**URI YIFTACH (TEL AVIV)**

**DIKAI IN THE CHÔRA: ANOTHER PERSPECTIVE OF MÉLÈZE-MODRZEJEWSKI’S POLITIKOI NOMOI**

*Abstract*: In his *règle de droit dans l’Égypte ptolémaïque* Professor Mélèze Modrzejewski studied how the law of the Greek city state penetrated the Egyptian chôra in the Hellenistic period. Focusing on a sphere of the law that was left untreated in that seminal paper—the prosecution of delicts—this paper stresses the reliance of Greek courts and state officials in the chôra on types of suits (*dikai*) originally conceived within the law of the city of Alexandria.

*Keywords*: administration of justice, politikoi nomoi, dikasteria, Alexandrian law, petitions

*P.Gur. 2 = Sel. Pap. II 256 = CPJ I 19* (226 BCE, Krokodilôn Polis, Arsinoitês), published in 1921, contains a section of a royal *diagramma*, a decree that prescribes to judges in the Greek court of the *dikastêrion* what legal sources they should consider in their verdicts. The judges should first and foremost apply the king’s own *diagrammata*, but if those *diagrammata* do not feature any relevant instructions, judges should adduce two alternative sources: first, the *politikoi nomoi*, and second, if the *polikitoi nomoi* record no relevant regulation(s) either, “the most righteous view.”¹ For students of Classical law, the text of the Gurob papyrus proves the impact of Athenian law and Athenian legal theory, for the allusions, within the said *diagramma*, to the parallel section within the oath of the Heliasts are obvious.² Yet, above all, the text is fundamental to the study of the Ptolemaic state.

The Ptolemaic state never aspired to create a code of law that was to be followed by everyone.³ Rather, whenever its own legislation was lacking, it simply introduced external sources: in the case of the Greek *dikastêrion*, this was the *politikoi nomoi*. In light of the undeniable importance of the *politikoi nomoi*, one might expect them to be repeatedly mentioned in the papyri and other literary


² Mélèze Modrzejewski 1966: 130 and, e.g., Lanni 2013: 301-303.
evidence that comes to us from Ptolemaic Egypt. But this is not the case. The evidence on the use and the significance of the term politikoi nomoi in the Egyptian context is extremely sparse and inconclusive, thus allowing multiple, diverging theories about their nature.\(^4\) One such theory was developed by Joseph Mélèze Modrzewski in his *La règle de droit dans l’Égypte ptolémaïque*, published in *Festschrift Welles* in 1966.\(^5\) Mélèze Modrzewski was both a sharp-eyed documentarist, with an exceptional gift for penetrating analyses of texts under his investigation, and an excellent legal theorist, interested in the origin and structure of systems under his investigation. The issues of origin and structure seemed especially pertinent, without a readily available answer, as far as the object of his study is concerned. Laws prevail because they are enacted by the state;\(^6\) Ptolemaic and Roman Egypt is no different in that respect. At the same time, it has been argued that the rulers of Egypt were not keen on legislating in spheres of activity beyond their own immediate interests: there is an abundance of legislation meant to secure the collection of revenue and public order, but much less for private law, in particular contract, family, criminal, and tort law.\(^7\) Still, it is obvious that disputes in these areas were frequently decided in court. This is where the term politikoi nomoi comes in. It has been generally assumed that the politikoi nomoi were regulations of external origin, not authored by the Ptolemaic lawgiver himself, which were accorded applicability by virtue of the *diagramma* quoted in *P.Gur.* 2; their precise origin, however, remains a mystery.\(^8\)

The only undisputed attestation of the term politikos nomos, in the third-century BCE collection of regulations, is made in relation to a law from the city of Alexandria (see above, n. 4). The *diagramma* cited in *P.Gur.* 2, may be brought forward in order to allow the application of a regulation of Alexandrian origin as well: the *polis* regulation on dikê hêremos.\(^9\) Yet the fact that the only two

---

\(^4\) The only secure, contemporary evidence is recorded in *P.Hal.* 1.79-80, where the singular politikos nomos is used as a title for a regulation relating to “planting, building and deep-digging.” The same term is also restored by the editors in line 106, introducing a regulation “on the cutting and cleaning of trenches” (tâfrō[ν] τμήσεως καὶ ἀνακαθάρεω[c]). Why was this title used for these regulations and not for others? In the other text recording the term, *P.Tor.Choiach.* 12.7.9 (117 BCE, Thebes), it is used in a speech given by an advocate, in connection with entering into possession of the estate upon intestacy. But the formulation, καὶ κατὰ τῶν πολιτικῶν νόμων καὶ τὰ ψηφίσματα, leads to the assumption of a generic usage, as the speaker wishes to stress that his contention is supported by all available legal sources.

\(^5\) Mélèze Modrzewski 1966.

\(^6\) Mélèze Modrzewski 1966: 128, 151-152.

\(^7\) Mélèze Modrzewski 1966: 152-154, draws an analogy between the recognition of the politikoi nomoi as an external source and similar phenomenon, regarding the medieval and early modern French concept of *coutume*. Cf. also Wolff 2002: 39.

\(^8\) So also Mélèze Modrzewski 1966: 128-129; Wolff 2002: 56.

\(^9\) *P.Gur.* 2.46-49 (226 BCE, Krokodeiô Polis): ἕν ἀνδίκαιον ἀμφιφόρων τῶν ἀντιόκινον [κληθέν]\(^{47}\) τοῦ ἐν τοι δικαστήριον ἐκάτερος οὖν αὐτῶν µὴ βουλὴ[ται γρατ]\(^{48}\) τὸν
attestations of the term \textit{politikoi nomoi} in our sources are made in connection with the law of Alexandria still does not warrant the assumption that the laws of this city alone would qualify as such.\textsuperscript{10} Mélèze Modrzejewski developed a broader concept: for him, \textit{politikoi nomoi} denoted all legal practices, brought to Egypt in whatever form by Greek settlers. \textit{P.Gur.} 2 would allow judges at the \textit{dikastérion} to take these practices into consideration when reaching their verdicts.\textsuperscript{11}

But how did Mélèze Modrzejewski envisage the infiltration of ‘\textit{poliade}’ customs into Egypt? Did he assume that, for instance, Athenian litigants brought the laws of Solon before the Greek \textit{dikastérion} in the Egyptian \textit{chôra}, and that these laws were considered by their judges? The answer seems to be negative: perhaps with the exception of Jews, there is no evidence that immigrants from the Hellenistic world aimed to apply regulations deriving from the laws of their specific \textit{polis} of origin.\textsuperscript{12} Mélèze Modrzejewski’s concept of the \textit{politikoi nomoi} is that of general rules, common throughout the Greek world, that were taken, as such, into Egypt.\textsuperscript{13} The legal \textit{koine}, brought over by the settlers, predated the Hellenistic period. It became indispensable, particularly with the emergence of Greek private international law, in cases involving citizens of different \textit{poleis}.\textsuperscript{14} In the sphere of contract, the legal \textit{koine} was forcefully promoted by the introduction of writing and the birth of the legal document. Already in the Classical period, legal documents contain the \textit{kyria} clause, which granted, again (among others) according to Mélèze Modrzejewski, the applicability of the document as a piece of evidence in any court of law, anywhere in the Greek speaking world.\textsuperscript{15} The introduction of the legal document also promoted the generation and proliferation of established clauses,

---

\textsuperscript{10} Evidence in Mélèze-Modrzejewski 1966: 131-132. In Hellenistic documentation, the adjective \textit{politis} can be expected in the context of different, alternative designations. Cf. Partsch 1920: 40-41. In the present context, setting it in opposition to \textit{basilikos} would be conducive to our understanding of the decree. Cf., e.g., L. Boffo 2013: 208-209.

\textsuperscript{11} Mélèze Modrzejewski 1966: 151-154.

\textsuperscript{12} Mélèze Modrzejewski 1966: 147-149, 165.

\textsuperscript{13} This is first and foremost demonstrable in Mélèze Modrzejewski’s treatment of the law of marriage: institutions, created in the context of a specific \textit{polis}, are abandoned, while the basic features of the Greek concept of marriage are upheld. Cf. in particular, Mélèze Modrzejewski 1981:247-264.

\textsuperscript{14} E.g., Cohen 2005: 297-302.

\textsuperscript{15} Mélèze Modrzejewski 1984: 1180-1184.
conveying and developing concepts that were shared throughout the Greek commonwealth.

Scribes composing such documents were available wherever Greeks settled. This was also the case in Egypt, immediately after the Macedonian occupation. The legal document covered a wide range of legal activities: law of family, contract, and property. Wherever a written document was available, its contents became decisive—the most decisive piece of evidence in a court of law. Accordingly, in multiple cases heard by the Greek dikastérian, in third- and second-century BCE Egypt, the plaintiffs founded their claims on the legal document: the charge was made κατὰ συγγραφὴν (“according to a legal document”). Accordingly, in Mélèze Modrzejewski’s eyes, the legal document was one of the key agents responsible for the introduction of politikoi nomoi into Egypt.

At the same time, legal documents did not cover everything. No contract could be used as evidence in the case of delictal liabilities. So how can Mélèze Modrzejewski’s concept of the politikoi nomoi be related to this sphere of law? In Classical Athens, several suits could be used by victims of violence (or others who sought remedy for them): ὑβρίς (‘offensive conduct’), αἰκία (‘assault’), κακηγορία (‘slander’) and βιαίων (originally: deprivation of property (?)’). In third-century Alexandria, one encounters ὑβρίς, πληγαί (‘blows’), σιδηροῦ ἐπάντασις (‘threatening with sword’), ἀδικία μεθοδικός (‘drunken violence’), and a law related to the beating of a free person by a slave: δοῦλωι ἐλεύθερον πατάξαντι. The terms labelling the suits are not polis-specific; they existed long before the procedural structure of the polis was formed and continued to be applied outside its

---

16 Wolff 1978: 144-154; Mélèze Modrzejewski 1966: 136-138 and Mélèze Modrzejewski 1984: 1186; in the same context the laws of Athens also accorded applicability in court to the contents of homologiai (most recently, Aviles 2012), as well as various regulations from Ptolemaic Egypt meant to secure the authenticity of legal documents. Ruppecht 1995: 50-53.

17 P.Petr. III 21 a-f (227-225 BCE, Krokokidôn Polis, Arsinoitês): Col. A. 3-4; Column B I3-5; C. 5-7; D II. 4-6; F. 3-4. This is also predominately the case with enklêmata from Ptolemaic Egypt, all except for P.Gur. 2, relying on a legal document: cf. P.Hib. I 30.5, 15-16 (282-274 BCE, Hérakleopolitês); P.Kön XIV 561 (172 BCE, Hérakleopolis); P.Mil.Vogl. inv. 1297 (182 CE, Hérakleopolitês) [reference in P.Trier p. 8]; P.Trier 1 (184 BCE); 2; 3 (both dating to 183 BCE); 4 (184/3 BCE); 5 (184/3 ? BCE); 6 (183 ? BCE); 7 (184/3 BCE, all the above from the Herakleopolite nome). Cf. also a reference to an enklêma in P.Heid. VIII 412.10-14 (186 BCE, Hérakleopolis) as well as nos. 413.4-9 (179 BCE); 414.6-15 (184/3 BCE); 417.20-27 (190 BCE, all from the Herakleopolite nome).

18 Cf., in general, Lipsius 1905: 239.

borders. Accordingly, in the framework of the *cognitio extra ordinem* of the Roman period, one freely used the terms *hybris*, *pêlag* and others to tarnish his opponent without them having a distinctive procedural bearing.

What is unique about the *polis* (Athens being of course the paradigmatic case study) is that the terms were used as labels for specific suits with an indication of the procedure involved in the prosecution, the person entitled to introduce the case, the identity of viable prosecutors, and what penalty should be imposed in the case of conviction; fundamental is the principle of the *condemnatio pecuniaria*. Bearing these criteria in mind, let us now approach the papyri. As already mentioned, verbs denoting physical, proprietary, or verbal assaults are common in petitions from all periods. In the vast majority of the Ptolemaic evidence, and in all Roman, the terms are used rhetorically, to denote the opponent’s evildoing. The reader would try in vain to isolate the terms in these petitions to carve out distinct suits, nor is *condemnatio pecuniaria* the explicit goal of the appeal. But there are also exceptions: in a small corpus of ten papyri, we find some of these terms labeling established actions.

We can begin the discussion with *P.Gur.* 2, a protocol of a court hearing before the *dikastêrion* of Krokodilôn Polis from 226 BCE. It is preserved in two copies, one of which, *P.Petrie III* 21 g, is part of a collection of texts of identical nature and date. The text records the following events: verbal and physical abuses on the part of Hêrakleia, on Peritos 22nd of the 21st year of Ptolemy III (10.7.226 BCE), led Dôsitheos to prosecute her at the court of the *dikastêrion*. As in other cases heard by the *dikastêrion*, Dôsitheos sets the procedure in motion by serving a summons, *enklêma*, to Hêrakleia. With the exception of the use of the second person to denote the acts of the opponent, the narrative is identical to that in petitions. The fundamental difference lies at the end of Dôsitheos’s *enklêma* [II. 26-27]: διὸ δ[ικάξο]μαί [σοι καὶ] |27 [τιμώματ] τὴν ὑβρὶν (δραχμὰς) σ, τίμημα τῆς δίκης
(δραχμᾶς) [ . . ] (“Wherefore I bring an action of assault against you for 200 drachmai, the assessment for damage being [- - drachmai].” (Translation according to CPJ I p. 154)). Dôsitheos has decided to apply a suit for ἁπρία. He sues for a fixed compensation: 200 silver drachmas.

The remaining cases in P.Petrie III 21 (a-f) are much more succinctly formulated: within an account of the verdict, they briefly report the object of the enklêma and its consequences. In these documents, the case is eventually judged by default: one of the litigants has not shown up. In most cases, the case is based on a legal document (κατὰ συγγραφῆν). But there are some exceptions: as far as the damaged text allows us to perceive, in two cases, the claim is for property damage and another is for blows, πλέγαι. Pleas for a specific pecuniary compensation on account of ἁπρία or πλέγαι are also recorded in six third-century petitions, all taking the form of an enteuixi: cases formally reported to the king, but in reality to the name’s strategos. The narrative is structured identically to P.Gur. 2, except that the account of the perpetrator’s misconduct is in the third, not second, person.

As already stated, in papyrological terms this is not a very large dataset, but it does allow us to reach some conclusions. First, the amount. In P.Gur. 2, Dôsitheos sued on account of ἁπρία for 200 drachmas; the same amount was sued for in another ἁπρία case, that of P.Hib. I 32. Yet in another case, P.Enteux. 73, a ἁπρία suit results in a plea for 1,000 drachmas. A similar picture is conveyed by cases of πλέγαι: 200 drachmas in P.Enteux. 72; in P.Petrie. III 21 d 3-4 and 11-12 it is 1,000 drachmas or more. In both the case of ἁπρία and of πλέγαι, then, we probably face ἀγῶνες τιμέτοι, viz. cases with no amount for the penalty prescribed by law.

---


26 P.Petrie. III 21 a; 21 b; 21 c; 21 d 3-4; 21 d 4-6 and 13-14; f 3-4 and 9-10 (227-225 BCE, Krokodilôn Polis, Arsinoitês).

27 Coll. D ll. 3-4: κατευκάσθη ἡν ἐγράφατο Πτελεμαῖος - ca.16 -] 4 [τῆς ΧΡΥγονής Νικαπαμβοῦλοι Αἰγίναν τῶν Ἐπειβάτων χιλιάρχοι κληρούχοι πληγῶν. ὡν - ca.9 -]υ (δραχμᾶν) A . . . ; D 15: κατευκάσθη ἡν ἐγράφατο Νίκων Διονυσίου Ἰνάχειος - ca.29 -] ρας τοῦ ἰματίου τιμῆς. Perhaps also D 6: κατευκάσθη ἡν ἐγράφατο Νίκων Διονυσίου Ἰνάχειος ἐπὶ [. . . ] 6 τοῦ ἀλλότριον εξ [. . . ] ε [. -ca.?-] β[. . . ] νημιον.

28 See n. 24, above.

29 In P.Sorb. III 112 (219 BCE, Mouchis, Arsinoitês), the amount sued is 200 drachmas; in the second-century BCE BGU VI 1249 (136 BCE, Syene), one sues, on account of ἁπρία and πλέγαι, for 1 copper talent and 100 silver drachmas; in P.Fay. 12 (104/3 BCE, Theadelphia), one sues 100 copper talents for ἀδύκος ἀγωγή and 410 silver drachmas for ἁπρία; in P.Tor.Chouch. 8a+b = P.Tor. 3 a (127 BCE, Thebes), for ἀδίκον, one files a suit for 5 copper talents. The plaintiff also sues for ἁπρία, but does not give the amount. Cf. also Rupprecht 1993: 273.
Second, the identity of the addressee. In the case of *P.Gur. 2*, as in those reported in *P.Petr. III 21*, the case is brought before a *dikastêrion*; applying an established *dikê* in a jury court is, in this case, in complete correspondence to the ‘political’ prototype, as attested in the Athenian evidence. But in cases attested in the edition of the *enteuxis* papyri, the case is brought not before a *dikastêrion*, but before the nome’s strategos, and there is no indication that it was ever meant to be forwarded to the board. In fact, in one case, that of *P.Enteux. 74*, it is precisely the petitioner’s inability to go to a regular court that induces him to file a charge of *hybris* to the strategos in person. In other words, the *dikai* system goes beyond the conventional court procedure, where it is perhaps to be expected, and penetrates that of the *Beamtenjustiz*. The same type of suit resurfaces towards the end of the second century BCE. In this period, presumably after the demise of the *dikastêrion*, it is sometimes connected with a new judicial board, that of the *chrêmatistai*.

There is also the question of the exact prototype: the papyrus *Halensis* is one of the most important, interesting, and still relatively understudied texts from Ptolemaic Egypt. The text records 16 regulations from the city of Alexandria that were assembled to serve as evidence before a court of law. As far as the law of delicts is concerned, the text of the *Halensis* papyrus records five regulations, three of which record the Alexandrian laws on *hybris* and *plêgai*, the same types of charges that appear as *dikai* in the source material from the *chôra*. The text of the *Halensis* papyrus contains repeated references to Alexandrian institutions and topography, and it is plausible that the case for which it was collected involved Alexandrian citizens. But the text was not preserved in Alexandria, nor was its final reduction undertaken in that city, but rather in the Apollonopolite village of Arsinoe, in Upper Egypt, whence it was probably taken to Elephantine, to be discovered in a clandestine excavation.

Could this mean that the case was not heard in Alexandria, but in the Apollonopolite nome? This hypothesis would fit perfectly not only with the internal testimony of the *Halensis* papyrus, but also with the diagramma of *P.Gur. 2* as allowing local Greek courts to hear cases involving *polis* citizens and to apply in that case the laws of that *polis*. But once these laws became known at the courts

---

30 Wolff 1970: 42-43. Without of course assuming a direct reception of the court procedure of any particular *polis*.
32 *P.Fay. 12.26-32 = P.Lond. III 818 descr. = MChr 15* (104/3 BCE, Theadelphia); *P.Tor.Choach. 8b = UPZ II 170* (126 BCE, Thebes).
35 A possibility raised already by Schubart 1937: 39.
of the chôra, the judges could hardly avoid using them in cases of non-Alexandrians as well. In one concrete case, that of P.Gur. 2, the parties are Jews, but the hèremos regulation immediately following the ‘sources-diagramma’ is Alexandrian. So why shouldn’t we assume the same in the case of offences?

This theory seems, at first sight, irreconcilable with what we know about the concept of hybris and plêgai in the two surrounding areas. The Alexandrian papyrus Halensis closely defines what would qualify as an offence. In the case of plêgai, the definition, closely resembling that applied in the case of the Athenian dikê aikeias, requires that the accused party give the first blow: ἄρχον χειρῶν ἀδίκων. In the case of hybris, the suit focuses on any type of assault that is not covered by other, more specific types of suits. A clear reconstruction of the difference between plêgai and hybris in the chôra is difficult to gauge: we are not in possession, for the chôra, of a normative text of the type of the Alexandrian Halensis papyrus that would offer some contemporary definition of the suits and the number of texts is extremely small. In particular, in the case of the plêgai, we are in possession of no more than two texts, only one of which, P.Enteux. 72 (218 BCE, Arsinoïtès), gives any information on the circumstances. If we rely on the material at hand, we can hardly trace any substantial difference between the two dikai. This observation is born out, in particular, by a comparison of the narratio in P.Enteux. 72 (plêgai) and 74 (hybris).

---

reproach (λοιδορία), which then results in physical assault, with a detailed account of the bodily harm inflicted. The phrasing is also, on occasion, identical.

The most outstanding difference is that the petitioner in the case of *P.Enteux. 74*, where he accuses his antagonist of *hybris*, also applies the formula ἀρχον εἶς με χειρὸν ἀδίκων. This would seem to be at variance with Alexandria, for here the formula ἀρχον εἶς με χειρὸν ἀδίκων is applied in the case of *plêgai*, and not in the case of *hybris*. In view of this difference, one could argue that, while actions for both *plêgai* and *hybris* were employed in courts in Alexandria and the *chôra*, the precise meaning of the actions was quite different. While in Alexandria the *hybris* was a charge for any type of assault other than blows (or, for that matter, any other offence specifically dealt with by the laws of the city), in the *chôra*, it became a special charge whose prerequisite was the ἀρχον χειρὸν ἀδίκων. ⁴⁰ As such it would cover the exact sphere of application of the *plêgai* charge in Alexandria.

Yet the evidence from Alexandria and from the *chôra* may be, after all, reconcilable. If one could draw any conclusion from the sparse material at hand, it would be that, in the case of *plêgai*, the first-blow requirement was self-evident and did not need to be explicitly stated in the petition; in the case of *hybris*, on the other hand, it was not and did need to be stated *expressis verbis* in the appeal. ⁴¹ Should this working hypothesis be accepted, one could suggest that *hybris*, originally covering assaults other than blows, was eventually applied in that area too and absorbed, in the process, elements that were typical and legally indispensable for the specific blows-charge, the dikê *plêgôn*. This hypothesis seems to be supported by later evidence: in two late second-century BCE cases one served a single suit περὶ ὑβρεως καὶ πληγῶν. ⁴²

A further development, within the late second-century evidence, is the emergence of two new types of suits. In *P.Fay. 12 = P.Lond. III 818 descr. = MChr 15* (104/3 BCE, Theadelphia), the petitioner sues for direct financial damage

---

⁴⁰ BGU VI 1249.4-7 (136 BCE, Syène): συλλελύσθαι αὐτοῖς τε καὶ Ταγώτι | ἀπὸ τοῦ ὑπέρ ὕπερ γιὰ ὑπὲρ ἐν τῇ λαὸς ἐν τῆς ἡθοδος ἀκατάκτων ὅν εἰς εἰσαγωγέως — see Lipsius 1905: 644; Taubenschlag 1916: 11; Mélèze Modrzewskj 1959: 74-75.


inflicted, for *hybris*, and for “illegal abduction” (*adikos apagōgê*). Under each heading he seeks different compensation; clearly, then, in the petitioner’s eyes, the suits for *adikos apagōgê* and for *hybris* were not substantially, or procedurally, identical. P. Tor. Choiach. 8 = UPZ II 170 = P. Par. 14 (127 BCE, Thebes) is even more remarkable, for here the petitioner sues for the unified charge of *hybris* and *plēgai*, as well as for *adikion*—a more abstract term, not signifying any concrete act. Moreover, according to what seems to be Wilckens’ interpretation, the text may point to the precise origin of the new suit: a royal decree.

Relying on this assumption, we may tentatively lay out the following development: (1) in Alexandrian court procedures, as recorded in the *Halensis* papyrus, various procedures are applied to deal with different types of offences: among others, *plēgai* for beating and *hybris* for any act of violence that cannot be prosecuted differently; (2) already in the third century BCE, penetration of these two types of suits in the *chôra*, roughly used for prosecuting identical offences; (3) by the end of the second century BCE, creation of a consolidated suit for *hybris* and *plēgai*; and (4) the introduction of a new suit, by a royal decree, focusing on any act of injustice. Some elements of this reconstruction can be debated, in particular, the royal origin of the new suit for injustice. Yet the very fact that, in the eyes of the

---


46 In the *petition* (cf. supra n. 44), the *diagramma* may well refer to the *praxis*, whose regulation by a royal *diagramma* is well documented (cf., e.g., BGU XIV 2390.39, 160/59 BCE, Hérakleopolitês), rather than to the *adikion* suit itself, which is not attested as the subject of a *diagramma* elsewhere.
petitioner, ‘injustice’ (adikion), formed an additional ground for charge, apart from hybris and plêgai, remains certain.

P.Fay. 12 and P.Tor.Choiach. 8 are the latest papyri recording dikai-oriented petitions; petitions for specific charges, recording timêmata (i.e., the exact amount sued for), are no longer attested. This is also the case with the specific charge for adikion. Yet the nouns adikion, adikia, and the adjective adikos are well attested later. A paper, published by young Joseph Modrzejewski in 1959, was dedicated to the study of precisely these terms. Adikia, he showed, was any type of conduct deemed unjust in the context in which it was used. Unlike plêgai, hybris, and most types of dikai of political origin, justice is a very flexible concept, whose precise definition is rarely attempted. Such a concept was especially well suited for an environment, as in Greco-Roman Egypt, where the administration of justice was based not on specific set of claims, but on a broader sense of justice.

In the course of his long and prolific scientific activity, Mélèze Modrzejewski repeatedly studied the Classical origins of legal institutions and practices attested in the papyri from Egypt. Law was formed and conceptualized in the polis. In the Hellenistic period, with the mass immigration of Greeks into Egypt, it was applied in different, non-political surroundings. Consequently, polis-oriented concepts were modified, adapted to the new circumstances. But how exactly were these concepts introduced into Egypt in the first place? As is the case of any other intellectual asset, individual immigrants would have played a crucial role in taking over to Egypt this ancestral terminology. In some spheres, as in legal documents, professional scribes who recorded transactions in established terms, were of paramount importance. Mélèze Modrzejewski has highlighted their role. In the preceding lines, I have dealt with another sphere—that of liabilities of delictal background. Literary texts from the archaic and Classical world have shown how terms designating offence were developed, crystallized, and changed before Alexander. In the world of the city state, terms designating offence were used to create established suits, dikai and graphai in Athens. As such, they were also introduced into the city law of Alexandria, whence they were taken over into courts by officials administrating justice in the chôra.

The diagramma of P.Gur. 2, as discussed and interpreted in Mélèze Modrzejewski’s La règle de droit dans l’Égypte ptolémaïque shows us that the process was not accidental. Whether we regard the politikoi nomoi of P.Gur. 2 as referring to the specific city law of Alexandria or as denoting legal practices current in the Greek world, the text of P.Gur. 2 shows that the concept of law and the legal institutions of polis-origin were explicitly acknowledged as applicable and enforceable in cases involving Greek settlers. This was just the first stage of the acculturation of Greek law in the land of the Pharaohs. It is thanks to Mélèze

Modrzejewski’s intellect and erudition that we now understand the development of Greek law in the new settings better than before.

uibach@post.tau.ac.il

BIBLIOGRAPHY


Cassayre 2010 = A. Cassayre, La justice dans les cités grecques (Rennes 2010).


Lipsius 1905 = H.J. Lipsius Das attische Recht und Rechtsverfahren (Leipzig 1905).


