

The Beersheba Edict and Travel in Late Antique Palestine

M.A. Major Research Paper

BY

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Abstract

Ever since its first edition and commentary in 1921, the Beersheba Edict has been regarded as a collection of four inscriptions. It continues to be debated amongst scholars, such as Denis Feissel, because it records a collection of yearly sums from settlements across all three *Palaestinae* in the sixth century. As the Beersheba Edict does not specify a reason for the annual collection of *solidi* from these settlements, scholars have put forth numerous hypotheses in order to explain them. This paper does not aim to propose a new hypothesis, nor does it seek to disprove the latest interpretation of the Edict by Leah Di Segni. This paper, instead, prefers to work with the hypothesis of Di Segni by investigating the evidence for hospitality services and general travel along the roman roads connecting settlements recorded in the Beersheba Edict.

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1. Introduction

The identification of the sixth century inscription, collectively regarded as the Beersheba Edict,¹ began in 1921 with the joining of four separate inscriptions by Albert Alt to form a single edict.² Although Alt considered the possibility that all four inscriptions did not come from a single edict,³ many scholars nonetheless disagreed and continued to refer to all four fragments as one edict for nearly a century.⁴ With the discovery of a new fragment and a new interpretation of the Edict by Leah Di Segni in 2004,⁵ the fourth fragment of the Beersheba Edict should be dismissed from any future discussions, primarily on account of its paleographical differences.⁶ The current edition of the Beersheba Edict consists of Alt's first three fragments. These fragments primarily list various toponyms in the genitive, preceded by ἀπό and followed by a sum of *solidi*. A smaller sum of *solidi* given to the servants (τοῖς δούλοις) usually follows, and sometimes there is an additional sum of money, reserved for the *vicarius* (ὕπερ τοῦ βικαρίου). The first fragment lists locations in both Palestine Prima and Tertia, since the sites appear to be associated with excavated remains around the Negev and the Wadi Araba. The second fragment contains a long list of sites found mostly in the Transjordan of Palestine Tertia. The third fragment appears to list toponyms from Prima, Secunda and Tertia, but much of it is fragmentary and lacking key details. The Beersheba Edict is, in short, most likely an attempt to end some level of inconsistent taxation with the establishment of yearly fixed payments in these communities by the *dux* of Palestine. The reason for such taxation is, however, uncertain due to the absence of an explanation for the payments in the Edict itself.

¹ See Appendix A of this paper for the most current edition and translation of the Beersheba Edict.

² Albert Alt, *Die Griechischen Inschriften der Palaestina Tertia Westlich der 'Araba* (Berlin-Leipzig: De Gruyter, 1921), 4-13.

³ Alt, *Die Griechischen Inschriften*, 9.

⁴ There will be a review of these scholars and their hypotheses in Section 2.2.

⁵ Leah Di Segni, "The Beersheba Tax Edict Reconsidered in the Light of a Newly Discovered Fragment," *Scripta Classica Israelica* 23 (2004): 131-58.

⁶ For a review of these differences, please see Di Segni, "The Beersheba Tax Edict," 131, no. 3.

This paper aims to contextualize the Beersheba Edict for those communities in sixth century Palestine of the common era. It also aims to support the conclusions of Leah Di Segni, namely that the Beersheba Edict represents the taxation of communities to accommodate the costs of escorting travelers along the roads in the borders of each Palestine.

1.1. Tax Edict or Imperial Rescript?

Before an investigation into the recorded settlements of the Edict for each Palestine can occur, there must be a discussion on whether the Beersheba Edict is in fact an edict. Di Segni recently questioned the label of the Beersheba Edict as a tax edict and suggested that it is more likely an imperial rescript.⁷ The composition of the Beersheba Edict appears to suggest that the author was an emperor such as Justinian.⁸ An imperial rescript, furthermore, is a specific answer to a petition or query, written usually by the emperor or someone acting on his behalf.⁹ The key difference between an imperial rescript and a binding Roman law – such as an edict – is that a rescript does not seek to overwrite or to change an existing law, but rather it aims to grant a certain indulgence in the form of a legal opinion.¹⁰ An imperial edict is the opposite, as it can not only overwrite an existing law, but it can also establish a new one.

The primary point of contention for the consideration of the Beersheba Edict as a tax edict is the addressee, the *dux*. The responsibility of issuing a tax edict with fixed amounts to a province or city lay at this time not with the *dux*, but rather with the praetorian prefect.¹¹ An additional point of contention stems from the writing style within the Edict, since it is not similar to other

⁷ Di Segni, “The Beersheba Edict,” 132.

⁸ Di Segni, “The Beersheba Edict,” 132.

⁹ The *Codex Justinianus*, a sixth century codification of Roman Law, contains 2491 rescripts, authored by an emperor or someone at his behest.

¹⁰ Tony Honore, “‘Imperial’ rescripts AD 193–305: Authorship and authenticity,” *Journal of Roman Studies* 69 (1979): 52.

¹¹ Justinian Novel 128.1 highlights this responsibility. See also A. H. M Jones, *The Roman Economy: Studies in Ancient Economic and Administrative History* (Oxford: Blackwell, 1974), 199.

contemporary edicts.¹² A standard imperial edict contains the name of an emperor, his titles, the year of its issue and penalties, but the Beersheba Edict contains none of these features. A possible explanation for these lack of details is that the Edict is incomplete. But the inclusion of the new fragment by Di Segni proves that there was no header for the first fragment, which is another curious absence.¹³ The first fragment is, perhaps, the very end of a longer inscription.

At this time, therefore, there appears to be insufficient evidence to regard the Beersheba Edict as a proper taxation edict. This paper will, hereafter, operate under the probability that Beersheba Edict is an imperial rescript. If the Beersheba Edict is an imperial rescript, it means that the establishment of fixed payments is a local indulgence, applicable only to certain communities in Palestine Prima, Secunda and Tertia.

1.2. The Dux, Provincial Governor and Vicars as Taxing Authorities and the Decline of Town Councils

Since the Beersheba Edict concerns taxation, it is necessary to discuss the authorities in charge of taxation. The *procuratores* typically handled the collection of taxes, while the provincial governors handled its distribution in their respective provinces.¹⁴ But in the Late Antique period, there were two taxing authorities, who acted on behalf of the emperor: the *dux* and the provincial governor with the help of a vicar on his behalf. The title of *dux* is, traditionally, used to refer to the commander of a military unit that may or may not be subordinate to a provincial governor in military matters, and it was not until the administrative reforms of Diocletian in 293 that the *dux*

¹² The Edict of Anastasius is a suitable example of these differences since it is an edict that also concerns the *dux* of Palestine, highlighting a fiscal dispute between Tertia and Mesopotamia at Clysmia. In the past, Maurice Sartre and Irfan Shahid have suggested a link between this edict and the Beersheba Edict, but these suggestions rely on the incorrect hypothesis that the Beersheba Edict concerns the *annona militaris*. Maurice Sartre, *Trois Études sur l'Arabie Romaine et Byzantine* (Louvain: Peeters Publishing, 1982): 115-17 and Irfan Shahid, *Byzantium and the Arabs in the Fifth Century* (Cambridge: Harvard University Press, 1989): 132-3.

¹³ Di Segni, "The Beersheba Tax Edict," 139.

¹⁴ Jones, *The Roman Economy*, 166-7.

gained his autonomy from a governor.¹⁵ At that time the *dux* became a regional authority over military matters, while the provincial governor continued to handle fiscal and judicial responsibilities.¹⁶

This was the status quo, for the most part, until Justinian implemented an administrative reform in 535 for these offices due in part to the inefficiency and corruption of the provincial governorship.¹⁷ Justinian folded many offices into either the powers of the *dux* or the provincial governor. Thus, the *dux* assumed many different civilian duties from the governor, while the governor, in some cases such as in Palestine Prima, received a degree of military command over matters in his own province.¹⁸ Although Justinian sought to boost the civilian responsibility of the *dux* to offset the burdens upon provincial governors and attract more qualified men to this position, there were exceptions. For example, the *dux* of Egypt assumed all civilian duties of Aegyptus I, and he had to place a subordinate in Aegyptus II to adequately manage his new duties.¹⁹ In the frontier provinces such as Armenia, Arabia and Palestine, Justinian usually preferred to maintain the previous separation of military and civilian duties.²⁰ If a provincial governor required more money and resources to execute his duties, Justinian would enlarge his office and expand his powers rather than allow his duties to fall under the position of the *dux*.²¹

¹⁵ J. Brian Campbell and Franz Tinnefeld, "Dux," in *Brill's New Pauly*, ed. Hubert Cancik and Helmuth Schneider (Brill Online, 2016), accessed on November 24, 2016, http://dx.doi.org.proxy.queensu.ca/10.1163/1574-9347_bnp_e325340.

¹⁶ A. H. M. Jones, *The Later Roman Empire, 284: A Social Economic and Administrative Survey* (Oxford: Blackwell, 1964), 44-6.

¹⁷ Jones, *The Later Roman Empire*, 279. Charlotte Roueché, furthermore, observes the distrust toward sixth century provincial governors in judiciary matters. Charlotte Roueché, "The Functions of the Governor in Late Antiquity: some observations," *Antiquité Tardive* 6 (1998): 31-6.

¹⁸ Jones, *The Later Roman Empire*, 280-1.

¹⁹ Jones, *The Later Roman Empire*, 281.

²⁰ Jones, *The Later Roman Empire*, 282.

²¹ The office of the provincial governor in Palestine Prima was enlarged in Justinian Novel 103 for this reason; see Philip Mayerson "Justinian's Novel 103 and the Reorganization of Palestine," *Bulletin of the American Schools of Oriental Research* (1988): 65-71.

Justinian likely kept this separation in place because the *dux* had a very specific task: to maintain order along the frontier borders.²² The *duces* in the frontier provinces did not need the burden of civilian governorships, but the option remained to coordinate duties, when a task needed to be executed among several provinces.²³ The Beersheba Edict reflects this coordination, as it imposes taxes over multiple provinces without reference to their respective governors. So, although the emperor is the ultimate taxation authority in Late Antiquity, the duties themselves are carried out on his behalf by the *dux* or provincial governor and sometimes together through administrative coordination.

The position of *vicarius* and his role in the taxation collection warrants a short review, as the term appears in the Beersheba Edict. The *vicarius* was essentially a deputy, who acted on behalf of the tribune in a military unit.²⁴ Mention of *vicarii* became increasingly common in official documents, as their civilian responsibilities increased due to absentee tribunes during the reign of Justinian.²⁵ *Vicarii* eventually received their own *officium* with a *princeps* to better meet the demands of their new duties.²⁶ These intersected with the duties of a provincial governor in Late Antiquity, since both worked together to collect taxes and participate in the judicial process.²⁷

One final subject of interest to review here is the role of the town councils in the taxation process. In Late Antiquity, after meeting with the representatives of the governor and the emperor, it was the duty of local town councillors, the *curiales*, to collect taxes from their municipality.²⁸

²² Jones, *The Later Roman Empire*, 656-7.

²³ Jones, *The Later Roman Empire*, 282.

²⁴ Jones, *The Later Roman Empire*, 643.

²⁵ Jones, *The Later Roman Empire*, 675.

²⁶ *Cod. Theod.* 1.15.12-7; 28.1.

²⁷ Andreas Gutsfeld, "Vicarius", in *Brill's New Pauly*, ed. Hubert Cancik and Helmuth Schneider (Brill Online, 2016), accessed on November 24, 2016, http://dx.doi.org.proxy.queensu.ca/10.1163/1574-9347_bnp_e12203980.

²⁸ Peter Brown, *Power and Persuasion in Late Antiquity: Towards a Christian Empire* (Madison: University of Wisconsin Press, 1992), 26.

They were evidently very good at this, even when the imperial administration was disorganized,²⁹ but they, however, allowed their own personal debts to grow, and this led to a division among them.³⁰ Those councillors with the authority to delay their tax debts, the *exactores*, would form their own social circles and expand their wealth, while those without this authority saw their wealth and social status decline due to stalled growth in their businesses from the collection of their debts by those privileged councillors.³¹ Those underprivileged councillors also suffered some public humiliation, since if one was unable to repay their debts on schedule, one would undergo a public flogging.³² Provincial governors gained enormous power from this practice which in turn led to their own exploitations for personal gains and favouritism. Provincial governors had the ability to forgive debts, and the most efficient governor was the one who could be persuaded by these local tax councillors to forgive their debts.³³ The ability of individuals to manipulate the taxation system to their own advantage at the local level went largely unaddressed or attempts to rectify the situation was met with little success until Justinian from 535 and onwards intervened to reform the corruption in the provincial governorships. The corruption of town councillors brought about their own decline, as they could not be trusted to perform their duties in a fair manner. The prestige of being a town councillor gradually declined and became symbolic, with fewer actual taxation responsibilities. John Liebeschuetz, a Late Antique scholar, thus observes the absence of the town council and town councillors in the election of a *defensor* and *curator*, positions traditionally held

²⁹ Jones, *The Later Roman Empire*, 406.

³⁰ Brown, *Power and Persuasion*, 28.

³¹ Brown, *Power and Persuasion*, 28.

³² Brown, *Power and Persuasion*, 28-9.

³³ Brown, *Power and Persuasion*, 33.

by councillors, for Corycus in Cilicia.³⁴ The duties of councillors beyond taxation were unofficially assimilated into the role of holy men and that of other leading men in these local communities.³⁵

2. Publication History

The collation of what would be the Beersheba Edict began in the very early twentieth century with the discovery of four separate fragmentary inscriptions attributed to the Late Antique period. The acquisition of these inscriptions is, moreover, somewhat suspect. Individuals from the *Palestine Exploration Fund*³⁶ and the *École biblique*³⁷ either purchased or discovered the fragments through unreported and dubious methods.³⁸

The *École biblique* in Jerusalem thus obtained a fragment from a certain individual with a reputation for “clandestine excavations.”³⁹ The *École biblique* recovered two other fragments by unreported methods, but it attributed both to the Byzantine site of Beersheba.⁴⁰ In addition, the *Palestine Exploration Fund* claimed to have excavated and documented a fourth fragment from the area of Byzantine Beersheba.⁴¹ As mentioned above in the introductory section, Albert Alt was responsible for the *editio princeps* of the Beersheba Edict in 1921.⁴² As understood by Alt, the Edict was altogether a collection of seven pieces of marble slab that collectively formed its four

³⁴ John Hugo Wolfgang Gideon Liebeschuetz, *Decline and Fall of the Roman City* (Oxford: Oxford University Press, 2001), 107-8.

³⁵ There will be a discussion of the Holy Man later in Section 3.

³⁶ The Palestine Exploration Fund is a London based organization founded by Queen Victoria in 1865 to study the Levant; it continues to publish the Palestine Exploration Quarterly to this day. “About the Fund,” Accessed February 17, 2017. <http://www.pef.org.uk/about/>

³⁷ The *École biblique*, or *École biblique et archéologique française de Jérusalem*, is an academic establishment founded by the Dominican Order and based in Jerusalem that specializes in archaeology and Biblical exegesis; it continues to operate today. Accessed March 31, 2017. ebaf.info

³⁸ Alt, *Die Griechischen Inschriften*, 4-13.

³⁹ Félix Marie Abel, “Melanges. Epigraphie Grecque Palestinienne,” *Revue Biblique* 18 (1909): 89; Philip Mayerson, “The Beersheba Edict,” *Zeitschrift für Papyrologie und Epigraphik* 64 (1986): 141.

⁴⁰ Charles Simon Clermont-Ganneau, “Melanges. L'édit Byzantin de Bersabée,” *Revue Biblique* 15 (1906): 412; also Charles Simon Clermont-Ganneau, “Inscription Samaritaine de Gaza et Inscriptions Grecques de Bersabée,” *Revue Biblique* 15 (1906): 84-91.

⁴¹ Stewart Macalister, *Palestine Exploration Fund Quarterly Statement* (1902): 236; Charles Clermont-Ganneau, “Inscriptions Grecques de Bersabée,” *Recueil l'archeologie orientale* V (1903): 129-47.

⁴² Alt, *Die Griechischen Inschriften*, 4-13.

fragments. Since they all appeared to come from a single Late Antique source, Alt placed them together, numbering each fragment one to four. Although Alt included fragment four in his edition, he was not certain that it was from the same inscription because of paleographical differences between the marble pieces.⁴³ He later revised his edition of the third fragment to include another small fragment discovered afterwards.⁴⁴ Alt was considered to be the definitive edition of this Edict until Leah Di Segni revisited it in 2004, adding an eighth marble fragment and revising the text of the first fragment.⁴⁵ The edition of Di Segni remains current at the time of writing of this paper.

2.1. The Significance of Beersheba

There is no internal evidence that actually links the Beersheba Edict to Beersheba, since the toponym itself appears nowhere in its fragments. Nevertheless, there are compelling arguments for placing the fragments at Beersheba.

The town of Beersheba functioned as an administrative headquarters for the Ottomans as well as a “shady” marketplace for the Bedouin of the Negev desert in the early twentieth century.⁴⁶ Nonetheless, many scholars were comfortable with the assumption of Beersheba as the probable location for this Edict when they established a link between it and military matters, such as payments to or from soldiers.⁴⁷ A connection between military matters and Beersheba is a rational one, since the site had a history of importance for the military during Late Antiquity. For example,

⁴³ Alt, *Die Griechischen Inschriften*, 9; see also Di Segni, “The Beersheba Tax Edict,” 131, no. 3.

⁴⁴ Albert Alt, “Die Neuen Inschriften aus der Palaestina Tertia,” *Zeitschrift des Deutschen Palästina-Vereins* 46 (1923): 51-64.

⁴⁵ Di Segni, “The Beersheba Tax Edict,” 131-58.

⁴⁶ Di Segni, “The Beersheba Tax Edict,” 132. The marketplace featured antiquities pillaged from various ancient sites in the desert. Additionally, there is no guarantee that these looters were truthful about the acquisition of such artifacts with prospective European buyers.

⁴⁷ See section 2.2.

Eusebius mentions a military garrison at Beersheba in his *Onomasticon*, and the site also appears in the *Notitia Dignitatum*.⁴⁸

Scholars, such as Abel and Clermont-Ganneau,⁴⁹ who postulated an association between the Edict's payments and a civil governor, however, also had reservations about Beersheba, but the late Philip Mayerson was the only scholar to offer an alternate site. According to Mayerson, Elusa is the only city in the Negev to have been plundered by looters during the sale of these inscriptions.⁵⁰

The debate appears to have been settled by Di Segni, however, who establishes Beersheba as the only possible origin of these fragments, using the discovery of an eighth fragment to complement the first fragment and to supply a compelling argument. Di Segni argues that Beersheba was the headquarters of the *dux* of Palestine, a hypothesis proposed by past scholars.⁵¹ She and Peter Fabian thus previously examined the archaeological evidence at the site of ancient Beersheba, which seems to contain a headquarters of a high-ranking military official.⁵² But they were unable to find evidence that identifies the rank of the stationed individual. They, thus, argue that it was necessary to establish a military garrison closer to Judaea with a leading military officer, such as a *dux*, because of the 273 CE rebellion in Palmyra. The risk of another rebellion and a desire to stabilise the region underlined the need for the *dux* of Palestine to be stationed closer to Palestine Prima, thus at Beersheba.⁵³

⁴⁸ Eus. *On.*, ed. Klostermann 1904: 50-1; *Not. Dign. Or.* XXXIV, 5, 18, ed. Seeck 1876: 72-3.

⁴⁹ See Section 2.2 for a review of their positions on the Beersheba Edict.

⁵⁰ Mayerson, "The Beersheba Edi

⁵¹ Di Segni, "The Beersheba Tax Edict," 133.

⁵² P. Fabian, "The Late Roman Military Camp at Beer Sheba: A New Discovery," in *The Roman and Byzantine Near East: Some Recent Archaeological Research*, ed. J.H. Humphrey et al. (Ann Arbor: Journal of Roman Archaeology Supplementary Series, 1995): 239-40; Leah Di Segni, "Metropolis and Provincial in Byzantine Palestine," in *Caesarea Maritima: A retrospective after Two Millennia*, ed. A. Raban and K.G. Holm. (Leiden: Brill, 1996): 580-82.

⁵³ Fabian, "The Late Roman Military Camp," 239-40; Di Segni, "Metropolis and Provincial," 580-82.

The discovery of the eighth marble piece further enhances the claim that the headquarters of the *dux* of Palestine is, indeed, in Beersheba. The addition of this piece to Fragment One now clarifies to whom the Edict was addressed. Alt originally restored the title of the addressee with the phrase: ἡ σὴ ὑπεροχὴ (*vir perfectissimus*), a phrase commonly used to address praetorian prefects or the governor of a province during the time of Justinian.⁵⁴ The new fragment, however, now affirms that the addressee in the Beersheba Edict is actually called by the phrase: ἡ σὴ μεγαλοπρέπεια (*vir magnificus*).⁵⁵ At the time of Justinian, ἡ σὴ μεγαλοπρέπεια referred only to a *dux* or a governor, but there was an exception in Justinian Novel 157.⁵⁶ In this passage, the *comes Orientis* is also addressed by ἡ σὴ μεγαλοπρέπεια (*vir magnificus*). During the reign of Justinian I, the *comes Orientis* referred to the provincial governor of Syria Prima.⁵⁷ Since the Edict exclusively deals with each of the three *Palaestinae*, there does not appear to be any reason for the title to refer to the *comes Orientis*.⁵⁸

In addition to the likelihood that the headquarters for the *dux* of Palestine was located in Beersheba and the fact that the addressee is reasonably confirmed to be the *dux*, no fragments of the Beersheba Edict have ever been found in an area outside of modern Beersheba. The erection of a large marble slab that was visible to any member of the community by the *dux* is, therefore, most likely to have taken place in the ancient settlement of Beersheba.

2.2. Date and Purpose of the Beersheba Edict

Another area of difficulty in the discussion of the Edict is the absence of a definite date for it. This uncertainty over dating has led many scholars to offer several hypotheses, most centering on the

⁵⁴ Di Segni, “The Beersheba Tax Edict,” 140.

⁵⁵ See Appendix A for the Greek transcript and translation of this phrase.

⁵⁶ Di Segni, “The Beersheba Tax Edict,” 140.

⁵⁷ Jones, *The Later Roman Empire*, 374.

⁵⁸ Di Segni, “The Beersheba Tax Edict,” 140.

belief that the payments must have a connection to the Roman military in the area. Although the most recent interpretation of the Edict by Di Segni (see below 2.3.) offers an entirely new viewpoint to discuss, there is still some need to examine the earlier assessments and then the reasons for their dismissal from current discussion.

Félix Marie Abel, a French archaeologist and Palestinian geographer, and Charles Simon Clermont-Ganneau, a French Oriental scholar and archaeologist, held a similar viewpoint in the first interpretation of the Edict. They postulated that the listed amounts of *solidi* in the Edict were the *annona militaris*, i.e. annual allotments of grain to Roman soldiers, and that the taxpayers (the *συντελεσταί*) of each of the *Palaestinae* paid it to both the office of the *dux* and to the *limitanei*, the soldiers stationed on the frontier.⁵⁹ Alt shares a similar position in his interpretation, suggesting that the tax contained an association with the *annona*, but he supposed that the amounts were paid to the governor of the province by its residents as well as the *limitanei*.⁶⁰ At the date of his publication, it was not an entirely absurd idea, since not only was it the duty of a governor to collect the taxes of his province, but also there was no specific title or name that directly identified the addressee of the Edict. The term *vicarius*, furthermore, provided some problems for early scholars, since there was no proper identification of this term. In fact, Alt incorrectly assumed that *vicarius* referred to the governor of Palestine Tertia.⁶¹

Abel and Clermont-Ganneau, however, did not agree on the date of the Edict. Clermont-Ganneau speculated that the Edict dated to the reign of Theodosius II.⁶² The absence in the opening invocation of the Beersheba Edict of imperial titles, usually present in Justinianic edicts, led him

⁵⁹ Abel, “Melanges. Epigraphie Grecque Palestiniene,” 95; Clermont-Ganneau, “Inscriptions Greques de Bersabée,” 129-47; Clermont-Ganneau, “Melanges. L’édit byzantin de Bersabée,” 87-91; Clermont-Ganneau, “Inscription Samaritaine de Gaza et Inscriptions Greques de Bersabée,” 412-32.

⁶⁰ Alt, *Die Griechischen Inschriften*, 5.

⁶¹ Alt, *Die Griechischen Inschriften*, 7.

⁶² Clermont-Ganneau, “Inscriptions Greques de Bersabée,” 129.

to postulate this date.⁶³ Abel, followed by Alt, proposed a date during the reign of Justinian I.⁶⁴ They saw edicts issued by Anastasius from Cyrenaica and Arabia regarding the commutation of taxes in gold as parallels to the Beersheba Edict, and thus arrived at a date during the reign of Justinian I.⁶⁵ They also searched for parallel grammatical phrases in inscriptions with firm dates.

An alternate interpretation of the Edict was suggested by Denis Van Berchem, a Swiss historian and professor of ancient history, in 1952. This continued the popular *annona militaris* hypothesis set by Abel and Clermont-Ganneau but tweaked it in order to make sense of the values. Van Berchem suggested that the Edict refers to a tax on the *annona militaris* in which soldiers provided one-twelfth of their allotment to the *dux* and his staff.⁶⁶ The precedent for this tax and regulation was established in a Novel of Theodosius II in which the *foederati* possessed an exemption to the tax.⁶⁷ Since Van Berchem operated under the assumption that the fourth fragment was part of the same Edict, he used the phrase ‘κοινὸν τῶν ἀρχιφύλων’ to date it just before 443 CE, as he believed the phrase was a reference to the *foederati*.⁶⁸ Van Berchem, moreover, differs from Alt by suggesting an explanation for payments to the “servants” and to the *vicarius*. He postulates that the *vicarius* functions as a deputy to the *dux*, and that the “servants” are actually the δουκικοί – a transliteration of the Latin, *ducianii*, who were servants of the *dux*.⁶⁹ Van Berchem also offers an explanation as to why other groups of people who were landowners would be subject to this tax – they had somehow obtained possession of estates that belonged to former soldiers,

⁶³ Clermont-Ganneau, “Inscriptions Grecques de Bersabée,” 129.

⁶⁴ Abel, “Melanges. Epigraphie Grecque Palestinienne,” 101; Alt, *Die Griechischen Inschriften*, 6.

⁶⁵ See *Supplementum Epigraphicum Graecum* IX: 356; XXXVIII: 2864; XXXIX: 1664; *Inscriptions Grecques et Latines de la Syrie* XIII.I: 9045-9046.

⁶⁶ Denis Van Berchem, “L’armée de Dioclétien et la Réforme Constantinienne” *Bibliothèque archéologique et historique, Institut français d’archéologie de Beyrouth* 56 (1952): 33-6.

⁶⁷ Theodosius *Nov.* 24, 2, 443.

⁶⁸ Van Berchem, “L’armée de Dioclétien,” 33-6.

⁶⁹ Examples of this definition can be found in *Cod. Th.* 7, 16, 3; *Cod. Just.* 1, 27, 2, § 8.

and thus they were still subject to the tax. This interpretation remained popular among scholars despite its very early dating of the Edict.⁷⁰

In 1958, Casper John Kraemer Jr., the head of the Department of Classics at New York University, argued for a sixth century date for the Beersheba Edict in his discussion of *P.Nessana* 39.⁷¹ The format of the papyrus is similar to that of the Edict. It lists place names located in Palestine Prima and Tertia, followed by a wide range of amounts in *solidi*, although these amounts are substantially larger than those found in the Beersheba Edict. Kraemer shared the viewpoint of Alt that the tax in the Beersheba Edict concerned the *annona militaris*.

Philip Mayerson, a Late Antique and Byzantine scholar, offered a fresh and interesting interpretation of the Edict in 1986, as he argues for a connection to Justinian's Novel 103 which broadened the powers of the governor of Palestine Prima and enlarged his *officium*.⁷² The Edict, as Mayerson suggests, established a special tax to cover costs of the enlarged *officium*, which included the creation of a new subordinate position, a proconsul of Palestine. The latter had the authority to maintain the stability of the region, and had a number of military units for this purpose. Mayerson also believed that the *vicarius* functioned as a representative for the proconsul in Palestine Secunda and Tertia in order to command his troops and to execute his orders, and that the δοῦλοι were the aides of the proconsul. Mayerson is also the first to suggest that there were three taxable classes of people in the edict: *limitanei* (frontier soldiers), στρατιῶται (regular soldiers), and συντελεσταί (land-tax payers). Mayerson provides a *terminus post quem* of 536 through the proclamation date of the Novel.

⁷⁰ J. & L. Robert, "Bulletin epigraphique." *Revue des études grecques* 66 (1953): 190, no. 222a; J. & L. Robert, "Bulletin epigraphique." *Revue des études grecques* 74 (1961) 221, no. 537; Jones, *The Later Roman Empire*, 235; Volume III: 43, n.42; M. Sartre, *Inscriptions de la Jordanie*, Tome IV (Paris: Inscriptions grecques et latines de la Syrie, Tome XII, 1993): 17-18.

⁷¹ Casper John Kraemer Jr., *Excavations at Nessana: Non-literary Papyri, Volume 3* (Princeton: Princeton University Press, 1958), 119-25, no. 39.

⁷² Mayerson, "The Beersheba Edict," 141-48.

2.3. Dismissing Past Scholarship and Reviewing the Interpretation of Di Segni

At this time, the current interpretation of the Beersheba Edict is by Leah Di Segni. Her article ‘The Beersheba Tax Edict Reconsidered in the Light of a Newly Discovered Fragment’ rejects past interpretations of the Edict and offers an alternate hypothesis for its purpose. Before a review of her hypothesis can begin, it is necessary to review her critiques and dismissals of the interpretations by past scholars.

Beginning with Abel and Clermont-Ganneau, Di Segni agrees with a Justinianic date, but argues that the Edict is not a list of payments of the *annona militaris*. Firstly, the civil governor held the responsibility of collecting the *annona*, not the *dux*.⁷³ Secondly (as noted above), the insertion of the honorific ἡ σὴ μεγαλοπρέπεια now affirms that the addressee was the *dux* because this is a phrase typically used to address a *dux*.⁷⁴ Thirdly, the *annona militaris* refers to agricultural land, which is not taxable land. Although *limitanei* likely owned taxable land during this period, it does not explain why regular soldiers or other groups under the dominion of the *dux* would be bound to a land tax.⁷⁵ One more problem with this interpretation is that it does not offer an explanation as to why there are payments to the “servants” (δούλοι) and to the *vicarius*.⁷⁶ Finally, if the amounts were actually the *adaeratio* for the *annona militaris*, they would appear to be very small and inadequate to pay soldiers stationed at a location such as Zoora.⁷⁷

Secondly, with respect to Van Berchem, the immediate problem with his hypothesis is the early dating to the fifth century. The fourth fragment cannot be used to date the Edict. As will be discussed below, Di Segni has shown that this is not possible on account of paleographical

⁷³ Jones, *The Later Roman Empire*, 459.

⁷⁴ Di Segni, “The Beersheba Tax Edict,” 143.

⁷⁵ Di Segni, “The Beersheba Tax Edict,” 143.

⁷⁶ Di Segni, “The Beersheba Tax Edict,” 143.

⁷⁷ Di Segni, “The Beersheba Tax Edict,” 143.

differences between the fourth fragment and the remaining three.⁷⁸ The most enticing part of Van Berchem's argument, however, is his explanation of the values, since they appear to be reasonable for a tax on a tax of the *annona*. While there are no values in sixth century Palestine for the commutation of *annona* into gold, parallels can be found from Africa and Egypt. Johnson and West appropriate the rate at five *solidi* for Africa and twelve *solidi* for Egypt.⁷⁹ These rates are dependent upon the value of wheat at the time and the location at which the rate is being calculated. The rate in Palestine may be somewhere between five and twelve to match its neighbours. Di Segni considers the commutation rate of Africa of five *solidi* per *annona* and four per *capitum* for six soldiers, their mounts and an officer with higher wages to be sufficient for a one-twelfth tax on *annona* in small places like Sykoamazon.⁸⁰ Although a commutation rate of five might align with some of the places in the Edict, there are other problems with the hypothesis set by Van Berchem. Since the new fragment from Di Segni allows for the restoration of οἱ χώρας ιδιῶται συντελεσταί in the Edict, the explanation by Van Berchem that the taxed landowners were individuals who owned the lands of soldiers is no longer valid. The phrase “οἱ χώρας ιδιῶται συντελεσταί” or “the private land-tax payers of the land,” can refer to all sorts of landowners.⁸¹ Labelling the *vicarius* as a deputy to the *dux* is rather strange, especially since Di Segni is quick to observe that the existence of such a post is attested nowhere, but she has the benefit of contemporary scholarship. Di Segni also observes that there is a lack of evidence in regard to any etymological association between δοῦλοι and δουκικοί.⁸² So although the values might be explained by a one-twelfth tax on the *annona*, Van Berchem's other problems cannot be ignored.

⁷⁸ Di Segni, “The Beersheba Tax Edict,” 131, no. 3.

⁷⁹ Allan Chester Johnson and Louis Caulton West, *Byzantine Egypt: Economic Studies* (Princeton: Princeton University Press, 1949), 226-27.

⁸⁰ Di Segni, “The Beersheba Tax Edict,” 144, no. 46.

⁸¹ Di Segni, “The Beersheba Tax Edict,” 145.

⁸² Di Segni, “The Beersheba Tax Edict,” 145.

Kraemer does not receive any outright criticisms from Di Segni, as he did not offer an interpretation, but he did correctly date the Edict to the sixth century. It should be stressed, however, that there is no connection between the Beersheba Edict and *P.Nessana* 39 other than place names in the genitive followed an amount in *solidi*.

Finally, Di Segni agrees with Mayerson that there are three classes of taxable citizens, but she notes several difficulties with his hypothesis.⁸³ Mayerson does not acknowledge the other disposition of the novel, namely that the governor of Palestine Prima only has the right to intervene in the matters relating to Palestine Secunda. The intervention, moreover, only happens under certain conditions such as when the governor of Secunda would be unable to quell a local disruption of civility. Novel 103 does not give the governor of Prima the ability to intervene in matters relating to Tertia, nor does it ever mention Tertia. There is also no reason to think that the governor of Prima should be able to intervene in Tertia since this was the domain of the *dux*. The right to intervene in Secunda was, perhaps, a means to hasten troop deployment to Secunda from Prima instead of waiting for the command of the *dux*. Additionally, Di Segni notes that the pay of the governor of Prima was raised to twenty two pounds, or 1584 *solidi*, a sum greater than the total sum of payments in the second fragment, the largest list of the three fragments.⁸⁴ The Novel also states that this salary is to be split between the governor and his staff, which means the enlargement of his *officium* was already covered by the greater salary. The tax, therefore, would be unnecessary. And moreover, since many of the surviving place names are found in Palestina Tertia, and the governor was unable to exert any authority in Tertia, this interpretation does not explain why

⁸³ Di Segni, "The Beersheba Tax Edict," 145.

⁸⁴ Di Segni, "The Beersheba Tax Edict," 145.

inhabitants of *Tertia* would be forced to pay for the services of a governor who does not directly represent them.⁸⁵

And so, Leah Di Segni also offered a fresh interpretation of the Edict and rejected all other interpretations in 2004.⁸⁶ Di Segni argues that the key to making the most accurate guess on the purpose of the taxes lies in understanding the exact nature of the role of the *vicarii* and δοῦλοι within the Edict. According to Theophanes, an early ninth century monk and chronicler, the *vicarius* commanded soldiers located in garrisons on the eastern settlements of Palestine *Tertia* in the seventh century.⁸⁷ *Vicarii*, therefore, functioned as tribunes, acting as deputies and commanding a unit of *limitanei* whenever the tribune was absent, and tribunes were notably absent from their stations after the time of Justinian.⁸⁸ Each *vicarius* mentioned in the Edict was different, probably referring to command of a specific district.

Regarding the δοῦλοι, Di Segni rejected the position held by scholars from Alt onwards that they were some sort of bureaucratic aides. She argues that δοῦλοι had to represent a class of servile level status, since there was no philological evidence linking δοῦλοι to an administrative level status.⁸⁹ Di Segni instead suggests that the δοῦλοι were a class of military service personnel known as *bugarii* in the Theodosian Codex, as they were equal in social status to *servi publici*.⁹⁰ By the middle of the fourth century, the *servi publici* were not imperially owned slaves, but rather they were slaves who were employed at several state services such as weavers, bakers, armourers, etc.⁹¹ More importantly, this designation became ubiquitous in reference to service staff in the

⁸⁵ Di Segni, “The Beersheba Tax Edict,” 146.

⁸⁶ Di Segni, “The Beersheba Tax Edict,” 131-58.

⁸⁷ Theophanes, *Chronographia*, AM 6123, ed. C. De Boor 1883: 335. (See Notes to Fix)

⁸⁸ Di Segni, “The Beersheba Tax Edict,” 147; Jones, *The Later Roman Empire*, 643; 675; Volume III: 209, no. 158.

⁸⁹ Di Segni, “The Beersheba Tax Edict,” 146.

⁹⁰ *Cod. Theod* 7.14.1; 8.5.58.

⁹¹ Noel Lenski, “*Servi Publici* in Late Antiquity,” in *Die Stadt in der Spätantike: Niedergang oder Wandel?* ed. Jens-Uwe Krause and Christian Witschel (Stuttgart: Franz Steiner Verlag, 2006), 349.

cursus publicus, the imperial Roman road and travel network.⁹² These δούλοι served at *xenodochia* (state run hostels), *mutationes* (wagon changing stations), and *mansiones* (official rest stations) located along Roman roads that were under the command of the *dux*.⁹³ If this hypothesis is correct, the Beersheba Edict is a tax on the communities to help cover the costs of escorting travelers from one place to another. According to Di Segni, the travelers were mainly pilgrims who required additional security and guides when travelling through regions that were sparsely populated in between.⁹⁴ The communities would finance the soldiers deployed for such services as well as the staff for these roadside institutions and their unit commanders. This hypothesis by Di Segni is a satisfactory explanation, since it not only explains payments to the “servants” and to the *vicarius*, but it also why a majority of the place names in the Edict are located in Palestine Tertia. The place names synonymous with locations in Prima and Secunda are subject to the tax because they are near the borders on roads less travelled, or they do not have public or clerical institutions to offer hospitality to these travelers.

2.4. Critiquing Di Segni’s Interpretation

The latest interpretation of the Edict, that of Di Segni, remains mostly unchallenged by scholars, but there are criticisms that ought to be acknowledged and which create problems with it. Denis Feissel, for example, makes some critical points about this interpretation in his review of the new fragment.⁹⁵ He thus suggests that another group of taxpayers is referred to in line six of the first fragment, designated by οἱ ἄπο, although he strangely offers no guess as to who that group might

⁹² Cod. Theod. 8.5.58.

⁹³ See 4.1. for a greater discussion on these institutions.

⁹⁴ Di Segni, “The Beersheba Tax Edict,” 149.

⁹⁵ Denis Feissel. “Bulletin Épigraphique.” *Revue des études grecques* 118 (2005): no. 538: 562-563; P.-L. Gatier, *L’année épigraphique* (Paris: Presses Universitaires de France, 2007), no. 1588, 577-78. P. Gatier also had an opportunity to comment on the new fragment published by Di Segni, but he does not offer any new criticisms, choosing instead to note the comments of Feissel.

be. Since *ιδιωται συντελεσται* in the first fragment of line seven excludes state-run institutions, like the church, as well as agents of the military, Feissel also doubts that *συντελεσται* is a general reference to all taxpayers. The term, therefore, ought to be seen more restrictively in its usage, referring perhaps, to a small group of wealthy local taxpayers. Finally, Feissel rejects the hypothesis of Di Segni that the Edict concerns the public funding of travelers on a pilgrimage.⁹⁶

Although the idea of another group of taxpayers, designated by *οι απο*, is an interesting suggestion, there is, at the moment, insufficient evidence, in my opinion, to substantiate that claim. If the current reading of *οι απο ολ[ης αρχης]* in line six of the first fragment is correct, it appears to be unattested anywhere else, but if it is incorrect, there remains the difficulty of suggesting an alternate reading that is acceptable in the context of this Edict. Without the original petition and a complete restoration of the Edict, it is not possible to confirm or deny the possibility of another category of taxpayers.

The incompleteness of the Edict also creates difficulty in substantiating whether or not it refers to a small group of wealthy local taxpayers collectively referred as *συντελεσται*. Feissel may present a valid point regarding the exclusion of state-run institutions in the meaning of *ιδιωται συντελεσται*, if there are indeed no exceptions to this rule under any condition. And there appears to be an exception for members of clergy. An imperial rescript in the Codex Theodosius does not exempt members of clergy who possess landed estates from having their land taxed and making fiscal payments for it.⁹⁷ And so the institution itself may be exempt from paying the land tax, but its members are not. The Beersheba Edict perhaps applies to taxpayers that only possess taxable land.

⁹⁶ He writes “L’hypothèse d’un financement public des pèlerinages, conçu comme la raison d’être du tarif de Bersabée, repose cependant sur peu d’indices positifs, et la controverse ne paraît pas close.” Feissel, “Bulletin Éphigraphique,” 563.

⁹⁷ *Cod. Theod.* 16.2.15.

The issue of additional taxable classes, however, does not address whether the purpose of the Edict was, publicly and primarily, to fund the travels of pilgrims in Palestine Tertia and on roads less travelled. As noted earlier, Feissel doubts this hypothesis, and I will argue against his reservations further into this paper, but first, I will grant his concerns some consideration. There are two primary sources (and see below 3. for more) regarding pilgrimage in Palestine Tertia that support Feissel: the *Itinerarium Egeria* and the *Itinerarium Antonini Placentini*.⁹⁸

The *Itinerarium Egeria* is, basically, a detailed letter by Egeria to women at her home about her pilgrimage to the Holy Land.⁹⁹ Egeria herself is the subject of much discussion, but the current consensus is that she was from a western province and that she did not have an aristocratic upbringing.¹⁰⁰ The first section of the document which outlines Egeria's travels in the Holy Land is the relevant one for this discussion, but it is, unfortunately, incomplete, with some scholars suggesting that only a third of the account of the actual trip survives.¹⁰¹ The extant section indicates that Egeria did not travel directly through Palestine Tertia in order to reach her destination of Mount Sinai, but instead sailed from Jerusalem along the coast of the Mediterranean to Pelusium and then to Clysma before travelling along a route near the Red Sea.¹⁰² Egeria thus appears to have never visited the places mentioned in the Beersheba Edict, which is a critical strike against Di Segni.

⁹⁸ See Table 1 in the Appendix B for a list of toponyms in the Beersheba Edict that appear in travel itineraries for the area.

⁹⁹ The *Itinerarium Egeria* exists only in the form of a single manuscript that dates to the eleventh century although the actual pilgrimage to the Holy Land which formed its basis has a commonly suggested date of 381-384 CE. P. Devos, "Le date du voyage d'Egerie." *Analecta Bollandiana* 85 (1967): 165-194.

¹⁰⁰ Her name, her origin and her social status have been under discussion for some time. For a collection of scholarship on Egeria, please see 16.3 of Alan Douglas Lee, *Pagans and Christians in Late Antiquity: A Sourcebook, Second Edition*, Abingdon: Routledge, 2016.

¹⁰¹ J. Wilkinson, *Egeria's travels to the Holy Land*, (Jerusalem: Ariel Publishing House, 1981), 3.

¹⁰² See Map 2 in Appendix B.

The *Itinerarium Antonini Placentini*, which fortunately exists in two manuscript traditions from the sixteenth and nineteenth centuries, records the pilgrimage of an unnamed pilgrim from Placentina (Piacenza) in Italy to the Holy Land, which took place in either 560 CE or 570 CE (see further on this below).¹⁰³ Its author undertook this pilgrimage in the name of Antoninus the Martyr, a patron saint of Piacenza.¹⁰⁴ The pilgrim describes various places that were not always religiously significant. He also provides details on places that he did not actually visit. His pilgrimage from Jerusalem to Mount Sinai takes him through Gaza, Elusa and the Monastery of St. George.¹⁰⁵ Antoninus, like Egeria, takes a route through Tertia that avoids travel near the places mentioned in the Beersheba Edict, which is again another strike against Di Segni.

Although Antoninus himself never travelled through sites in eastern Tertia, he does provide an interesting detail about another pilgrimage route, writing that other travelers in his party preferred to go through Arabia to Mount Sinai.¹⁰⁶ Antoninus is probably referring to a route from Jerusalem to Aila and onwards to Mt. Sinai, passing through Beersheba and Mampsis. Theodosius the archdeacon, a pilgrim to the Holy Land in the early sixth century, also attests the existence of this route,¹⁰⁷ but it must be noted that he does not describe this route in the context of a pilgrimage.¹⁰⁸ Archaeological surveys of the road do indicate travel along the route in both the Nabataean and Roman periods, but there is little evidence along the route for the resting stations, which are necessary to support Di Segni's hypothesis.¹⁰⁹ There may also be another route from

¹⁰³ R. Weber and E. Franceschini, "Egeriae, Itinerarium, and Itinerarium Egeriae," *Itineraria et alia geographica* 38 (1958): 128; Celestina Milani, *Itinerarium Antonini Placentini: un viaggio in Terra Santa del 560-570*. Vol. 7. (Milano: Università cattolica del Sacro Cuore, 1977), 36-38 for 560 CE; J. Wilkinson, *Jerusalem Pilgrims before the Crusades* (Warminster: Aris & Phillips Ltd, 2002), 12 for 570 CE.

¹⁰⁴ *Itinerarium Antonini Placentini* 1.

¹⁰⁵ See Map 2 in Appendix B.

¹⁰⁶ *Itinerarium Antonini Placentini* 39.

¹⁰⁷ The Peutinger Table, an example of an illustrated itinerary (for more information on this term, see Section 3) that shows a fourth century layout of the Roman Road network, also mentions route.

¹⁰⁸ Theodosius the archdeacon, *De Situ Terrae Sanctae* 27.

¹⁰⁹ Beno Rothenberg, *Timna: Valley of the Biblical Copper Mines* (London: Thames and Hudson, 1972), 18-9.

Hebron to Petra on the way to Aila that Barsauma, a fifth century monk from Eastern Syria, travelled along.¹¹⁰ These alternative routes are unfortunately the only evidence for pilgrimages that passed through the places named in the Beersheba Edict. These routes, furthermore, mention just one place found on the Beersheba Edict, Mamphis.¹¹¹ Curiously, there is currently no evidence for pilgrimage routes along the *Via Nova Traiana*, an ancient Roman highway on the eastern frontier.¹¹² This absence of evidence is another strike against Di Segni, as pilgrims should be using one of the most important highways in the area to travel to the Holy Land, and one can only speculate as to why this is the case.

The lack of a reason to travel through the places mentioned in the Edict is a simple explanation for their absences in these two itineraries. Not only are the roads in eastern Tertia more out of the way for those travelling into the Holy Land, but there also is a sparse population of Christians in the area. A smaller Christian presence provides less affordable or more simply free accommodations. A smaller Christian presence also highlights a lack of religiously based tourist attractions such as the remains of a locally famous holy man. A survey by Robert Schick of the archaeological evidence for Christian communities in Palestine appears to support this limited presence.¹¹³ The survey, however, also supports Di Segni's hypothesis, since her argument centers on the lack of free Christian hospitality as the principal reason for the funding of pilgrimages in Tertia through these communities. Since there appears to be no textual evidence of pilgrimages through the installations and communities near the *Via Nova Traiana* in Tertia, Feissel is correct to question Di Segni. But if Di Segni is mistaken about the public funding of pilgrimages, what is

¹¹⁰ F. Nau, "Deux episodes de l'histoire juive sous Theodose II (423 et 438), d'apres la vie de Barsaume le Syrien," *Revue des Etudes Juives* 83 (1927): 190.

¹¹¹ The *Itinerarium Antonini Placentini* does list Petra, but Petra is in the unconnected fourth fragment. It does not count toward this argument.

¹¹² See Section 5 for an expanded description of the highway and its purpose.

¹¹³ Robert Schick, *The Christian communities of Palestine from Byzantine to Islamic rule: A historical and archaeological study*. Princeton: Darwin Press, 1995.

another possible explanation? Is there a better argument? Before these questions can be answered, there must be some review of pilgrimages to the Holy Land, travel resources available for pilgrims and the various forms of hospitality offered along Roman roads.

3. **Itineraries, *Historiai*, Travel and Pilgrimage in the Holy Land**

Although pilgrimage in Late Antiquity is closely associated with Christianity, the origins of Christian pilgrimage, or simply the desire to visit a holy place, can be found through Jewish pilgrimage. John Wilkinson, a scholar of early Christianity, argues this very point and believes it was common for early Jewish pilgrims to associate themselves with historical sites that related to past Israelite monarchs and the Maccabees.¹¹⁴ But this practice does not venerate holy people, and Catherine Hezser, a scholar of Jewish studies, believes if Jews did travel to the graves of deceased holy men, rabbis probably did not approve of it.¹¹⁵ The veneration of deceased holy men, instead, appears to be something regularly practiced by Christian pilgrims. The veneration of such holy figures can be attributed to the rise of their importance in Late Antiquity, especially in the desert communities of Syria and Palestine that were more isolated.¹¹⁶ Peter Brown, a Late Antique and early Christian historian, argues that the rise of the holy man is due to transference of perceived divine power in temple cults to special individuals in communities.¹¹⁷ These holy men mediated village disputes, performed miracles and loaned money at low interest rates.¹¹⁸ They were

¹¹⁴ John Wilkinson, "Jewish Holy Places and The Origins of Christian Pilgrimage," in *The Blessings of Pilgrimage*, ed. Robert Ousterhout (Chicago: University of Illinois Press, 1990), 41-53.

¹¹⁵ Catherine Hezser, *Jewish Travel in Antiquity* (Tübingen: Mohr Siebeck, 2011), 387. Ra'anan Boustan, furthermore, finds that most Jewish pilgrimage in Late Antiquity was focused on visiting biblical ancestors, not the recently deceased of religious fame. Ra'anan Boustan, *From Martyr to Mystic: Rabbinic Martyrology and the Making of Merkavah Mysticism* (Tübingen: Mohr Siebeck, 2005), 153.

¹¹⁶ Peter Brown, "Town, Village and Holy Man: The Case of Syria," in *Society and the Holy in Late Antiquity*, ed. Peter Brown (London: Faber and Faber Limited, 1982), 153-165.

¹¹⁷ Peter Brown, "The Rise and Function of the Holy Man in Late Antiquity," *Journal of Roman Studies* 61 (1971): 80-101.

¹¹⁸ Brown, "The Rise and Function of the Holy Man," 84-91.

community benefactors, professional Christians and, more importantly, holy figures more approachable than God or the emperor.¹¹⁹ And as Brown argued, holy men functioned as “facilitators in the transition from Paganism to Christianity.”¹²⁰ Their rise in importance led to the decline of local town councils, especially in isolated desert communities. In visiting the gravesites of these deceased holy men, many Christian pilgrims sought to symbolically access this holy power that only a select few possessed.¹²¹ Alternatively, pilgrims also travelled with no immediate destination. For example, Jerome writes about the travels of Fabiola, a somewhat well off Roman matron, who travelled as a stranger from city to city with no discernable purpose other than trying to emulate the lifestyle of a wandering holy man.¹²² These pilgrims preferred to experience a lifestyle of ascetic travel and wandering.¹²³

One of the most important sources for understanding travel and Holy Land pilgrimage in Antiquity are itineraries. Before itineraries became a regular resource for Holy Land pilgrims, their initial purpose was to provide information to travelling soldiers and individuals of higher social status in the early empire. For example, Severus Alexander made it a habit to publicly display the travel route and the location of available resources to his troops before they set out to a new location.¹²⁴ There were two types of itineraries available for public consultation: *itineraria scripta* and *itineraria picta*.

¹¹⁹ Brown, “The Rise and Function of the Holy Man,” 97-8.

¹²⁰ Peter Brown, *Authority and The Sacred: Aspects of the Christianisation of the Roman World* (Cambridge: Cambridge University Press, 1995), 64.

¹²¹ For further reading on how members of the community perceived holy power, please see Robert Kirschner, “The Vocation of Holiness in Late Antiquity,” *Vigiliae Christianae* 38, no. 2 (1984): 105-124. For the role of the senses in the writings of early Christian pilgrims, please see Georgia Frank, *The Memory of the Eyes: Pilgrims to Living Saints in Christian Late Antiquity* (Berkeley: University of California Press, 2000).

¹²² Jerome *epistles* 77.8.

¹²³ Maribel Dietz, “Itinerant Spirituality and the Late Antique Origins of Christian Pilgrimage,” in *Travel, Communication and Geography in Late Antiquity: Sacred and Profane*, ed. Linda Ellis & Frank L. Kidner (Farnham: Ashgate, 2004), 126.

¹²⁴ *Historia Augusta* 45.2-3.

Itineraria scripta, or literary itineraries, range in their complexity, but they should contain lists of stations on the travel route with names and distances between them.¹²⁵ Some more detailed itineraries like the Bordeaux Itinerary and the Antoninus Itinerary contain additional information relating to the geography and local hospitality service in the listed area. But the key function of these itineraries was always to communicate a degree of geographical knowledge, and their availability was more accessible to average travelers than a map. *Itineraria picta*, or illustrated itineraries, provided the same function, but with varied availability to travelers.¹²⁶ As the name implies, illustrated itineraries provide specific images to denote something geographically relevant about the location and can feature written information, but they should not be mistaken for literary itineraries.¹²⁷ The Madaba Map, a sixth century mosaic map of Palestine and Egypt, and especially the previously mentioned Peutinger Table can fall under this designation of an illustrated itinerary, but illustrated itineraries can even be small objects with some textual information.¹²⁸ Literary itineraries, however, were probably the most accessible resource for travelers based on their accessibility. Something like the Madaba Map might be more useful for travelers because of its sheer volume of information, but this resource is confined to Madaba, as the mosaic map was only accessible at the church in which it was established. Travelers would probably only access the map whenever they happened to travel through Madaba.

Finally, *historiai* are another source of information for travel in Late Antiquity. *Historiai* are, generally, regarded as imaginative works of fiction that do not accurately present the world of

¹²⁵ Kai Brodersen, “The Presentation of Geographical Knowledge for Travel and Transport in the Roman Empire: *itineraria non tantum adnotata sed etiam picta*,” in *Travel and geography in the Roman Empire*, ed. Colin Adams & Ray Laurence (Abingdon: Routledge, 2001), 13.

¹²⁶ Vegetius 3.6.

¹²⁷ Brodersen, “The Presentation of Geographical Knowledge for Travel and Transport,” 14.

¹²⁸ For example, CIL XI 3281-4 collects the inscriptions of four goblets which feature a list of stations between Cadiz and Rome. Brodersen suggests that objects like these ones are probably what Vegetius means by *itineraria picta*. Brodersen, “The Presentation of Geographical Knowledge for Travel and Transport,” 14.

its contemporary author,¹²⁹ but I agree with the assessment of Georgia Frank, a scholar of early Christianity, in that some of them are a form of travel writing and important for understanding the mindset of a Christian pilgrim during Late Antiquity.¹³⁰ Frank suggests that these texts are generally ignored by modern scholarship because the definition of a pilgrimage is exclusive, as modern scholars are focused on the visitation of pilgrims to holy places rather than holy men and otherworldly experiences, and because they have a biographical emphasis.¹³¹ Although early travel related *historiai*, such as the *Historia monachorum in Aegypto* (History of the Monks in Egypt) and *Historia Lausiaca* (Lausiac History), contain biographical details of holy men, they also feature relevant topographical and geographical information.¹³² Thus, pilgrims might be able to use the information within these texts to travel to their destination.

It is now necessary to review what information can be discerned from surviving itineraries and travel. The more notable ones such as the itineraries of Egeria and the Piacenza pilgrim were discussed in the previous section because they contained travel routes through Palestine Tertia, but there are other relevant itineraries to note for a discussion of Holy Land pilgrimage.¹³³ For example, the Bordeaux itinerary details the journey of a Christian pilgrim to Jerusalem from Bordeaux in the early fourth century.¹³⁴ A large amount of the text contains the locations and distances between *mutationes*, wagon changing stations, and *mansiones*, rest stations, along various roads and travel routes. The identity of the author is unknown, but the itinerary provides special points of interest relevant to women, which has led commenters to suggest a female

¹²⁹ And G. W. Bowersock has warned against using them in modern scholarship. G. W. Bowersock, *Fiction as History: Nero to Julian* (Berkeley: University of California Press, 1994), 14.

¹³⁰ The main attraction of these travel accounts was the tales of miracles within them, as those experiences deeply connected with its Christian audience. Frank, *The Memory of the Eyes*, 38-49.

¹³¹ Frank, *The Memory of the Eyes*, 39-40.

¹³² Frank, *The Memory of the Eyes*, 39-40.

¹³³ See Maps 1-3 for the path of these pilgrimage routes and others in Appendix B.

¹³⁴ Edward David Hunt, *Holy Land Pilgrimage in the Late Roman Empire AD 312-460* (Oxford: Clarendon Press, 1982), 55-8.

author.¹³⁵ But the key takeaway from this itinerary is that the author made the journey as a private citizen, and he likely did not have permission to use state funds to pay to visit holy places.¹³⁶ Since the author made the journey as a private citizen, the travel expenses must have been extraordinary. The first part of the journey from Bordeaux to Constantinople alone is around 2200 Roman miles, or around 2023 modern miles.¹³⁷ The author would have spent an enormous amount of time travelling. An ordinary citizen would not have the income and resources necessary to spend so much time away from work. The Bordeaux Itinerary does not provide the extraordinary costs the author must have incurred, but the Archive of Theophanes is a suitable parallel for insight on what these costs might have been.¹³⁸

The Archive of Theophanes is an early fourth century collection of papyri, which collects the activities of Theophanes of Hermopolis through various financial documents, inventory documents, petitions, and other personal documents.¹³⁹ One of the more pertinent pieces of information in the archive concerns the daily costs of food and drink incurred by Theophanes during his travels and stays. Theophanes and his entourage appear to spend anywhere between 3,700 and 6,300 denarii daily on food alone.¹⁴⁰ These expenses do not include lodging, horse and wagon rentals, tools, escort fees and other miscellaneous costs that a traveler might incur during his travels. Since Theophanes spent months and months travelling through Palestine, these costs eventually would add up to be immense. John Matthews, furthermore, believes that Theophanes and his entourage operated with “restraint” to keep their expenses down.¹⁴¹ The Archive of

¹³⁵ Alan Douglas Lee, *Pagans and Christians in Late Antiquity: A Sourcebook, Second Edition* (Abingdon: Routledge, 2016), 281.

¹³⁶ See 4. for a discussion on the *cursus publicus*.

¹³⁷ Hunt, *Holy Land Pilgrimage*, 56.

¹³⁸ See Map 3 in Appendix B for the route of Theophanes.

¹³⁹ John Matthews, *The Journey of Theophanes: Travel, Business, and Daily Life in the Roman East* (New Haven: Yale University Press, 2006), 1-11.

¹⁴⁰ Matthews, *The Journey of Theophanes*, 163-79.

¹⁴¹ Matthews, *The Journey of Theophanes*, 179.

Theophanes demonstrates, at the very least, that a degree of wealth was necessary to travel for long periods in Late Antique Palestine.

This degree of wealth and even social status is, moreover, reflected in other notable pilgrims.¹⁴² Melania the Elder and her daughter Melania the Younger, both important figures in the Christian ascetic and monastic movements, were wealthy upper class women, who would have been able to afford the expenses of long travel. Melania the Younger, in particular, was able to afford her pilgrimage, a replication of the Bordeaux pilgrim, by gaining access to the state resources of the *cursus publicus* through her social status and family connections.¹⁴³ Some men like Jerome and Postumianus, both relatively well-off Christian travelers, seemed to be immune to some of travel expenses because of their connection to the church and its resources, but they still had to bargain with captains and sit in very tight accommodations whenever they travelled by sea.¹⁴⁴ A point of interest among these pilgrimage related itineraries is that they always appear to be written by special classes of people. Although they provide key information about Late Antique travel, they are written from a certain point of view. They do not reflect the needs of the ordinary traveler and pilgrim. Instead, they underline the importance of the *cursus publicus* for wealthy individuals. So, it is now important to review the *cursus publicus* as a resource for state officials and wealthy travelers.

¹⁴² For example, Paula was the daughter of a wealthy senator. Next, Jerome was a scholar who received funding from Paula to cover his expenses. Lastly, Sulpicius Severus writes about his friend, Postumianus, who makes regular trips to and from the Holy Land to Gaul. These people have substantial wealth or access to it through wealthy people. Please see Map 1 in Appendix A for a map of their pilgrimage routes.

¹⁴³ Hunt, *Holy Land Pilgrimage*, 57.

¹⁴⁴ Hunt, *Holy Land Pilgrimage*, 73.

4. The *Cursus Publicus*

The *cursus publicus* was an imperial run postal and transportation service established by Augustus to transport and to circulate messages as well as state officials between Rome and its provinces.¹⁴⁵

It is, traditionally, viewed as a message delivery network, but the institution itself is more complicated and should be viewed as an imperial transportation infrastructure for state officials.¹⁴⁶

The use of the *cursus publicus* was tightly regulated. One needed a *diploma* or *evectiones*, a permit certified only by the emperor.¹⁴⁷ The permit had very specific conditions regarding how the *cursus publicus* would be used by a traveler: 1) the intended route where it is valid, 2) specifically what wagons and animals were to be used and where, and 3) the length of the permit's validity.¹⁴⁸ There were no exceptions to using expired permits, as Trajan makes very clear in his letter to Pliny.¹⁴⁹

The emperor supplied a limited number of permits to each provincial governor, who would oversee its distribution as needed.¹⁵⁰ Although a permit is intended only to be issued for official matters, the governor has the authority to make an exception such as when Pliny issued a permit to allow his wife to visit her dying aunt.¹⁵¹ One may consider Pliny's issue to be a noble exception, but provincial governors eventually abused their power to issue permits and overburdened the system. The abuse culminated with the then emperor Julian having to strip several officials of their power to issue and distribute permits in 362.¹⁵² In the sixth century, the *cursus publicus* was not on par

¹⁴⁵ Anne Kolb, "Transport and communication in the Roman State: The *Cursus Publicus*," in *Travel and Geography in the Roman Empire*, ed. Colin Adams and Ray Laurence (Abingdon: Routledge, 2001), 95.

¹⁴⁶ Kolb, "Transport and Communication," 95.

¹⁴⁷ Kolb, "Transport and Communication," 97.

¹⁴⁸ Kolb, "Transport and Communication," 97.

¹⁴⁹ Pliny *Epistulae* 10.46; 10.45 for Pliny asking Trajan about the validity of expired permits.

¹⁵⁰ From the fourth century and beyond, there was also a limited number of officials under the governor and the *dux*, who had the authority to distribute the *evictiones*. Some officials also picked up the ability to create them. Please see Lukas Lemcke, "Imperial Transportation and Communication from the Third to the Late Fourth Century: The Golden Age of the *cursus publicus*," (PhD Diss., University of Waterloo, 2013), 89-92, for a table that details which official had the authority to issue and create permits on behalf of the emperor.

¹⁵¹ Pliny *Epistulae* 10.120. Trajan understood the circumstances and had no problems with Pliny issuing the permit in the follow up, Pliny *Epistulae* 10.121.

¹⁵² Jones, *The Late Roman Empire*, 130.

with previous standards, if Procopius is to be believed. Procopius claims that Justinian reduced the number of official rest stations along most Roman roads, with the exception being roads that led to Persia.¹⁵³ Procopius is likely taking a jab at Justinian by suggesting that he is too cozy with the Persians and that he kept the *cursus publicus* completely intact for their benefit, but there is some information that cannot be outright ignored. The important takeaway from this passage is that Procopius, at the very least, had a problem with the state of the *cursus publicus* in the sixth century and believed that it was not as efficient as it once had been. The comments of Procopius on the state of the *cursus publicus* should be considered alongside the Beersheba Edict to underline the need to establish some sort of funding to aid pilgrims and local travelers.

One may expect to see an example of the *cursus publicus* being used to fund and support pilgrims or local travelers, but the service is heavily regulated, and the state was often reluctant to provide direct financial assistance for travelers, as the financial burden becomes too great to maintain without a loss. Instead, the state funded the construction of hostels, *xenodochia*, for pilgrims. Parallels to this reluctance can even be observed in modern pilgrimage routes such as that to Santiago de Compostela (or the Way of St. James) and the Hajj. In the case of the Santiago de Compostela route, the state invested in the construction of multiple public accommodations for pilgrims, and these accommodations were a free service until very recently.¹⁵⁴ The state likely intended to make money off pilgrims, who spent their cash elsewhere on food, gifts or other local tourist attractions, but pilgrims on this route appear to be frugal. Rubén Lois-González estimates that a single pilgrim spent about €31 daily in 2010, and he believes this amount is very low in terms of average tourist spending.¹⁵⁵ In the case of the Hajj, the state again takes some

¹⁵³ Procopius *Anecdota* 30.1-11.

¹⁵⁴ Rubén C. Lois-González and Xosé M. Santos, "Tourists and Pilgrims on their way to Santiago. Motives, Caminos and final destinations," *Journal of Tourism and Cultural Change* 13, no. 2 (2015): 158.

¹⁵⁵ Lois-González, "Tourists and Pilgrims," 159.

responsibility in the development of public accommodation for pilgrims.¹⁵⁶ The industry is heavily regulated and heavily criticized, as Saudi Arabia accepts an extraordinary number of pilgrims each year. They do not, however, have an adequate system in place to publicly accommodate them, and pilgrims are often grouped together in small over housed rooms.¹⁵⁷ So, even in modernity, the state has difficulty in financially supporting pilgrims, which can support the conclusion of Di Segni in that the Beersheba Edict was established to aid in the funding of local hospitality services. But what institutions were available for Late Antique pilgrims and general travelers along Roman Roads?

4.1. The Institutions Along Roman Roads in Palestine Tertia

Although none of the proceeding institutions were explicitly mentioned in the Edict, some, if not all, of these institutions were likely the recipients of the funds mentioned within it. In Palestine Tertia, there were at least five types of installations that travelers were able to use for resting or for resupplying: *stationes*, *mansiones*, *mutationes*, *xenodochia*, and *burgi*. *Stationes*, *mansiones* and *mutationes* were exclusively associated with the *cursus publicus*, the imperial transport network, while *xenodochia* operate on a more provincial basis of regulation. *Burgi* fell under the domain of the *dux* of Palestine as well as smaller military installations such as the *praesidia*, which functioned as police stations.

Stationes were small garrisons along roman roads, and they served as relay points and maintained law and order in their respective areas.¹⁵⁸ The term, however, was not exclusive to

¹⁵⁶ Ghazi Abdul Wahed Makky, *Mecca, the pilgrimage city: a study of pilgrim accommodation* (Abington: Routledge 1978), 27-9.

¹⁵⁷ Sylvia Chiffolleau, "Pilgrimage to Mecca: An Industry Under Control," *Books and Ideas*, September 21, 2015, accessed on November 25, 2016, <http://www.booksandideas.net/Pilgrimage-to-Mecca-An-Industry-Under-Control.html>

¹⁵⁸ Yann (Lyon) Le Bohec, "Statio," in *Brill's New Pauly*, ed. Hubert Cancik and Helmuth Schneider (Brill Online, 2016), accessed November 24, 2016, http://dx.doi.org.proxy.queensu.ca/10.1163/1574-9347_bnp_e1121410.

garrisons, since it can sometimes refer to an entire *mutatio*.¹⁵⁹ But *stationes* often resupplied official travelers in the manner of changing horses and providing a meal. If an official wanted to rest and sleep for the remainder of a night, they would find respite at a *mansio*. Before the third century, the term *mansio* functioned as a unit of measurement and represented the distance or travel time between two places.¹⁶⁰ But in the third century onward, *mansiones* were another sort of resting station, located along Roman Roads for travelers on the *cursus publicus*.¹⁶¹ They furnished travelers with meals, changed their horses and allowed them to stay the night, functioning like a hotel or inn. Although *mansiones* operated like inns, the term is not always exclusive to single structure buildings, and it may also refer to a series of connected buildings.¹⁶² Crogiez-Pétrequin, in fact, suggests that the term ought to be extended in order to include small cities, since they were able to function in the same manner for travelers.¹⁶³

Even with the inclusion of a small city as a possible *mansio*, it is difficult to demonstrate their presence in Palestine Tertia, where a majority of the place names in the Beersheba Edict can be found. The term *mansio* frequently appears in the *Itinerarium Burdigalense*, where *mansiones* are spaced at thirty-seven kilometre intervals, unless the terrain is difficult, along major roads.¹⁶⁴ Since the *Itinerarium Burdigalense* does not include a complete list of rest stations once the author

In a military context, a *statio* can also refer to soldiers who guard a camp as well as a police post within a camp. For exploration of *statio* in a military context, see H. Chapman, "The Archaeological and Other Evidence for the Organisation and Operation of the Cursus Publicus," (PhD Diss., University of London, 1978), 173-76.

¹⁵⁹ S. Crogiez-Pétrequin, "Le terme *mansio* dans le Code Théodosien: une approche de définition." In *Le Code théodosien: diversité des approches et nouvelles perspectives*, ed. S. Crogiez-Pétrequin and Pierre Jaillette (Rome: École Française de Rome, 2009), 98-9.

¹⁶⁰ Pliny *Historia Naturalis* 12.52; Lactantius *De Mortibus Persecutorum* 45 attest distance; Pliny *Historia Naturalis* 12.64; *Corpus Inscriptionum Latinarum (CIL) V 2108 = Inscriptiones Latinae Selectae (ILS) 8453* attest time.

¹⁶¹ Anne Kolb, "Mansio," in *Brill's New Pauly*, ed. Hubert Cancik and Helmuth Schneider (Brill Online, 2016), accessed November 24, 2016, http://dx.doi.org/10.1163/1574-9347_bnp_e721440.

¹⁶² As attested by *CIL VI 30745 = ILS 4353*; *CIL VI 2158 = ILS 4944*

¹⁶³ Crogiez-Pétrequin, "Le terme *mansio*," 103-4.

¹⁶⁴ Anne Kolb, "Mansio.," P. Geyer, "Itinerarium Burdigalense," *Itineraria et Alia Geographica* 175 (1965): 1-26.

arrives at the Holy Land, the geographical knowledge of the area is limited to the mosaic map of Madaba, the Peutinger Table (only lists cities and *mansiones*), and archaeological evidence.

The mosaic map of Madaba depicts the ancient topography and history of Late Antique Palestine to a geographically accurate extent. It was better than other maps of the region until the introduction of modern cartography in the nineteenth century.¹⁶⁵ Although it is a helpful tool for comparing and locating places found in literary sources, it does not expressly identify *mansiones* in the region. Even more problematic in this context, the mosaic western edge of Palestine Tertia, where many of the place names in the Edict are located, is lost. The Peutinger Table is a better depository for the locations of *mansiones* since it only lists cities and *mansiones*. The Peutinger Table lists just eight *mansiones* in Palestine Tertia: Aila, Huarra, Zadagatta, Petris, Negla, Thornia, and Rababatora.¹⁶⁶ The archaeological evidence for the existence of *mansiones* in these areas is also scant as the structures for the specific purpose of housing travelers seem to exist in Nabataean communities such as Dahab and Wadi Tuweiba.¹⁶⁷ One of the most important road networks in Palestine Tertia is the *Via Nova Traiana*, and it lacks easily identifiable structures on this road to label as *mansiones*. But although there are few excavated *mansiones* in the area, there are numerous unidentified structures in the eastern frontier that likely included or functioned as some sort of rest station for travelers.¹⁶⁸ And so, it appears that the Peutinger Table does not support Di

¹⁶⁵ For an introductory discussion on the mosaic map of Madaba, see Herbert Donner, *The Mosaic Map of Madaba: An Introductory Guide*. Kampen: Kok Pharos Publishing House, 1992.

¹⁶⁶ Walter David Ward, "From Provincia Arabia to Palaestina Tertia: The Impact of Geography, Economy, and Religion on Sedentary and Nomadic Communities in the Later Roman Province of Third Palestine" (PhD diss., University of California, 2008), 216.

¹⁶⁷ U. Dahari, "Monastic Settlements in South Sinai in the Byzantine Period: The Archaeological Remains," *Israel Antiquities Authority Reports* 9 (2000): 11.

¹⁶⁸ For an extensive review of these excavated structures in the frontier, please see S. Thomas Parker, *The Roman Frontier in Central Jordan: Final Report on the Limes Arabicus Project 1980-1989* (Washington: Dumbarton Oaks, 2006), J. M. Miller, *Archaeological Survey of the Kerak Plateau* (Atlanta: Bulletin of the American Schools of Oriental Research, 2001), B. Macdonald, *The Wadi El Hasa Archaeological Survey, 1979-1983*, West Central Jordan (Waterloo: Wilfrid Laurier University Press, 1988).

Segni's interpretation, since Tertia contained only a few *mansiones* that would require state funding. But I shall stress that the Peutinger Table represents the fourth to fifth century landscape of Palestine Tertia, and it would be unwise to assume that there were no dramatic shifts along the eastern frontier.

The third type of roadside stations were the *mutationes*, which were regularly placed between *mansiones*.¹⁶⁹ *Mutationes* were essentially stables, acting as the horse changing stations of the *cursus publicus*. *Mutationes* were typically rectangular with a wide gate in order that there was enough space for carts of various sizes to pass through. They were not just horse or wagon changing stations, as some had adjacent buildings to house travelers for brief periods of time.¹⁷⁰ Although *mutationes* were found between *mansiones*, a *mansio* sometimes featured its own smaller version of *mutationes*, which can lead to the term being synonymously used with *mansio*. Lucas Lemcke, however, suggests that the presence of this smaller *mutatio* in a *mansio* is specifically for the collection and transportation of *annona* rather than the soldiers and other regular travelers.¹⁷¹ The *Codex Theodosius* mandates the existence of certain weights and measures to aid with a balanced taxation in *mansiones*, but it does not mandate them at *mutationes*.¹⁷²

The *Xenodochia* were another type of roadside installation that provided aid to travelers. *Xenodochia* are not to be confused with *mansiones*, public hostels or commercially run inns, although they were also often frequented by various church officials and pilgrims. The unflattering

¹⁶⁹ Anne Kolb, "Mansiones, mutations," in *Encyclopedia of Ancient History*, ed. R. S. Bagnall et al. (Malden: Wiley-Blackwell, 2012), 4264–5; Locations of *Mutationes* between *Mansiones* attested by the *Itinerarium Burdigalense*.

¹⁷⁰ M. H. Corbiau, "Problématique des stations routières et du cursus publicus: Étude archéologique des chaussées et des établissements routiers dans l'est de la Gallia Belgica," *Revue des Archéologues et Historiens d'Art de Louvain* 25 (1992): 186–188; J. F. Fiches, "Ambrussum, l'équipement d'une station," in *Geographica historica*, ed. P. Arnaud and P. Counillon (Bordeaux: Ausonius, 1998), 239–53.

¹⁷¹ Lemcke, "Imperial Transportation," 40.

¹⁷² *Cod. Theod.* 12.6.21.

nature of their staff, however, enticed the church to create their own hostels or inns.¹⁷³ These church run institutions were *xenodochia*. They not only offered free accommodation for travelling pilgrims, but some also operated as hospitals.¹⁷⁴ They, furthermore, appeared to offer their services only to “poor strangers, travelers, pilgrims and the sick, both monastic and secular,” since there is no textual evidence that they serviced state officials in Late Antiquity.¹⁷⁵ They were such an effective service that the emperor Julian set up non-Christian *xenodochia* to compete against them. Since they were not run by the church, Julian himself financially supported them.¹⁷⁶ The person who administrated these finances as well as the institution was a *xenodochos*.¹⁷⁷ Members of the clergy, monks, and lay persons often occupied this position.

There were many *xenodochia* located throughout the empire, particularly in the Holy Land as attested by the textual evidence.¹⁷⁸ While a number of these institutions can be found in Palestine Prima, there is much less textual evidence for them in Palestine Secunda and Tertia. Mark Alan Anderson’s recent textual and archaeological sourcebook on *xenodochia* in Late Antiquity collects just three locations in Secunda and four in Tertia.¹⁷⁹ Although the construction of these institutions took off in the fifth century, there is very little archaeological evidence for them.¹⁸⁰ There are, furthermore, just two excavations of structures that may be considered *xenodochia* in Palestine, both located in Prima and dated to the sixth century: Ma'ale Adumim and Khirbet ed-Deir.¹⁸¹

¹⁷³ Unflattering in the sense that these inns were seen as dens of temptation for clerics. Michael Dräger, “Inn,” in *Brill’s New Pauly*, ed. Hubert Cancik and Helmuth Schneider (Brill Online, 2016), accessed November 24, 2016, http://dx.doi.org/10.1163/1574-9347_bnp_e12211370.

¹⁷⁴ Johannes Hahn, “Xenodocheion,” in *Brill’s New Pauly*, ed. Hubert Cancik and Helmuth Schneider (Brill Online, 2016), accessed November 24, 2016, http://dx.doi.org/10.1163/1574-9347_bnp_e12212700.

¹⁷⁵ Mark Alan Anderson, *Hospitals, Hospices and Shelters for the Poor in Late Antiquity* (New Haven: Yale University Press, 2012), 40-1.

¹⁷⁶ Julian *Epistulae* 84a.

¹⁷⁷ Anderson, *Hospitals*, no. 107: 255.

¹⁷⁸ For a sourcebook of the textual evidence on *xenodochia*, see Part II of Anderson, *Hospitals*.

¹⁷⁹ For Secunda, see No. 155-157; for Tertia, see No. 158-161 in Part II of Anderson, *Hospitals*.

¹⁸⁰ Anderson, *Hospitals*, 146.

¹⁸¹ Anderson, *Hospitals*, 146.

The shortage of evidence for *xenodochia* in Tertia may be considered a detriment to Di Segni's hypothesis, but I believe there is a simpler explanation. Examining the textual evidence for *xenodochia* is not a sufficient means to determine the density of pilgrims or travelers in that area. As noted above, consider the sites of Ma'ale Adumim and Khirbet ed-Deir. They are the only excavated sites to contain *xenodochia*, but there is no textual evidence for them. It may be the case that there is simply no textual evidence for sites that received fewer pilgrims or travelers. And this possibility supports the need to publicly fund or plan services to help them.

Burgi were the final type of roadside installations that warrant an examination, since Di Segni suggests the *burgi* supplied the low level military servicemen to escort travelers along roads.¹⁸² *Burgi* were small fortified watchtowers with a single entrance, and as their description implies, they were used for surveillance.¹⁸³ But the term, perhaps, is too broad, as it may also refer to "any kind of blockhouse and does not in itself denote a specific function."¹⁸⁴ The soldiers stationed at these installations were the *burgarii*, but they were not traditional soldiers with the same social status as regular soldiers. An entry in the *Codex Theodosius* appears to suggest that they were of the same social class as mule-drivers and slaves in the imperial weaving industry.¹⁸⁵

Burgi, moreover, were frequently located along the Roman road network, as John Chrysostom reports that they appeared every mile.¹⁸⁶ These structures are well attested, especially in the regions of Judea and Syria and in the textual evidence for the eastern empire, where they had various functions, depending on the location.¹⁸⁷ But like *xenodochia* and *mansiones*, there is

¹⁸² Di Segni, "The Beersheba Tax Edict," 148.

¹⁸³ Yann (Lyon) Le Bohec, "Burgus," in *Brill's New Pauly*, ed. Hubert Cancik and Helmut Schneider (Brill Online, 2016), accessed November 24, 2016, http://dx.doi.org/10.1163/1574-9347_bnp_e221790.

¹⁸⁴ Benjamin Isaac, *The Limits of Empire: The Roman Empire in the East*. Revised Edition (Oxford: Oxford University Press, 1993), 178.

¹⁸⁵ *Cod. Theod.* 7.14.

¹⁸⁶ John Chrysostom *Ad Stagirium* 2.189.

¹⁸⁷ For an overview of the textual evidence, see Benjamin Isaac, *The Limits of Empire: The Roman Empire in the East*. Revised Edition (Oxford: Oxford University Press, 1993): 179-84.

little archaeological evidence for the presence of *burgi* in Tertia. Much of it derives from Judea and Southern Syria.¹⁸⁸ It may be the case, however, that the Romans adopted existing structures attributed to the Nabataeans. There were small towers scattered around the Transjordan that protected the neighbouring land, and operated in a similar fashion to *burgi*.¹⁸⁹ It would be easy to adapt them as a means to house pilgrims, and they probably would not appear on most itineraries, as a wealthy person would have the funds to stay in lodgings that suit their own social status. But I shall stress that is merely my own conjecture.

4.2. Examining the Financing of the Cursus Publicus

Di Segni argues that the Beersheba Edict concerns a tax to pay for the costs associated with maintaining and paying for the staff of these various stopping points, *xenodochia*, along the Roman road network in Palestine. She does not, however, provide the necessary details to support the claim that the burden of these costs fell upon the taxpayers of the communities in the empire. Are communities actually responsible for these costs? In order to answer such a question, there must be an investigation into the state financing of travel along Roman Roads. An examination of the upkeep costs associated with the *cursus publicus* yields the necessary evidence to substantiate Di Segni's argument.

The costs associated with the upkeep of these official stopping posts and other similar services were no doubt high as the empire expanded.¹⁹⁰ Although these institutions were run by the state, it appears that local communities assumed the expenses of maintaining stations, if one is to judge from their complaints over the centuries. It is impossible to take away any specifics for

¹⁸⁸ Isaac, *The Limits of Empire*, 185.

¹⁸⁹ Frank L. Kouckym, in *The Roman frontier in central Jordan: final report on the Limes Arabicus Project, 1980-1989*, Vol. 40, ed. S. Thomas Parker (Washington: Dumbarton Oaks, 2006), 64-79.

¹⁹⁰ F.F. Abbott and A.H. Johnson, *Municipal Administration in the Roman Empire* (Princeton: Princeton University Press, 1926), 129.

the financing of the *cursus publicus* in the early empire, but it is still necessary to review the evidence for a precedent and to establish the fact that the high costs associated with the *cursus publicus* was an ongoing issue with no permanent resolution over the course of four or five hundred years. The high cost of the *cursus publicus* was not the result of new problem in Late Antiquity. It was an ongoing problem since its inception.

An edict from the emperor Claudius, dating to 49/50 CE, documents the earliest complaints about these unfair costs placed upon the local towns near roadside stations.¹⁹¹ Unfortunately, the so-called edict is incomplete and whatever remedies Claudius proposed to rectify the situation are unknown. His proposals were probably not successful as the complaints continued into the reign of Nerva. The complaints seemed to be so exclamatory that Nerva relieved towns from those expenses in the Italian peninsula by bringing the *cursus publicus* into the fold of the *fiscus*, the imperial treasury.¹⁹² Hadrian made a minor amendment to these costs by freeing local magistrates from the obligation of supplying wagons, staff and escort, and the towns no longer had a relief from the expenses.¹⁹³ Septimius Severus later brought the full cost of maintaining the *cursus publicus* under the *fiscus*, but it did not last too long, since the expenses again fell to the local communities.¹⁹⁴ The complaints continued into the third and fourth centuries, attested by the enormous amount of queries regarding the *cursus publicus* found in *Codex Theodosius* and *Codex Justinianus*.

¹⁹¹ CIL III S. 1, 7251, *Edictum Claudii De Cursu Publico: Ti. Claudius Caesar Aug. | Germanicus pontif. max., | trib. potest. VIII, imp. XVI, p.p., | dicit: || Cum et colonias et municipia non solum | Italiae, verum etiam provinciarum, item | civitatum cuiusque provinciae lebare oneribus | vehicularum praebendorum saepe temptavissem | et cum satis multa remedia invenisse mihi viderer, || potuit tamen nequitiae hominum non satis per ea occurrere...*

¹⁹² Abbott and Johnson, *Municipal Administration*, 355.

¹⁹³ Abbott and Johnson, *Municipal Administration*, 355; *Hist. Aug. Hadr. 7.5: Statim cursum fiscalem instituit, ne magistratus hoc onere grauentur.*

¹⁹⁴ *Hist. Aug. Sev. 14. 2: uehicularium munus a priuatis ad fiscum traduxit*; Abbott and Johnson, *Municipal Administration*, 355.

The third and fourth century were perhaps the golden age for the *cursus publicus* as those centuries yielded a decent amount of insight into its financing and regulation. In the early Roman Empire, the local municipalities of these roadside stations bore the responsibility of supplying staff. They had the option of providing staff from their own ranks, or they promoted or hired someone to serve as a *manceps*, who would then be responsible for procuring staff.¹⁹⁵ In the third century, however, the emperor regulated the supervision of these stations to those from the *decurion* class.¹⁹⁶ The regulation of these costs to the decurions was not unusual since they were the wealthiest class in the cities of the fourth century.¹⁹⁷ Their wealth must have exceeded the treasury of their local municipalities, since the involvement of the community in these costs diminished even further in the *Codex Justinianus*. The decurions acquired the obligation to provide for both the supervision and maintenance of these stations.¹⁹⁸

Although decurions bore a portion of the costs for maintaining roadside establishments, individuals in neighbouring communities still bore some financial burdens. For example, Constantine apparently used the general land and poll taxes on the provincials in order to supply these installations with their provisions, the *annonae* for travelers and the *alimenta* and *pabula* for animals.¹⁹⁹ This method of financing, however, may not be as exclusive to the third and fourth century as suggested in the past.²⁰⁰ It was more likely the regulation of a previous arrangement, since there is no evidence of a separate tax for such supplies.²⁰¹ Another example of the burden on populace is that the neighbouring communities also possessed the responsibility of furnishing their

¹⁹⁵ Lemcke, "Imperial Transportation," 56.

¹⁹⁶ *Cod. Theod.* 8.5.51

¹⁹⁷ Liebeschuetz, *Decline and Fall of the Roman City*, 105.

¹⁹⁸ *Cod. Just.* 12.50.13.

¹⁹⁹ *Cod. Theod.* 11.16.4.

²⁰⁰ P. Stoffel, *Über die Staatspost, die Ochsenespanne und die requirierten Ochsenespanne: Eine Darstellung des römischen Postwesens auf Grund der Gesetze des Codex Theodosianus und des Codex Iustinianus* (Bern: Lang Publishing, 1994), 23.

²⁰¹ Lemcke, "Imperial Transportation," 58.

roadside stations with animals. Communities, instructed by the governor, either supplied their own animals or gave money to the *manceps*, the designated administrative head of a mansion, so that he may buy the animals.²⁰² One final example of this burden existed in the construction of roadside stations. Although there are no specifics on how these stations were financed before the fourth century, the imperial treasury probably did not cover these costs. Cassius Dio, a late second century and early third century historian, writes that Trajan paid for the establishment of stations along the *Via Appia* at his own expense.²⁰³ This position shifted in the fourth century, when municipalities or governors adopted the responsibility of financing these building projects as attested by constitutions in the Codex Theodosius.²⁰⁴

As suggested by the above examples of financing for the *cursus publicus*, there appears to be a fair amount of evidence to indicate that the upkeep costs of these rest stations, in general, fell upon the local communities. But there is unfortunately an absence of evidence regarding the funding of these rest stations, namely the absence of evidence for a fixed payment system as a means of subsidizing these enormous costs and addressing the complaints from locals. A public fixed payment schedule appears to exist nowhere else in the empire. The Beersheba Edict in this regard appears to be unique, if Di Segni is correct in her interpretation of it. So what does the Beersheba Edict seek to accomplish for the road network in Palestine? In order to answer that question, I shall review the road networks in Palestine and provide a general understanding of its neighbours.

²⁰² *Cod. Theod.* 8.5.64.

²⁰³ Cass. Dio. 68.15.3.

²⁰⁴ For the costs on the municipalities, see *Cod. Theod.* 15.1.5, 15.1.13, 15.1.17, 8.5.34; for the costs on the provincial administration, see *Cod. Theod.* 8.5.2, 8.5.6; CIL VI, 1774.

5. The Roads of Palestine and Regional Security

Although there were already commonly used roads and paths in this region, the beginnings of the Roman road network in Palestine and Arabia occurred with the construction of the Caesarea-Scythopolis highway by Legion X Fretensis in the first century after the Great Revolt of Judea.²⁰⁵ In the second century, after the creation of the province of Arabia, Trajan commanded its governor, Gaius Claudius Severus, to construct a strategic military highway across the region, the *Via Nova Traiana*.²⁰⁶ Hadrian completed its construction, and Marcus Aurelius further refined and repaired it along with many other roads in the empire.²⁰⁷ Under the Severan dynasty, the Roman Network of Arabia underwent another expansion. Highways were constructed along the Mediterranean coast, along the Western mountains of Judaea and Samaria, along the Jordan valley, along the eastern plateau that is beyond the Jordan River,²⁰⁸ along the valleys in Lower Galilee, along the river beds in Samaria, along transversal ridges in Judaea and across the Northern plains of the Negev. Finally, the network experienced more incremental refinements between the fourth and seventh centuries to accommodate the increased traffic from pilgrims into the Holy Lands. Roads to Jerusalem received the most attention, and the construction of roads to Jerusalem is described in detail by Procopius.²⁰⁹ These roads maintained their relevance into the Early Islamic period. Israel Roll, an Israeli archaeologist, thus reports several Arabic milestones between Jerusalem and Damascus, which reveal that the caliph specifically requested the maintenance and repair of these roads.²¹⁰

²⁰⁵ Israel Roll, "The Roads in Roman-Byzantine Palaestina and Arabia," in *The Madaba Map centenary, 1897-1997: Travelling Through the Byzantine Umayyad Period*, ed. Michele Piccirillo and Eugenio Alliata (Jerusalem: Studium Biblicum Franciscanum, 1999), 109-13.

²⁰⁶ G. W. Bowersock, *Roman Arabia* (Cambridge: Harvard University Press, 1983), 83.

²⁰⁷ *Historia Augusta Vita Marci* 11.5.

²⁰⁸ See Map 4 in Appendix B for an overview of the road network at its peak in Judaea and Arabia.

²⁰⁹ Procopius *De Aedificis* 5, 6, 12-3.

²¹⁰ Roll, "The Roads in Roman Palaestina," 113.

The Roman Road network of Palestine seems to have been properly maintained throughout Late Antiquity, but that does not mean the entire network was particularly safe and stable. Roads, or military highways, along the so-called *limes* frontiers of the eastern empire appear to have been heavily fortified with troops and fortresses, as indicated in the *Notitia Dignitatum*.²¹¹ In Syria, there was the *Strata Diocletiana*, a road that ran from northeast Arabia and Damascus to Palmyra.²¹² In Palestine and in Arabia, there was the previously mentioned *Via Nova Traiana*, a road that ran through the Transjordan into Arabia and Syria. There has been much discussion as to what all these military installations in the East imply for the stability of the region and the long-term ambitions of the empire. Although it is generally understood that the frontier policy of Rome for the East was established for territorial expansion, Benjamin Isaac, a historian of ancient Greece and Rome, has argued for the rejection of a Grand Strategy with the aim of territorial expansion and that modern scholars should de-emphasize defense as an element for military policy in the East.²¹³ The area, moreover, was certainly dangerous to an extent, and Isaac underlines the importance of sizable forces to police the domain between Egypt and Syria.²¹⁴ Arabia itself seems to have been an area of instability, if the reports from ancient sources are to be believed. Eusebius, a fourth century historian of Christianity, describes the area around Arnon, an eastern river that connects Jordan to the Dead Sea, as a fearful place with numerous military posts, and Ammianus writes that Arabia was a region of full of fortresses to defend against raiding neighbours.²¹⁵

In the sixth century, the neighbours to the East of Arabia and Palestine were the Ghassanids, a label associated with the Arab ruling dynasty of the Jafnids in modern scholarship

²¹¹ G. W. Bowersock, "Limes Arabicus," *Harvard Studies in Classical Philology* 80 (1976): 219-229.

²¹² Bowersock, *Roman Arabia*, 144.

²¹³ Isaac, *The Limits of Empire*, 374-418.

²¹⁴ Isaac, *The Limits of Empire*, 269-310.

²¹⁵ Eusebius *Onom.* 10.15; Ammianus 14.8.13.

thanks largely to the works of the late Irfan Shahid.²¹⁶ Shahid notes disputes between Ghassanid *phylarchs* in the early sixth century, which contributed to regional strife in Arabia,²¹⁷ and he even argues that some of this infighting occurred in Palestine.²¹⁸ Greg Fisher has more recently criticized and revised much of Shahid's work suggesting that he "over-interprets the source material and assigns too much importance to (for example) the role and position of phylarchs."²¹⁹ For much of the sixth century, the Jafnids were a principal ally of the Eastern Empire, a situation which began with a personal relationship between Justinian and one particular Jafnid chief known as Al-Harith in 528/9.²²⁰ But it would be another decade before Al-Harith and his descendants flexed enough power to diminish disputes along the borders of Arabia and Palestine. For those local travelers, who regularly wished to travel on the frontier roads either for pilgrimage or general travel, there thus certainly appears to have been a need to station paramilitary servicemen for their protection and security against raiding bandits.²²¹ As previously discussed in this paper, the *cursus publicus* is an expensive resource not generally available to those of poorer social status. Local communities and its travelers required a means to fund security forces on these frontier roads for their own safety. The frequent references to these paramilitary servicemen, specifically in the second fragment that list communities in the Transjordan and on frontier roads, likely suggests a degree of insecurity. The Beersheba Edict appears to address this issue of funding for security personnel.

²¹⁶ Irfan Shahid, *Byzantium and the Arabs in the Fourth Century*, Cambridge: Harvard University Press, 1984; *Byzantium and the Arabs in the Fifth Century*, Cambridge: Harvard University Press, 1989; *Byzantium and the Arabs in the Sixth Century*, 2 vols., Cambridge: Harvard University Press, 1995, 2002, 2010.

²¹⁷ Irfan Shahid, *Byzantium and the Arabs in the Sixth Century*, Volume 1, Part 1 (Cambridge: Harvard University Press, 2002): 251-55.

²¹⁸ Shahid, *Byzantium and the Arabs*, 253.

²¹⁹ Greg Fisher, *Between Empires: Arabs, Romans, and Sasanians in Late Antiquity* (Oxford: Oxford University Press, 2011): 11.

²²⁰ Fisher, *Between Empires*, 96.

²²¹ Raiders, thieves, marauders, etc. have been an issue for travelers in the Eastern provinces for some time. See Benjamin Isaac, "Bandits in Judaea and Arabia," *Harvard Studies in Classical Philology* 88 (1984): 171-203.

5.1. Christian Pilgrims along the Frontier

If my interpretation is accepted, The Beersheba Edict is likely an effort to support local travelers and pilgrims of poorer social status along the road networks of Palestine and Arabia. Thus, a brief discussion of the Christian community in Palestine and its neighbours will be helpful to underline the situation that existed in destinations and tourist attractions available for travelling pilgrims. Biblical places in the heartland of Palestine Prima such as Jerusalem and Jericho were among the eventual goals for pilgrims travelling to the Holy Land, but there are also active Christian communities along the frontiers of Tertia and Arabia to act as destinations for and to assist those who travel along the *Via Nova Traiana*.

In heart of the Transjordan, there was a well-documented Christian presence and history at the town of Petra.²²² The excavation of its three churches are subject to much discussion, but the fact that all three churches were undergoing renovations in the sixth century certainly suggests an active Christian community for local pilgrims to visit.²²³ For pilgrims traveling north on the *Via Nova Traiana* from Palestine into Arabia and beyond, there were shrines dedicated to the cult of St. Sergius, who was a very popular saint in Arabia and Syria. The shrines for the veneration of St. Sergius at Tall al-`Umayrī and Nitl in the Madaba plains indicate the territorial extent of his popularity in Arabia, and they also highlight the reach and association of the Jafnid dynasty with the cult.²²⁴ The two main centres for the cult of St. Sergius were at Bostra and Rusafa/Sergiopolis, both located in modern Syria. Bostra was a major military centre for the Romans to display their

²²² Robert Schick, "Ecclesiastical History of Petra," in *The Petra Church*, ed. Z.T. Fiema et al (Amman: American Center of Oriental Research, 2001), 1-6.

²²³ Patricia Maynor Bikai, "The Churches of Petra," *Near Eastern Archaeology* 65, no. 4 (2002): 273-4.

²²⁴ George Bevan, Greg Fisher and Denis Genequand, "The Late Antique Church at Tall al-`Umayrī East. New Evidence for the Jafnid family and the cult of St. Sergius in Northern Jordan," *Bulletin of the American Schools of Oriental Research* 373 (2015): 49-68. On Nitl, see Greg Fisher, *Arabs and Empires before Islam* (Oxford: Oxford University Press, 2015), 331-47.

power to Arab leaders and attract Arab pilgrims to the cult of St. Sergius.²²⁵ But the most important shrine to St. Sergius was at the city of Rusafa/Sergiopolis, which had become a highly visited area for pilgrimage in the early sixth century.²²⁶ The city contained everything necessary for incoming and outgoing pilgrims and even a small building established for the Jafnid leader so that pilgrims and other officials could interact with him personally.²²⁷ As noted above, Justinian developed a personal relationship with the Jafnid leaders, and he also had a legendary connection to St. Sergius. The legend goes that the Saints Sergius and Bacchus visited his uncle, Justin, in a dream to convince him that Justinian was not plotting to assassinate him, but Elizabeth Fowden has discredited this popular myth.²²⁸ Justinian certainly had an interest in the cult of St. Sergius, since he erected a church for Sergius and Bacchus as one of his first imperial constructions in Constantinople.²²⁹ He was, however, probably more interested in developing a strong relationship with the Jafnid leadership to maintain regional security and use the Jafnids to defend against the Nasrids, Arab allies of the Persians, who were successfully defeating the commanders and *phylarchs* of Justinian in raids.²³⁰ The Jafnids had to align themselves with St. Sergius because his was a popular cult in Arabia. Fisher, moreover, argues that they did this to “demonstrate a noticeable degree of stratification,” since they had to keep the support of the empire and the support of the people, who may not have been Christian, under their leadership.²³¹ Thus, I shall suggest that Justinian, perhaps, established the Beersheba Edict to help pay for those pilgrims who wished to visit the shrines of St. Sergius along the *Via Nova Traiana*, and, at the same time, support the

²²⁵ Fisher, *Arabs and Empires before Islam*, 309.

²²⁶ Elizabeth Key Fowden, *The Barbarian Plain: Saint Sergius between Rome and Iran* (California: University of California Press, 1999), 65.

²²⁷ Fowden, *The Barbarian Plain*, 149-73.

²²⁸ Fowden, *The Barbarian Plain*, 132.

²²⁹ Procopius *De Aedificiis* 1.43-47.

²³⁰ Procopius *De Bello Persico* 1.17.47.

²³¹ Fisher, *Between Empires*, 64.

alignment of the Jafnid leadership with the cult through the creation of affordable local community traffic. This hypothesis may explain the lack of taxes being collected from communities in southeast Jordan in the Edict, as Justinian was interested in funneling pilgrimage traffic toward Arabia. However, I should stress that excavations at many of the toponyms mentioned in the Edict have, thus far, resulted in no evidence for the cult of St. Sergius, and this hypothesis must thus remain merely unsupported conjecture.

6. Petra and Humayma

The absence of Petra in the Beersheba Edict cannot be ignored. Past commentators were not perplexed by its absence because the city appeared on the fourth fragment which was seen as integral to the document. But the fourth fragment is now not seen as part of the Edict, and the absence of Petra on the Edict presents a problem. As noted further below, it contains a strong Christian presence and should be destination for pilgrims on their way to the Holy Land. There are a few explanations of its absence to briefly consider. Firstly, Petra is the capital of Tertia in the sixth century,²³² and it may be the case that capitals, or just Petra, are simply not bound to this imperial rescript for unclarified reasons. It is worth noting that Caesarea Maritima, the capital of Prima and Scythopolis, the capital of Secunda, are also not mentioned in the Beersheba Edict. There is, moreover, evidence for a unique taxation situation in the Petra Papyri, which underline a special privilege, as there appears to be a division in fiscal administration duties between the city, its hinterlands and the imperial seat.²³³ Additionally, if the purpose of this rescript is to provide funding for travelers and pilgrims to alleviate the fiscal burdens on the local communities, this

²³² Z. T. Fiema, "Byzantine Petra – A Reassessment," in *Urban Centers and Rural Contexts in Late Antiquity*, ed. Thomas S. Burns and John W. Eadie (East Lansing: Michigan State University Press, 2001), 111.

²³³ Mohammed Nasarat and Sa'ad A. Twissi, "The Titles of Petra in Sixth Century: The Evidence from the Petra Papyri," *Arabian Archaeology and Epigraphy* 27, no. 2 (2016): 209.

function was likely already handled by the existing network of state funded churches and monasteries in Petra, and there would thus be no reason for more funding.

One final point to consider is the state of Petra in the sixth century. It was, perhaps, in a state of decline or a relatively unsafe region in which to travel. This possibility might make Petra less relevant to the political and economic makeup of Tertia. This last point, however, may be disregarded if we accept the position of Fiema, who has argued that the military presence of the sixth century Petra reflects a city of “stability and security.”²³⁴ The Petra Papyri, furthermore, support Fiema’s positions. The city and its surrounding hinterlands enjoy a functioning economy that stems mainly from its agriculture.²³⁵ Its economy is not as big as it once was, but it is healthy, and the Petra Papyri constantly recall many of its honorific titles indicating that it continues to be an important administrative center in the sixth century.²³⁶ And so the absence of Petra in the Beersheba is a peculiar subject of interest, but one for future discussions, as I do not believe there is sufficient evidence, at this time, to conclusively explain its absence in the Edict.

The mention of Humayma (Auara in the Edict) also merits some brief consideration. Al-Humayma is located about 48 km south of Petra.²³⁷ The site of Humayma, or Hawara in antiquity, contains one of the largest archaeologically attested military forts in the area, its size being only behind those at Udruh and Leijjun. The site appears to have been healthy in the sixth century, since Stephanus of Byzantine, a sixth century grammarian and author of the geographical dictionary *Ethnica*, records it as a *polis* of Palestine Tertia.²³⁸ The importance of Humayma, however, for

²³⁴ Z. T. Fiema, “The Military presence in the countryside of Petra in the 6th century,” in *British Archaeological Reports* 1084, Vol. 1, ed. by Philip Freeman et al. (Oxford: Bar Publishing, 2002): 131-6.

²³⁵ Mohammed Nasarat, Fawzi Abu Danah, and Slameh Naimat, “Agriculture in the sixth century Petra and its Hinterland, the evidence from the Petra Papyri,” *Arabian Archaeology and Epigraphy* 23, no. 1 (2012): 105-15.

²³⁶ Nasarat, “The Titles of Petra,” 214.

²³⁷ For the most recent excavation report on the site, please see John Oleson and Robert Schick, *Humayma Excavation Project 2: Nabatean Campground and Necropolis, Byzantine Churches, and Early Islamic Domestic Structures* (Boston: American Schools of Oriental Research, 2014).

²³⁸ Stephanus 144.19-26.

consideration here is due to the number of its churches. As of the most recent survey in 2008, five churches have been discovered.²³⁹ This is the largest number of churches at a site in the southern Jordan and in the Negev except for the site of Khirbet Faynan.²⁴⁰ The puzzling aspect of this fact is that the number churches are quite high relative to its small population. John Oleson, a Roman near East and ancient technology historian, estimates the population only to be as high as 650 based upon an examination of its local and region water availability.²⁴¹ Oleson suspects that the large number of churches is due to competition between Orthodox and Heterodox believers, or it may also be the case that some churches were built as the others were no longer used.²⁴² Orthodoxy and Heterodoxy, or the Chalcedonians and the Monophysites, were the contemporary denominations of Christianity in the sixth century. The two sects were the result of a decree in 451 AD at the Council of Chalcedon in which a decision, regarding the divine and human nature of Jesus Christ, divided Christianity.²⁴³ The Monophysites, basically, rejected the decision and united under their own branch of Christianity. Oleson's suspicion of competition between different denominations of Christianity is sufficient as an explanation, but church density patterns across the modern Orthodox world indicate that there are usually extraordinary numbers of churches compared to its population.²⁴⁴ It may be the case that the private citizens of Humayma simply wished to erect more and more churches because they had the funds to do so.

²³⁹ For the latest details on these churches, please see Chapters 5, 6, 7, 8 and 9 of Oleson and Schick, *Humayma Excavation Project 2*.

²⁴⁰ On Khirbet Faynan, see D. Mattingly et. al, "A Landscape of Imperial Power: Roman and Byzantine Phaino," in *Archaeology and Desertification: The Wadi Faynan Landscape Survey, Southern Jordan*, ed. Graeme Barker et. al (Exeter: Oxbow Books, 2007), 305-48.

²⁴¹ John Oleson et. al, "Preliminary report of the al-Humayma excavation project 1995, 1996, 1998," *Annual of the Department of Antiquities of Jordan* 43 (1999): 432.

²⁴² Oleson, "Preliminary report of al-Humayma," 432. Oleson and Schick are still unable to offer a solid explanation for its number of churches and repeat earlier conclusions in Chapter 15 of Oleson and Schick, *Humayma Excavation Project 2*.

²⁴³ Averil Cameron, *The Mediterranean World in Late Antiquity: AD 395-700* (Abington: Routledge, 2011), 31-2.

²⁴⁴ For a collection of data on church densities for various faiths across the world, see David Barret, George T. Kurian and Todd M. Johnson, *World Christian Encyclopedia: A Comparative Survey of Churches and Religions in the Modern World*, Second Edition (Oxford: Oxford University Press, 2001).

But since the Beersheba Edict lists Auara, its number of churches may actually be a reflection of travel activity in the sixth century. Auara pays 43 *solidi* per year and an unknown amount to the servants. On the other hand, the site of Faynan (Phaino in antiquity) is also on the Beersheba Edict, and it pays 15 *solidi* per year and an unknown amount to the servants. It also possesses a large number of churches relative to its small population.²⁴⁵ Therefore, one must wonder if it is possible to use these values as a proxy to determine the size of the community. In short, it is not possible, as I shall make clear below.

7. The Payments

One more subject of discussion concerns the number of *solidi* that each community contributes according to the Edict. Past commentators as well as Di Segni concluded that these amounts were too little to be related directly to the collection of the *annona militaris*.²⁴⁶ As mentioned above, Di Segni suggests that they appear to be just enough to cover the costs of paying lower class military servicemen, camel drivers, hospitality staff and any other personnel needed to provide safe passage and harbor for pilgrims.²⁴⁷ But would such taxes be fair and can they be indeed considered small? The Beersheba Edict does not provide any details as to how the taxes are calculated, but it appears they relate to the general size of the place mentioned because larger and well known towns, such as Zoara and Adrou, tend to contribute larger amounts.²⁴⁸ These contributions from each community in the Beersheba Edict are still very paltry when compared to the collection of *solidi* from villages in Egypt. For example, Tekmi, an unlocated *nome* somewhere in Herakleopolites, pays annually a total tax of 193 *solidi*, which surpasses the highest contribution of *solidi* in the

²⁴⁵ Mattingly et. al, "A Landscape of Imperial Power: Roman and Byzantine Phaino," 344-5.

²⁴⁶ Di Segni, "The Beersheba Tax Edict," 144.

²⁴⁷ Di Segni, "The Beersheba Edict," 155.

²⁴⁸ Please see Payment Tables in Appendix.

Beersheba Edict.²⁴⁹ Tekois North, another unlocated village in the Herakleopolites district gives an annual payment between 235 and 264 *solidi*.²⁵⁰ To illustrate how paltry the sums mentioned on the Edict really are, consider the larger village of Aphrodito in the sixth century. On two occasions the village made annual payments, of 352 *solidi* in 525 CE and 1017 *solidi* in 567.²⁵¹ The values in the Beersheba Edict are just a fraction relative to other taxes as well as the total revenue a province generates in total taxes. In one year, Justinian extracted 2,628,000 *solidi* from Egypt alone.²⁵² Thus, significantly larger amounts present in other sixth century communities suggest that the Beersheba Edict tax is not a burden to the communities that are being taxed in it. One must thus wonder whether these taxes would actually have alleviated any fiscal burdens on the community, let alone the state.

Some insight into regional stability can be assessed in regard to what can be said from the “servants” mentioned in the Edict. Jairus Banaji, a Late Antique economic scholar, estimates that a domestic servant made 0.792 *solidi* per year in Egypt.²⁵³ Camel drivers in the area also made between two and three *solidi* per year in Egypt.²⁵⁴ Banaji also reports the annual wage of private estate soldiers at four *solidi*, the annual wage of a chief guard at about 8 *solidi* and the annual rate of police officers at three *solidi*.²⁵⁵ All these rates are dependent on the rate of wheat at the time and place of its conversion. The rate may be smaller or larger in Palestine, but it appears that the wages of regular soldiers are too high to represent the servants in the Beersheba Edict. Di Segni

²⁴⁹ Jairus Banaji, *Agrarian Change in Late Antiquity: Gold, Labour, and Aristocratic Dominance* (Oxford: Oxford University Press, 2002), 230. There are, furthermore, numerous other examples from sixth century villages and individuals, which feature *solidi* numbers larger than many of the ones found in the Beersheba Edict. Please see P. Flor. 297 iv verso, CPR V 18, BM 1075, P. Cairo Masp. 67002, P. Oxy. XVI 1909.

²⁵⁰ Banaji, *Agrarian Change in Late Antiquity*, 230.

²⁵¹ Banaji, *Agrarian Change in Late Antiquity*, 230.

²⁵² Banaji, *Agrarian Change in Late Antiquity*, 228.

²⁵³ Banaji, *Agrarian Change in Late Antiquity*, 237.

²⁵⁴ Banaji, *Agrarian Change in Late Antiquity*, 236.

²⁵⁵ Banaji, *Agrarian Change in Late Antiquity*, 235.

is, therefore, correct to classify these servants as paramilitary servicemen with social status equal to slaves, since the servile payments in the Edict align with similar amounts of wages for soldiers in Egypt, as noted above. The paltry servile payments in the Edict, moreover, may correlate with the general stability of the road to the nearest town. The servile payments range between one and six *solidi*.²⁵⁶ The variations in the amounts might possibly reflect the need for additional paramilitary personnel at more dangerous locations. It also explains the lack of paramilitary personnel at many of the places named in the Edict, as the Holy Land is probably safer for travelers.

In the previous section, it was questioned that these payments might be used as a proxy to measure the size of a community. The amount for servants certainly aligns with standard wages for those with servile social status, but it is different story for the general population. Consider again the site of Humayma, which pays forty-three *solidi* per year and has an estimated population of 650.²⁵⁷ Only landowners are taxed in this Edict and the whole community is presumably not entirely made up of landowners, but for the sake of argument, consider a 1:1 ratio for taxed individuals who contribute to this amount. Each member of the 650 population would contribute about 0.07 *solidi* to this tax. It certainly appears feasible that 650 people would be able to pay that amount once a year. The problem becomes clear when the same method is applied to other communities in the Edict. Consider the ancient site of Khirbet Faynan (Phaino), which pays fifteen *solidi* per year, but has an estimated population of 600.²⁵⁸ If one applies the same tax methodology to Phaino, everyone pays 0.025 *solidi* per year. The rates are different, but the population sizes are very similar. It does not appear that these values can be used as reliable proxies for the general

²⁵⁶ See Table 2 for servile payments in Appendix B.

²⁵⁷ Oleson, "Preliminary Report of al-Humayma," 432.

²⁵⁸ David Gilbertson et al, "Archaeology and Desertification: The Landscapes of the Wadi Faynan," in *Archaeology and Desertification: The Wadi Faynan Landscape Survey, Southern Jordan*, ed. Graeme Barker et. al (Exeter: Oxbow Books, 2007), 415.

population size of a community. But, perhaps, it may be used to determine the size of taxable individuals at these communities, when more investigation has been done at them to determine their taxable citizens to non-taxable population ratio.

8. Conclusions

Although Di Segni has resolved some of the mysteries with the Beersheba Edict, there remains some lingering questions. These questions should be addressed in a further analysis of the Edict: Why is the Beersheba Edict public and set up in marble? Is there no *vicarius* in the second fragment? Is there another class of taxpayers as suggested by Denis Feissel? And, finally, are imperial funds being used to support pilgrimage to certain saints and places?

Firstly, it may seem strange to ask why a certain material is used to communicate a piece of information to the public, but it may be crucial to fully understanding the nature of the Beersheba Edict. The selection of marble suggests the Edict was meant to be understood by the public in perpetuity, but it appears to be set up in one place. The whole purpose of publicly inscribing this rescript in marble is likely to be to show how the payments compared to those levied in neighbouring communities. Secondly, the absence of a *vicarius* in the second fragment is troubling because Di Segni has suggested that it is the *vicarius* who would distribute these payments to the servants. But if there is no *vicarius*, who is charge of distributing the payments to these communities? Thirdly, another class of tax payers is problematic. If there is a third class of taxpayers, this would be something unique to the *Palaestinae*. I should, once again, stress that Denis Feissel presents no evidence to support his claim, nor am I able to find evidence, at the time of this paper, to support it.

And lastly, the question as to whether imperial funds have been used to support pilgrimage to saints and holy places favoured by the imperial seat is the most important lingering problem. In

short, I am unable to offer a decisive answer. If Justinian established the Edict to support pilgrimage to his favoured saints and holy places, then there is the problem of which denomination he supported. Although Justinian continued the policy of his predecessor, Justin, in the confirmation of Chalcedonian doctrine in the Empire,²⁵⁹ his wife, Theodora, was supposedly a Monophysite sympathizer.²⁶⁰ There is an opportunity to present an argument for either of these denominations. Thus, it is possible that the Beersheba Edict provided funding to support pilgrimage to Justinian's favoured saints and holy places, but the aim of this paper is not to investigate Justinian's preferred denomination at the time of the Edict. For future discussions, I suggest that a thorough examination of the archaeological evidence for Chalcedonian and Monophysite churches at each of the toponyms in the Beersheba Edict is necessary to answer this important lingering question.

It has been established in this paper that Di Segni's interpretation of the Beersheba Edict remains the best that is currently available. The Edict was thus likely set up to help alleviate the fiscal burden placed upon communities from the increased traffic of regional travelers and Christian pilgrims, although, as I have suggested above, the sums are so small that this may cast her suggestion into doubt. Di Segni presents a good, if not perfect, resolution to the function of the Beersheba Edict and the implications of her study have provided insight for scholarship concerning Late Antique travel in sixth century Palestine. The Beersheba Edict, however, still merits some discussion, as subjects of interest remain in the Edict itself.

²⁵⁹ Justinian imposed the doctrine on several occasions. In Egypt, for example, he attempted to bring Egypt back under the obedience of Chalcedonian doctrine through force. William Hugh Clifford Frend, *The Rise of the Monophysite Movement: Chapters in the History of the Church in the Fifth and Sixth Centuries* (Cambridge: Cambridge University Press, 1972), 274-6.

²⁶⁰ Averil Cameron, *Procopius and the Sixth Century* (Berkeley: University of California Press, 1985), 76-7.

As I noted at the start of this paper, its aim was never to present an alternative interpretation of the Edict, but its purpose was to work with the hypothesis of Di Segni by exploring its broader context for travel in Late Antique Palestine. I hope that I have shown helpful ways to expand Di Segni's understanding of the Edict in Late Antique Palestine by providing a foundation to discuss taxation, pilgrimage in Palestine Tertia and the state of the imperial travel network up to the sixth century. Many of the suggestions that I have provided here are speculative and open for discussion and criticism. This is the result of the sources for travel at many of these places in the Edict, and yet, it is my hope that this paper will encourage further discussion of the Edict so that its remaining mysteries can be resolved.

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10. Appendixes

Appendix A: The Beersheba Tax Edict

The underlined portion represents the most recent addition to the Edict found in Di Segni. Transliteration and Translation of text is from Leah Di Segni, "The Beersheba Tax Edict Reconsidered in the Light of a Newly Discovered Fragment," *Scripta Classica Israelica* 23 (2004): 131-158.

Fragment 1

- [? Ταῦτα Βουλόμεθα τῷ θεῷ πραγματικῷ συ[νε]ζεῦχθαι τύπῳ και διαρρήδην
θεσπίζοντες ὅπως ἐν κηπύγμασιν ἐκ
[? λοιποῦ ἢ γνῶσις δηλωθῆ τῶν διωρισμέν[ων διὰ τῶν θεῶν ἡμῶν τούτων προστάξεω
ἵνα
θαρροῦντες οἱ μέχρι
νῦν
[----- ca. 32 -----? α]ὐτοῖς ἀ[δικηθ]έντες τοῖς ἀπαιτεῖν πειρωμένοις ἅπερ διεγράψμεν τὴν
εὐσεβῆ
4 [? γνῶσιν ἐμφανίζοντες μόνα διδῶσιν · ἢ τοίνυν σ[ὴ] μεγαλοπρέπε[ι]α τὰ παραστάντα
ἡμῖν και
διὰ τοῦδε τοῦ
θεῖου πραγμα-
[τικοῦ και ἰδιοῦ δηλούμενα νόμου εἰς ἔργον ἀχθῆ[ναι και] παραφυλαχθῆναι προσ-
ταξάτω ·
[? Συντελεῖν ὀφείλουσιν διαγραφῶν ἕνεκεν οἱ ἀπὸ ὄλ[ης] ἀρχῆς] τῶν κατὰ καιρὸν δου-
κῶν οἱ τε
καθωσιωμένοι
λιμιτανέοι και ὑπο-
[τεταγμένοι αὐτῷ στρατιῶται και γε οἱ τῆς χώρας ἰδιῶται [συντε]λεσται καθ' ἕκαστον
ἔτος
οὕτως·

[Col.] Col. I

8 [ἀ(πὸ) Σ]υκ(ομάζονος) Ν ε´

 12 -----

Col. II

[ἀ(πὸ) Μάμψ](εως) Ν ξ´ κ(αὶ) τοῖς
 δούλ(οις) Ν δ´
 ἀ(πὸ) Ὁρ[ιδω]ν Ν ξ´ κ(αὶ) τοῖς δούλ(οις)
 Ν δ´
 [καὶ τῷ βι]καρ(ίῳ) Ν ν´
 [-----]Σ Ν μ´ κ(αὶ) τοῖς
 δούλ(οις) Ν γ´
 ----- Ν λ´ κ(αὶ) δούλ(οις) Ν
 γ´
 ----- Ν κ´ κ(αὶ) δούλ(οις) Ν
 γ´
 ----- [---]ἀ(πὸ) Ἀσόων Ν
 η´

Col. III

8 ἀ(πὸ) Πριμος(--) Ν η´
 ἀ(πὸ) στρ(ατιωτῶν) Ζοόρ(ων) Ν ν´ κ(αὶ) τοῖς δούλ(οις) Ν δ´
 (καὶ) ἀ(πὸ) κοιν(οῦ) Ζοόρ(ων) τῶν συντελ(εστων) Ν ρ´
 (καὶ) τῷ βικαρ(ίῳ) τῷ γινομ(ένῳ) πάλιν
 12 ἀπὸ τῶν συντελ(εστῶν) Ν [-]
 ἀ(πὸ) τῆς ἀγρ(α)ρίας Ἐλούσ(ης) Ν [-]
 ἀ(πὸ) Ἀσουάδων Ν λ´ κ(αὶ) τοῖς δούλοισι Ν [-]

Translation:

[We order the following] to be attached to [this divine pragmat]ic sanction, also explicitly decreeing that from [now on the schedule of the amounts fixed by] these divine regulations of ours [should be made public] in edicts, in order that those who up to this day [? were made to pay more than the amounts assigned] to them (?), and have suffered an injury, may take courage and [hand over] to those who attempt to exact (an unjust payment) [only] the amounts that we have prescribed [through the publication of] this sacred [disposition/schedule]. Therefore Your Magnificence shall order that our decision, as is [expressed] in this divine pragma[ti]c and special decree] will be acted upon and observed.

The people of the entire [domain] of the successive duces (of Palestine), (namely) the faithful limitanei and [the soldiers?] under [his orders, as well as] the private taxpayers of the country, [must pay] each year as follows:

Col. I

[From S]yk(omazon) solidi 5.

Col. II

[From Mam]psis solidi 60 and to the servants solidi 4.

From Or[d]ja solidi 60 and to the servants solidi 4
and for the vicarious solidi 50.

[From (?) Meno]is solidi 40 and to the servants solidi 3.

[From ---] solidi 30 and to the servants solidi 3.

[From ---] solidi 20 and to the servants solidi 3.

From Asoa solidi 18.

Col. III

From Primos(?) solidi 18.

From the soldiers of Zoara solidi 50 and to the servants solidi 4,
and from the association of the taxpayers of Zoora solidi 100

and for the vicarious who is concerned, again,

from the taxpayers solidi [-].

From the garrison of Elusa solidi [-].

From Asuada solidi 30 and to the servants [solidi -].

Fragment 2

- ἀ(πὸ) Ἀδρόων Ν ξε´ καὶ τ[οῖς δούλοις Ν -]
 ἀ(πὸ) Αὐάρων Ν μγ´ (καὶ) τ[οῖς δούλοις Ν -]
 ἀ(πὸ) Ζαδακάθων Ν λβ´ (καὶ) τ[οῖς δούλοις Ν -]
 4 ἀ(πὸ) Ἀμμάθων Ν κδ´ (καὶ) τ[οῖς δούλοις Ν -]
 ἀ(πὸ) Ἀριδδηλων τῆς Γρα[---- Ν -- (καὶ) [τοῖς δούλοις Ν -]
 ἀ(πὸ) Καρκαριας Ν ιε´ (καὶ) [τοῖς δούλοις Ν -]
 ἀ(πὸ) Σοβαείας ὀρίου Ἀριδ(δηλων) [Ν – (καὶ) τοῖς δούλοις Ν -]
 8 ἀ(πὸ) Ῥοβάθας Ν μγ´ (καὶ) τ[οῖς δούλοις Ν -]
 ἀ(πὸ) Ἑλληβάνων Ν λς´ (καὶ) τ[οῖς δούλοις Ν -]
 ἀ(πὸ) Ἀφροῦς Ν κδ´ (καὶ) τ[οῖς δούλοις Ν -]
 ἀ(πὸ) Σιρθας Ν κδ´ (καὶ) το[ῖς δούλοις Ν -]
 12 ἀ(πὸ) Φαινοῦς Ν ιε´ (καὶ) το[ῖς δούλοις Ν -]
 ἀ(πὸ) Μώας Ν ιε´ (καὶ) το[ῖς δούλοις Ν -]
 ἀ(πὸ) Τολοάνων Ν ιε´ (καὶ) το[ῖς δούλοις Ν -]
 ἀ(πὸ) Εἰσειβων Ν ιε´ (καὶ) το[ῖς δούλοις Ν -]
 16 ἀ(πὸ) τοῦ Πραισιδίου Ν ιβ´ (καὶ) τοῖς δούλοις Ν -]
 ἀ(πὸ) Θεομάρων Ν ε´ (καὶ) τοῖς δούλοις Ν -]
 ἀ(πὸ) Αἰναυάθας Ν κ´ (καὶ) τοῖς δούλοις Ν -]

Translation:

From Adroa 65 solidi and to [the servants – solidi]

From Auara 43 solidi and to [the servants – solidi]

From Zadacatha 32 solidi and to [the servants – solidi]

From Ammatha 24 solidi and to [the servants – solidi]

From Ariddela of the Gra[- - - solidi and to the servants – solidi]
 From Cararia 15 solidi and to [the servants – solidi]
 From Sobaeia in the district of Arid(dela) [- solidi and to the servants – solidi]
 From Robatha 43 solidi and to [the servants – solidi]
 From Ellebana 36 solidi and to [the servants – solidi]
 From Afrous 24 solidi and to [the servants – solidi]
 From Sirtha 24 solidi and to [the servants – solidi]
 From Fainous 15 solidi and to [the servants – solidi]
 From Moa 15 solidi and to the [servants – solidi]
 From Toloana 15 solidi and to [the servants – solidi]
 From Eisiba 15 solidi and to [the servants – solidi]
 From the Praesidium 12 solidi and to [the servants – solidi]
 From Thomaron (Thamara?) 5 solidi and to [the servants – solidi]
 From Ainautha 20 solidi and to [the servants – solidi]

Fragment 3

Col. I

| | | |
|------|---------------------------------------|---------------------------------|
| | | (καὶ) τοῖς δούλ(οις) [N -] |
| | | ἀ(πὸ) τοῦ Νέου Κάστρου N -] |
| N β´ | [ἀ(πὸ) --] N κβ´ (καὶ) τοῖς δούλ(οις) | (καὶ) τοῖς δούλ(οις) N α´ |
| | [ἀ(πὸ) --] οπόλεος N ν´ | ἀ(πὸ) [τοῦ Ἰορδάνου N ζ´ |
| | [ἀ(πὸ) B]ητοωροῦς N λ´ | (καὶ) τοῖς] δούλ(οις) N α´ |
| 4 | [ἀ(πὸ) --]ωνα N ιβ´ | ἀ(πὸ) κώ]μ(ης) Ἀδάρων [N -] |
| | [ἀ(πὸ) τῆ]ς Σεβαστῆς N λς´ | ἀ(πὸ) τῶν συν]τε[λ(εστῶν) N [-] |
| | [ἀ(πὸ) ὄ]ρίου ΜωΒηνῶν N η´ | |
| | [ἀ(πὸ) -]αζηας N ιβ´ | |
| 8 | [ἀ(πὸ)] Διοκαιοσαρ(είας) N ξ´ | |
| | [(καὶ)] (ὑπὲρ) τοῦ βικαρίου N ρν´ | |
| | [-----]αιλια N ζ´ | |
| | [--- (καὶ) το]ῖς δούλ(οις) N ζ´ | |
| 12 | [-----] N ρν´ | |
| | [-----] | |
| | [-----] | |
| | [-----] | |

Col. II

ἀ(πὸ) Αβαδ[----- N -]
 (καὶ) (ὑπὲρ) τοῦ β[ικαρίου N -]
 (καὶ) (ὑπὲρ) Βητο[--- N -]
 (καὶ) τοῖς δο[ύλ(οις) N -]
 ἀ(πὸ) Βητοδ[--- N -]
 (καὶ) Γισχαλ[--- N -]
 (καὶ) τοῖς δούλ(οις) [N -]
 ἀ(πὸ) Αειν[--- N -]

Translation:**Col. I**

From [- - -] 22 solidi and to the servants 2 solidi
 [From - -]opolis (Nicopolis? Areopolis?) 50 solidi
 [From B]etorous (Beth Horon?) 30 solidi
 [From - -]ona (Libona?) 12 solidi
 [From] Sebaste 36 solidi
 [From the t]erritory of Moab 8 solidi
 [From -]azea 12 solidi
 [From] Diocaesarea 60 solidi
 [and for] the vicar 150 solidi
 [From - - -]ailia 6 solidi
 [- - - - and to] the servants 6 solidi
 [- - - - - - - - -] 150 solidi
 - - - -

Col. II

From Abad[- - - solidi -]
 and for the v[icar solidi -]
 and from Beto[- - solidi -]
 and to the ser[vants solidi -]
 From Betod[- - solidi -]
 and (from) Gischal[a solidi -]
 and to the servants [solidi -]
 From the New Camp solidi [-]
 and to the servants 1 solidi
 From the [J]ordan 6 solidi
 [and to] the servants 1 solidi
 From the village of Adara
 From the land-tax payers solidi [-]

Fragment 4

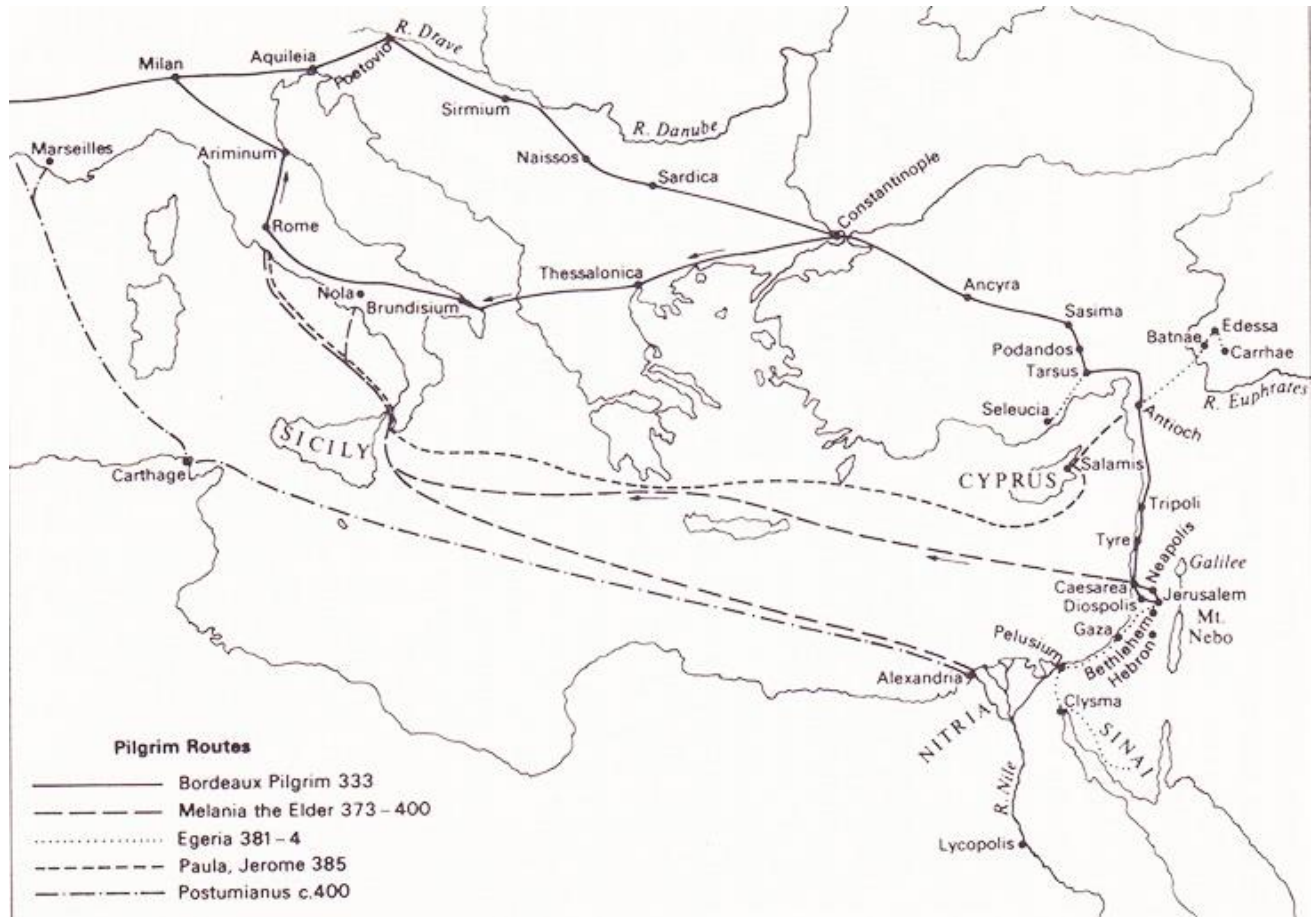
[-----] Σάλτον [-----]
 [---]ρου ἀρχιφύλου του ἱερο[τά]-
 [τ]ου κοινοῦ τῶν ἀρχιφύλων
 4 τοῦ Κωνσταντινιανοῦ Σάλτου
 Παλεστίνης ὁ προβαλλόμενος
 (καὶ) ἀπὸ τῆς Τερεβίνθου ἀπὸ τῶν
 [σ]υντελεστων
 8 ὀρίου Ἀρινδήλων
 τῶν συντελ[εστῶν]
 (καὶ) ἃ δίδουσιν ὁ βικάριος δευτέρ(ας)

ὀρίου Πέτρων

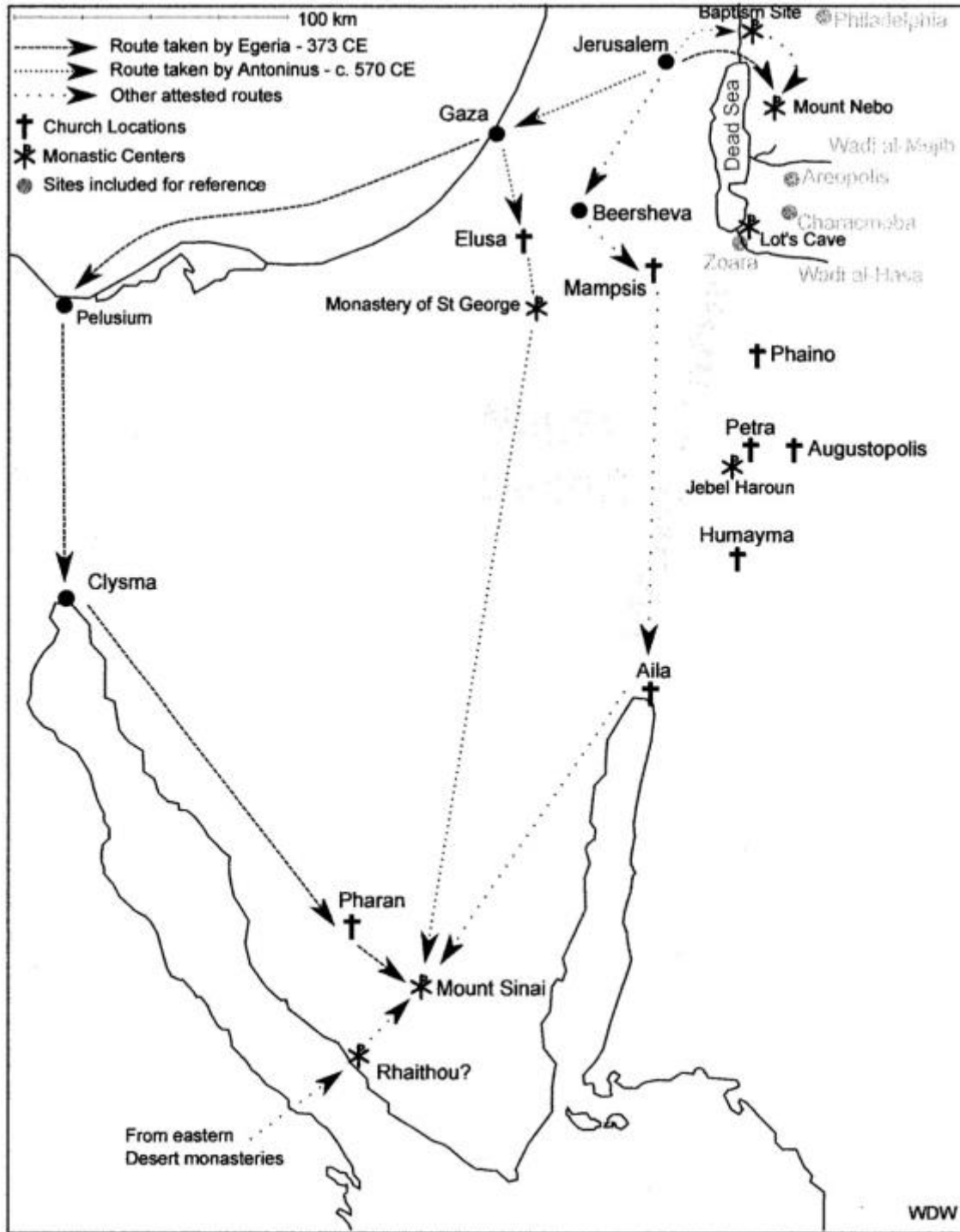
Translation:

- - - Saltus
- - of the head of the most holy
association of the phylarhs
of the Saltus Constantinianus
(who are) land-tax payers;
and what the vicar of Palaestina
Secunda who is appointed gives;
and from the Terebinth from the
land-tax payers,
of the territory of Arindela,
of the territory of Petra - - -

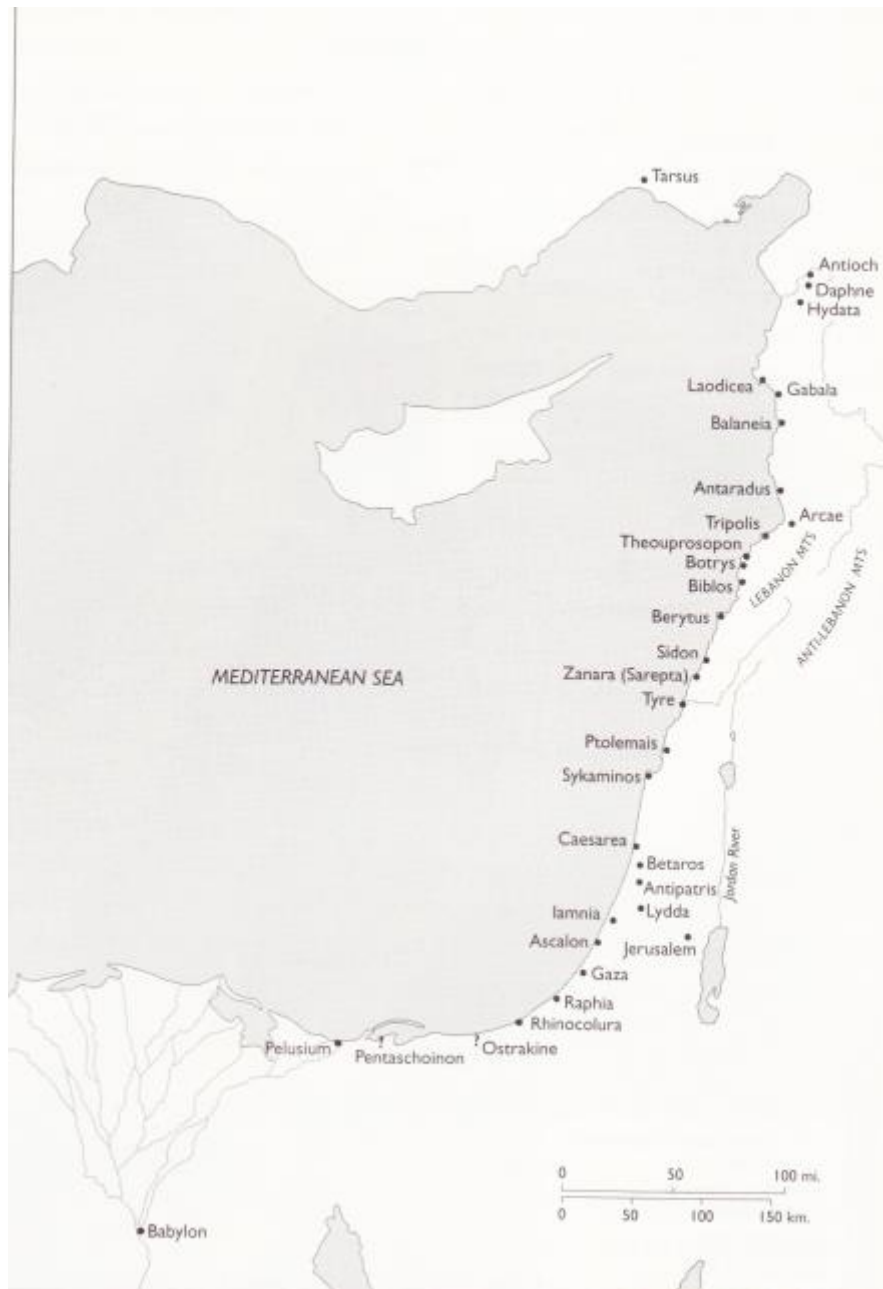
Appendix B: Maps and Tables



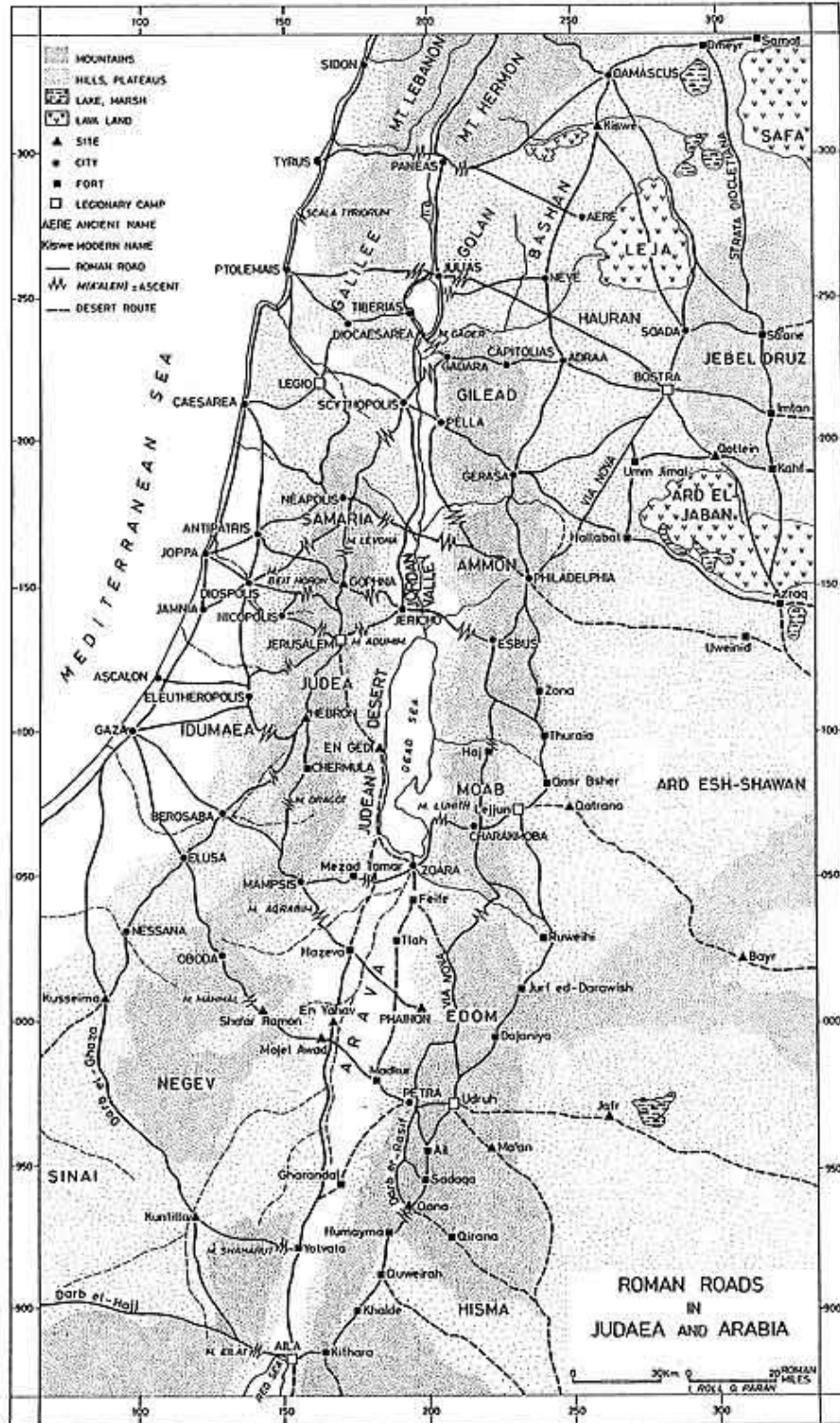
Map 1 Notable Pilgrimage Routes from Edward David Hunt, *Holy Land Pilgrimage in the Later Roman Empire AD 312-460* (Oxford: Clarendon Press, 1982), 52.



Map 2 Notable Pilgrimage Routes in Palestine Tertia from Walter David Ward, *From Provincia Arabia to Palaestina Tertia: The Impact of geography, Economy, and Religion on Sedentary and Nomadic Communities in the later Roman province of Third Palestine* (PhD diss., University of California, 2008), 455.



Map 3 Theophanes' Journey from Antioch to Pelusium from Matthews, John. *The Journey of Theophanes: Travel Business, and Daily Life in the Roman East* (New Haven: Yale University Press, 2006), 58.



Map 4 Roman Roads in Judaea and Arabia from Roll, Israel. "The Roads in Roman-Byzantine Palaestina and Arabia." In *The Madaba Map Centenary, 1897-1997: Travelling Through the Byzantine Umayyid Period*, edited by Michele Piccirillo and Eugenio Alliata. Jerusalem: Studium Biblicum Franciscanum, 1999: 110.

Table 1 Beersheba Edict Toponyms on Itineraries

| Toponym (Modern Name) | Madaba Map | Peutinger Table | Itinerarium Antonini Placentini |
|---|------------|-----------------|---------------------------------|
| Sykomazon (Khirbet Suq Mazen) | ✓ | | |
| Mampsis (Kurnub) | ✓ | | ✓ |
| Orda (Khirbet `Irq?) | ✓ | | |
| Menois (Khirbet al-Main) | ✓ | | |
| Asoa (Khirbet Sawa) | | | |
| Primos(?) | | | |
| Zoara | ✓ | | |
| Elusa (al-Khalasa) | ✓ | ✓ | ✓ |
| Asuada | | | |
| | | | |
| Adroa (Udruh) | | | |
| Auara (al-Humayma) | | ✓ | |
| Zadacatha (Rujm es-Sadawa) | | ✓ | |
| Ammatha (Ma`an) | | | |
| Ariddela of the Gra--- (Ayn Gharandal) | | | |
| Carcaria (es-Sabra) | | | |
| Sobaeia in the district of Arid(dela) | | | |
| Robatha (Ruwath) | | | |
| Ellebana | | | |
| Afrous | | | |
| Sirtha | | | |
| Fainous (Khirbet Faynan) | | | |
| Moa (Khirbet Maiyat `Awad) | ✓ | | |
| Toloana (Qasr el-Telah) | | | |
| Eisiba | | | |
| Praesidium (Qasr el-Fayfa) | ✓ | ✓ | |
| Thomaron (Thamara?) (En Hazeva) | ✓ | ✓ | |
| Ain Autha | | | |
| | | | |
| [---]opolis (Areopolis?) (Qasr Ar Rabbah) | | ✓ | |
| [B]etorous (el-Lejjun) | | ✓ | |
| [--]ona (Libona? Dibon?) (Khirbet Libb? Dibon?) | | | |
| Sebaste | | | |
| The Territory of Moab | | | |
| [-]azea (Zia?) | | | |

| | | | |
|--|----|--|--|
| Diocasesarea (Diocaesarea) | | | |
| [---]ailia | | | |
| Notation of 150 N | | | |
| Abad[---] | | | |
| Beto[--] | | | |
| Betod[--] (Beth Dagon?) | ✓? | | |
| Gischal[a] (Gush Halav) | | | |
| Ain[---] | | | |
| The New Camp (Umm er-Rasas?) | | | |
| The Jordan | | | |
| The Village of Adara (Khirbet el-Adir) | | | |

Table 2 Beersheba Edict Payments

| Toponym (Modern Name) | Fragment | Total Amount (Solidi) | To The Servants (Solidi) | To the Vicarius (Solidi) | Province | Archaeological Evidence for Xenodochia | Textual Evidence for Xenodochia | Archaeological Report/ Secondary Source |
|-------------------------------|----------|-----------------------|--------------------------|--------------------------|----------|--|---|---|
| Sykomazon (Khirbet Suq Mazen) | One | 5 | 0 | 0 | Prima | No | No | Tsafrir <i>TIR</i> 1994 |
| Mampsis (Kurnub) | One | 60 | 4 | 0 | Tertia | No | No | Negev <i>IEJ</i> 1967 |
| Orda (Khirbet `Irq?) | One | 60 | 4 | 50 | Prima | No | No | Tsafrir <i>TIR</i> 1994 |
| Menois (Khirbet al-Main) | One | 40 | 3 | 0 | Prima | No | No | Tsafrir <i>TIR</i> 1994 |
| ? | One | 30 | 3 | 0 | ? | | | |
| ? | One | 20 | 3 | 0 | ? | | | |
| Asoa (Khirbet Sawa?) | One | 18 | 0 | 0 | ? | ? | No | Tsafrir <i>TIR</i> 1994? |
| Primos(?) | One | 18 | 0 | 0 | ? | ? | No | |
| Zoara (Zoara) | One | 150 | 4 | ? | Tertia | No | No | Jones <i>ADAJ</i> 2000 |
| Elusa (al Khalasa) | One | ? | 0 | 0 | Tertia | Yes? | Yes; <i>Itenerarium Antonini Placentini</i> 35 | Tsafrir <i>TIR</i> 1994 |
| Asuada | One | 30 | ? | 0 | ? | ? | No | |
| | | | | | | | | |
| Adroa (Udruh) | Two | 65 | ? | 0 | Tertia | No | No | Killick <i>ADAJ</i> 1983 |
| Auara (al-Humayma) | Two | 43 | ? | 0 | Tertia | Yes? | No | Oleson <i>ADAJ</i> 2008 |
| Zadacatha (Rujm es-Sadaqa) | Two | 32 | ? | 0 | Tertia | No | No | MacDonald <i>ADAJ</i> 2005 |
| Ammatha (Ma`an) | Two | 24 | ? | 0 | Tertia | No | No | Genequand <i>ADAJ</i> 2003 |

| | | | | | | | | |
|---|-------|----|---|---|---------|----|----|-----------------------------------|
| Ariddela of the Gra--- (Ayn Gharandal) | Two | ? | ? | 0 | Tertia | No | No | Darby <i>ADAJ</i> 2010 |
| Cararia | Two | 15 | ? | 0 | Tertia | No | No | Lindner <i>Syria</i> 1993 |
| Sobaeia in the district of Arid(dela) | Two | ? | ? | 0 | Tertia | ? | ? | |
| Robatha (Ruwath) | Two | 43 | ? | 0 | Tertia | No | No | Walmsey & Barnes <i>ADAJ</i> 2002 |
| Ellebana | Two | 36 | ? | 0 | Tertia | ? | No | |
| Afrous | Two | 24 | ? | 0 | Tertia | ? | No | |
| Sirtha | Two | 24 | ? | 0 | Tertia | ? | No | |
| Fainous (Khirbet Faynan) | Two | 15 | ? | 0 | Tertia | No | No | Mattingly <i>CBRL</i> 2007 |
| Moa (Khirbet Maiyat `Awad) | Two | 15 | ? | 0 | Tertia | No | No | Tsafirir <i>TIR</i> 1994 |
| Toloana (Qasr el-Telah) | Two | 15 | ? | 0 | Tertia | No | No | MacDonald <i>SAM</i> 1992 |
| Eisiba | Two | 15 | ? | 0 | Tertia | ? | No | |
| Praesidium (Qasr el-Fayfa) | Two | 12 | ? | 0 | Tertia | No | No | Macdonald <i>SAM</i> 1992 |
| Thomaron (Thamara?) (En Hazeva) | Two | 5 | ? | 0 | Tertia | No | No | Tsafirir <i>TIR</i> 1994 |
| Ain Autha | Two | 20 | ? | 0 | Tertia | ? | No | |
| | | | | | | | | |
| ? | Three | 22 | 2 | 0 | | | | |
| [---]opolis (Areopolis?) (Qasr Ar Rabbah) | Three | 50 | 0 | 0 | Tertia? | No | No | Gysens <i>East and West</i> 2008 |
| [B]etorous (el-Lejjun) | Three | 30 | 0 | 0 | Tertia | No | No | Parker <i>Dumbarton Oaks</i> 2006 |

| | | | | | | | | |
|---|-------|----|---|-----|----------|----|----|--------------------------------------|
| [--]ona (Libona? Dibon?) (Khirbet Libb? Dibon?) | Three | 12 | 0 | 0 | ? | No | No | Glueck <i>AASOR</i> 1934 |
| Sebaste | Three | 36 | 0 | 0 | ? | ? | No | |
| The Territory of Moab | Three | 8 | 0 | 0 | ? | ? | No | |
| [-]azea (Zia?) | Three | 12 | 0 | 0 | Secunda? | ? | No | |
| Diocasesarea (Diocaesarea) | Three | 60 | 0 | 150 | Secunda | No | No | Weiss <i>JRA</i> 2010 |
| [---]ailia | Three | 6 | 6 | ? | ? | ? | ? | |
| Notation of 150 N | | | | | | | | |
| Abad[---] | Three | ? | 0 | ? | ? | ? | ? | |
| Beto[--] | Three | ? | ? | 0 | ? | ? | ? | |
| Betod[--] (Beth Dagon?) | Three | ? | ? | 0 | Prima? | ? | ? | |
| Gischal[a] (Gush Halav) | Three | ? | ? | 0 | Secunda | No | No | Meyers & Strange Eisenbrauns 1990 |
| Ain[---] | Three | ? | ? | 0 | ? | ? | No | |
| The New Camp (Umm Er-Rasas?) | Three | ? | 1 | 0 | ? | No | No | Piccirillo & Alliata 1994 |
| The Jordan | Three | 6 | 6 | 1 | Tertia | No | No | |
| The Village of Adara | Three | ? | 0 | 0 | Tertia | No | No | Cleveland <i>AASOR</i> 1960 |