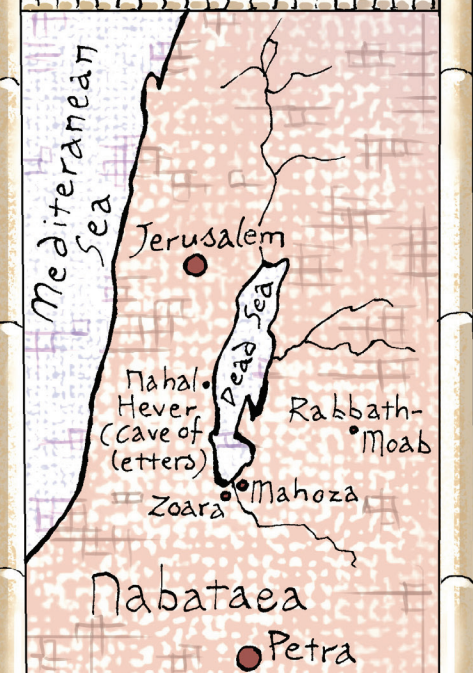
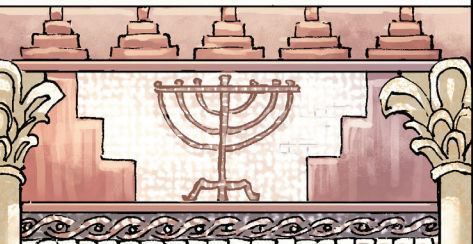


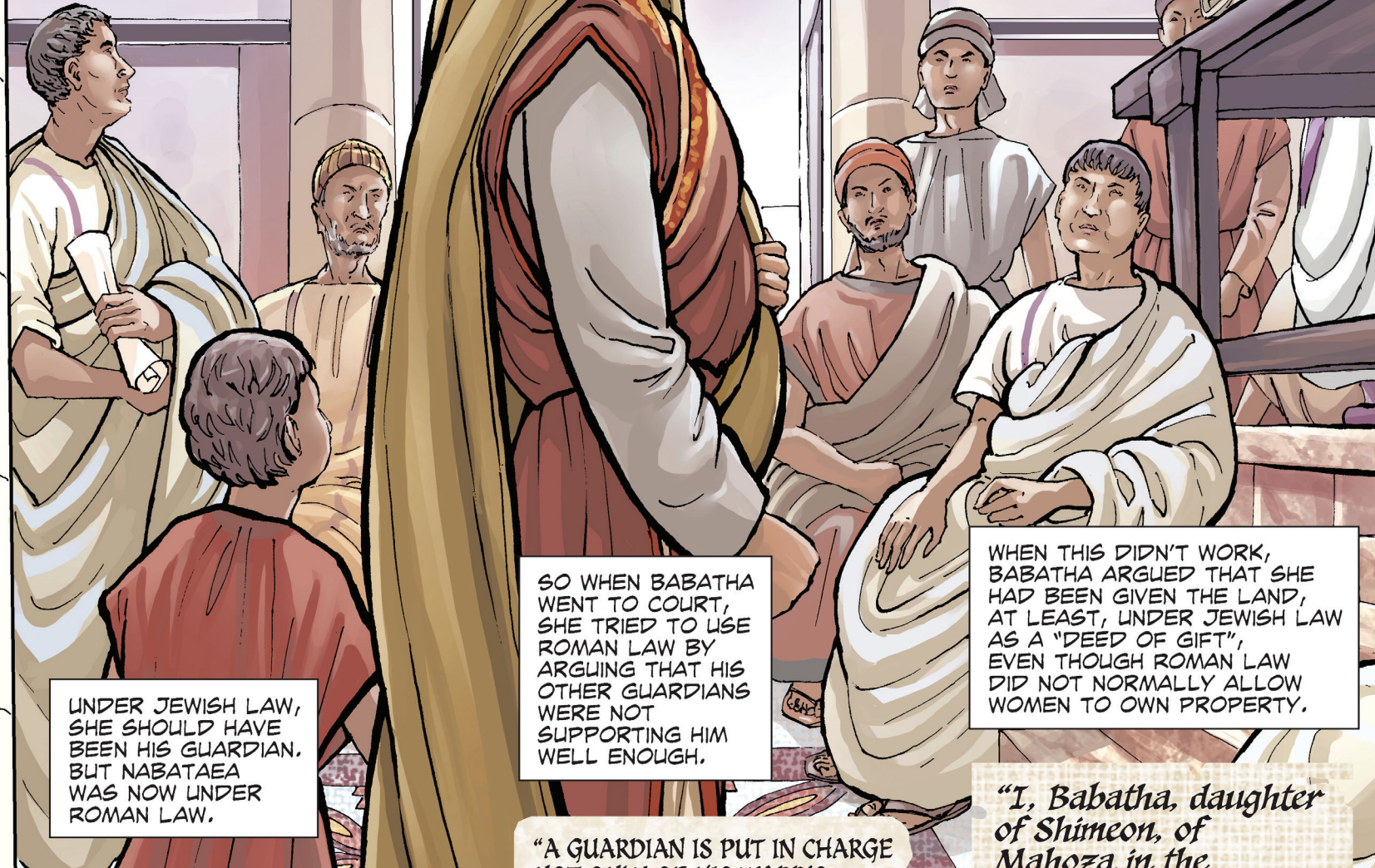
Babatha

"EMPIRE", "STATE", "RELIGION". THESE ARE BIG CONCEPTS. BUT HOW DID THEY REALLY IMPACT PEOPLE'S LIVES? THE STORY OF THE COURT CASES OF BABATHA, A SECOND CENTURY CE JEWISH WOMAN DISCOVERED BY ARCHAEOLOGIST YIGAL YADIN IN 1960, CAN GIVE US SOME INSIGHT INTO THESE QUESTIONS.



BABATHA WAS BORN IN 104 CE IN THE KINGDOM OF NABATAEA. WHEN SHE WAS TWO YEARS OLD, THE KINGDOM WAS CONQUERED AND BECAME PART OF THE ROMAN EMPIRE.

SHE MARRIED IN 120 CE, AND HAD A SON, BUT HER HUSBAND DIED FOUR YEARS LATER. UNDER ROMAN LAW, SHE LOST CUSTODY OF HER SON AND MUCH OF HER PROPERTY. IN FIGHTING TO RECLAIM BOTH, SHE USED ALL OF THE TOOLS SHE HAD AVAILABLE TO HER.



UNDER JEWISH LAW, SHE SHOULD HAVE BEEN HIS GUARDIAN. BUT NABATAEA WAS NOW UNDER ROMAN LAW.

"If a man dies leaving a son, and the mother says: 'let him be brought up by me' and the heirs say: 'let him be brought up by us,' then the son may not be brought up by those who are entitled to be his heirs" (Ket. II.4) - JEWISH LAW

SO WHEN BABATHA WENT TO COURT, SHE TRIED TO USE ROMAN LAW BY ARGUING THAT HIS OTHER GUARDIANS WERE NOT SUPPORTING HIM WELL ENOUGH.

"A GUARDIAN IS PUT IN CHARGE NOT ONLY OF HIS WARD'S PROPERTY, BUT ALSO OF HIS CONDUCT AND CHARACTER. [AND THUS] SHOULD NOT ASSIGN THE LOWEST POSSIBLE WAGES TO THE TEACHERS, BUT [PAY THEM] IN ACCORDANCE WITH THE RESOURCES OF THE INHERITANCE AND THE RANK OF THE FAMILY." - ROMAN LAW

WHEN THIS DIDN'T WORK, BABATHA ARGUED THAT SHE HAD BEEN GIVEN THE LAND, AT LEAST, UNDER JEWISH LAW AS A "DEED OF GIFT", EVEN THOUGH ROMAN LAW DID NOT NORMALLY ALLOW WOMEN TO OWN PROPERTY.

"I, Babatha, daughter of Shimeon, of Mahoza in the Zoarene district of Petra, domiciled in my own private property in the said Mahoza, register [to the census] what I possess." - BABATHA'S LEGAL CLAIM

Author- Lindsay Chrisman
Artist- Liz Clarke

THIS CLAIM WAS SUCCESSFUL, AND BABATHA GOT HER LAND BACK. SHE MANAGED TO KEEP IT. IN FACT, HER SECOND HUSBAND HAD TO BORROW MONEY FROM HER YEARS LATER.



SHE EVENTUALLY PERISHED DURING A PERIOD OF REVOLT AGAINST ROMAN RULE, BUT SHE KEPT THESE LEGAL DOCUMENTS WITH HER UNTIL HER DEATH, AND THEY SURVIVED TO TELL US ABOUT HER LIFE.

BABATHA