for example, which are only skirted in the literary sources. The corpus of documents provided ancient historians with their best approach to a statistical data base.

No amount of statistics, however, will resolve the questions of judgement around which, in the last resort, all history, like all other study of man by man, must revolve. We know this well enough from contemporary social and political discussion. The modern world is perfectly able to bury itself in

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statistics, but the great issues of the day remain as hotly disputed as ever. The statistics should certainly help us refine our judgements, but in the end history comes back to what it always was, one man attempting to interpret the actions of others. For reasons which are no doubt too profound to have come within the usual treatments of the philosophy of history, everyone believes that we owe it to the dead to deal justly with them.

The historians who wrote in antiquity generally avoided documentation. It would have been an aesthetic crudity to have introduced someone else’s prose, written in a different style, into the finished product of one’s literary endeavour. Nor were documents needed for the argument, which was essentially a moral one: the past was being displayed so as to instruct the present in what was worth imitating and what not in the behaviour of important people. It was unusual for a historian to need to prove a point, or get to the bottom of a question. Documentation comes in when proof is needed. It was the basis of claims in courts of law, for example, and begins to be needed in history writing at points where a legal or dogmatic position is being maintained, as by Josephus or Eusebius. In early modern times it was disputes over the constitution or over orthodoxy of belief that sharpened the need for documentary proof in history and paved the way for the ‘scientific’ revolution of the nineteenth century in this field. Quoting one’s sources arises from a concern for authority as well as for fact.

Primary documents themselves are not necessarily more factual. They often project someone’s opinion in much the same way as a later work of history does. A first-hand observer need not get the facts right. Indeed in many cases he cannot, because the various aspects of a matter can often only be drawn together by subsequently combining what was seen differently by different people at the time. Each historian occupies a position which has its own claim to validity. We are all potentially true observers, and we all undertake essentially the same responsibility as the eyewitnesses, to report it to others as best we can see it.

It is not often in ancient history that we have the opportunity of comparing a historian’s version with the ‘original’. Such a case is provided by the epigraphic copy preserved from Lugdunum (Lyons) of the speech of Claudius in the senate in AD 48, advocating the admission of Roman citizens of Gallic descent into that chamber. If we assume that the Gallic Romans would have had an interest in publicising the actual words of Claudius (and indeed would not have been free to inscribe anything else), the comparison of this with the version presented by Tacitus in Annals XI 23-25 will illustrate

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vividly how far a Roman historian felt free to go in adapting the original to his own style and emphasis (though we need not assume that Tacitus personally read the original; he may be already working at second hand upon a version he found in one of his literary predecessors). A discussion of these two texts will be found in K. Wellesley, 'Can you trust Tacitus?', and M. Griffin, 'The Lyons Tablet and Tacitean Hindsight'.

Two papyrus documents of AD 63 offer us the opportunity of comparing two 'original' versions of the same episode, one from either side of the dispute in question. The following translations reproduce as literally as possible the sentence-structure and line divisions of the originals. Square brackets represent words restored to damaged parts of the text; round brackets contain explanatory terms or words necessary to the English but not corresponding to any word in the Greek.

The form of A corresponds to a pattern attested by other papyrus documents. They are excerpts from the official journals or minute books (hypomnematomoi) of a magistrate, made in the interests of the beneficiaries of the magistrate's judgment. The latter was published by being displayed for a period in public, allowing the interested parties to make a copy. The copies could then be produced in proof of their claims, subject to checking against the official files, which would bear the signature of the magistrate himself.

Both texts are written by scribes used to official copying, but the hand of B suggests a striving after effect, as though the scribe were attempting to write as one would for a work of literature. The text is distributed over two columns which were folded in on each other, but column II contains only lines 20-22. Was it a fair copy of what had happened so far, with room left for further developments to be noted?

\[\text{Wellesley (1954), Griffin (1982).}\]
A. **P. Fouad 21**

Copy of (an 'official') minute.
Year 10 of Nero Claudius Caesar Augustus
Germanicus Imperator, on the 7th of the month Augustus (= 4 Sept., AD 63),
in the Great Atrium, upon the tribunal, in the presence at the council
of Norbanus Ptolemaeus, solicitor (*dikaiodotos*) and
[treasurer (*idios logos*), Avillius Quadratus and Tennius Vetus
[. . .]us Atticus, Papirius Pastor and Baebius Iuncinus,
[tribunes (*chiliarchoi*), Iulius Lysimachus, Claudius Heracleides,
administrator (*dioiketes*),

[?Clau]dius Euctemon, Claudius Secundus.

[Over] the discharged (soldiers), concerning the citizenship.
[Tuscus (said),] "I have said to you already earlier that neither similar
nor the same is
[of each] of you the position, for some of you are from the legions
[(being) vetera]ns, while others (are) from the (cavalry) squadrons, others
from the (auxiliary) cohorts, others from the oarsmen,
[so that] the right of all is not the same. I will give my attention to this
[and] have written to the commanders (*strategoi*) in each nome so that the grant
intact
[to each] of you may be preserved according to the right of each."
I [, X ,] have written (this).

While the form of B is akin to A, especially in being called a 'copy' and in
containing what are represented as the actual words of the magistrate, it
cannot be simply derived from the official minutes. It is more like an aide-
mémoire prepared for the petitioners so that they can give a verbatim account
of their dealings with the magistrate. The fact that it is basically in the first
person and covers a sequence of events suggests that it could be the
circumstantial record they would give, when they returned home, to those
they represented. B is already history in the making, while A is the formal
document that would have to stand up to scrutiny in a court of law, should it
come to that again.\(^5\)

But are A and B records of the same group of petitioners? Scherer, who
edited A immediately after the first publication of B by Welles, assumed not,
though he did not state his reasons. He was nevertheless prepared to restore
the text of B15 to date to the same day as A3. The explicit date of A enables
us safely to restore the name of the prefect Tuscus in A11, perhaps
envisaging its having been set out into the margin as in B4 and 17, which

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\(^5\) Comparison of A and B: Westermann (1941), Segrè (1940).
B. P. Yale inv. 1528

Copy of (the presentation of) a petition.
The legionaries met (the prefect) on the road of the
camp near the Iseum.
Tuscus the prefect answered us (‘you’ in the papyrus), “Do not speak
of impious mutiny (?) No one is putting pressure
on you. But write on tablets where each
of you is stationed and I will write to the commanders (strategoi)
so that no one causes (you) burdens”
On the 4th of the month Augustus (= 1 Sept.)
we handed him the tablets
at the headquarters (principia), and he said to us,
“Have you handed them in individually in every case?” And they said to
him, “Individually have we handed them in,” (said) the legionaries.
On the 5th of the same month we greeted him near
the Paliurus and he returned our greeting, and on the
15 [?]th of the same month we greeted him in the Atrium,
he being seated on the tribunal.
Tuscus said to us, “Already in the camp have I said (it)
to you and now I say the same: one thing is the procedure
of the legionaries, another that of the auxiliaries,
another that of the rowers. Off you go,
each to his own (business) and do not become
shiftless.”

could allow the word ‘said’ also to be restored (though the omission of this is
not intolerable). Since the period available for the prefecture of Tuscus
extends from July 62 to at least 66 (though it is documented only for the
period September 63 to July 64), we do not have to date B to AD 63, but
Scherer apparently relies on the fact that the sitting of the prefectural court in
Alexandria was normally in the period June-July, or possibly the beginning
of August, so that the holding of two September sessions in different years
would be an unlikely event. The broad framework of the prefect’s reply also
points to the same occasion, even if we suppose that two different replies to
different groups are involved.

Against identification of the two groups at first sight is the fact that B calls
them legionaries while A10 appears to speak of them as discharged (see also
the restoration of A13). But we could perhaps resolve this discrepancy by
positing that A envisages what is about to happen on discharge, even though
they are still in the service, or by supposing that in B they are writing of
themselves still as legionaries although it is their position following their
recent discharge that is at stake. Both documents have the magistrate
instructing the nome commanders (i.e. regional heads of the civil
administration) on their affairs, and not their military commanders (the legionary or other prefects), which might strengthen the supposition that they were already discharged, and A speaks of a ‘right’ which seems to stem from an imperial grant at the end of their service. But at this point B speaks of procedure which might imply that they are still under the colours.

In favour of identification is the high degree of coincidence required if we are to suppose that two separate groups appealed to the prefect (whether on the same occasion or not), one of men under the colours, the other of veterans, but both consisting of representatives of such distinct arms as the (citizen) legions, the auxiliary cohorts (who would only expect to receive citizenship on discharge) and the rowers in the fleet. Since the duties and privileges of the different arms varied, as the prefect insists, it is extraordinary enough that they should have clubbed together at all, and apparently from different parts of Egypt (since the prefect is writing to the various nome commanders), without our having to suppose that it had happened twice. On the other hand, given that it had happened, and that it had apparently arisen from a new act of Nero (not elsewhere attested), it is certainly not inconceivable that the petition could have gone forward under two forms, the one seeking to secure the rights of the veterans, the other seeking protection for the servicemen against official exploitation.

Yet there is another argument in favour of identification, perhaps the more telling for being not of the legal essence of the prefect’s statement, but merely reflecting the circumstances of the occasion. Both texts have the prefect referring to a prior version of his reply. What this was is explained in B, but not in A, which is thereby clearly shown to be an abbreviation of the proceedings.

But if we assume that the occasion is the same, how can we explain two such different transcripts of what the prefect said? The men could have had no interest in composing a version that manifestly failed to correspond to the official record. The answer surely would have to be that B was historically prior to A. It need not have been the men who embroidered the record. Indeed they would hardly have invented references to mutiny and to their being ‘shiftless’. But they would have had an interest in compiling a running record of what the prefect actually said, as a check against the official record which would be issued later. He, on the other hand, could have had an interest in seeing that the official record corresponded strictly with the legalities of the matter, and avoided giving the impression of a rather disorderly hearing that spread over several days. Hence he may have had a minute composed recording only the final outcome, in which he registered
the fulfilment of his earlier promise to write to the nome commanders. This might also explain the puzzling shift from the burdens of servicemen (B) to the rights of veterans (A). Whereas in the heat of the moment he had concentrated upon the practical disciplinary side, in the official version he focussed on the legal formalities that would apply at discharge. If this hypothesis is correct, then of course it is the aide-mémoire (B) that is the primary document, while the official minute (A) already shows the historical record attuned to a particular interest. 6

References

Westermann, W.L. (1941) 'Tuscus the Prefect and the Veterans in Egypt' CP 36, 21-29.

6 Duties of the prefect: Brunt (1975); terms of military service: Alston (1995); further documents: Daris (1964), Fink (1971)