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AN AFTERTHOUGHT ON THE NAMES FLAVIUS AND AURELIUS

It has been ten years since publication in *ZPE* (11 [1973] 33-63; 13 [1974] 283-304) of the long article on "The Names Flavius and Aurelius as Status Designations in Later Roman Egypt." During the past decade, papyrological colleagues seem to have approved, by word and in print, the article's theses; at the same time they have been kind enough not to throw too glaring a light on the occasional anomaly¹⁾ that requires attention or the occasional modification in detail²⁾ that must be made. The general system by which the name Flavius was restricted to definite categories of Egypt's population, with the name Aurelius being available for the rest, remains clear enough. Yet a further illustration of the system's uniformity is offered by a small gathering of references which, when brought to bear so as to exploit an angle not taken up in the earlier article, tends to show how deeply ingrained the Flavius-Aurelius pattern was in Byzantine Egyptian notarial and bureaucratic practice.³⁾ The references, in chronological order, are:

1. *P.Oxy.* XVII 2124 (316). Three ἀπαιτηταὶ σίτου address a document to the *praepositus* of the 8th pagus of the Oxyrhynchite nome. They nominate their successors, giving their successors' names in lines 12-17, which are printed as follows:

π[ρ]ὸς τὴν χρεῖαν. εἰσὶ δὲ {Αὐ[ρ]ήλιου}
 Ἀυρήλιου
 Θε[.]...ς [Δ]ι[ο]γάτος,
 15 [...]. Διονυσίου,
 Ἀ(ὔρηλιος) Ἡρακλειῶς Πεκωσῦτος προγεγῶρα (μῆνος),
 [ἄ]πὸ τῆς αὐτῆς κώμης.

Of interest is that one of the current *apaitetai* will continue his service; but perhaps of greater interest is the way in which the names of the nominees are aligned. For it appears that the scribe first intended to run the names directly into his text without any special offsetting or arrangement. He then

1) Anomalies: e.g., Konon the *pragmateutes*, Flavius in *P.Cair.Masp.* II 67161 (28 Sept. 566), Aurelius in *P.Lond.* V 1707 (5 Oct. 566); cf. L.S.B. MacCoull, *ZPE* 25 (1977) 157.

2) Modifications: especially those touching upon the name Valerius and its application to fourth-century Oxyrhynchite *logistai*; see *P.Oxy.* XLIII 3125 and line 2 note; XLV 3256 and line 1 note; XLVI 3306 intro., line 1 note (cf. *ZPE* 13 [1974] 297) and fn. 1; 3308-3311 intro., relevant texts and notes.

3) These references were to be introduced for the first time in an article, "Egyptian Society in Late Antiquity," *ANRW* (forthcoming); but since that manuscript is already approaching five years of age and not likely to appear for some time to come, it seems worthwhile to present the references here, separate from and in greater detail than in the *ANRW* manuscript.

changed his mind, perhaps tried to rub out Αὐρήλιοι at the end of line 12;⁴⁾ then restored it, placing it by itself in the middle of line 13. Each nominee's name then was accorded its own line in the form of a short inserted list.

If this rearrangement was merely a matter of scribal aestheticism, it is of no pertinence to the Flavius-Aurelius system. If, however, the rearrangement was introduced so that space could be left for a later insertion of the nominee's names (which were not as yet decided upon), then it is significant.⁵⁾ What it signifies of course is that the scribe, without knowing the identities of the nominees, felt confident in his knowledge that in his day and in his district ἀπαιτηταὶ σίτου would all carry the name Aurelius.

2. *P.Oxy.* I 85 (338), republished in full by Revel Coles in *ZPE* 39 (1980) 115-23. The text is a series of price declarations made by various Oxyrhynchite "guilds" through their respective representatives to the *logistes* Flavius Eusebius. It is, in Coles' words, "a superb example of ancient bureaucratic form-filling." The forms were drawn up in advance; the requisite blanks were filled in later on. Among the blanks left on the forms were those for the names of the guild representatives. In cols. i-iv these were filled in, but not so in cols. v-vi (see lines 107-08 and 121). What these lines make clear is that, even where the personal names of the guild representatives were not yet established, the drafter of the forms presumed the individuals in question would carry the status designation Aurelius, as would of course befit the kinds of craftsmen concerned in *P.Oxy.* I 85 - bronze joiners, bakers and beer sellers (names filled in), oil-sellers and beekeepers (names not entered); cf. *ZPE* 11 (1973) 51-56.

3. *P.Lond.* III 1245, p.228 (357). Three Hermopolite *bouleutai* acknowledge having received 4,000 *xestai* of common wine for soldiers stationed in their district. The details of the receipt, to the extent that the papyrus' condition and preservation allow judgment,⁶⁾ are complete and in order, with one exception: the name of the dealer to whom receipt is acknowledged is missing. Line 4 begins with Αὐρηλίφ, but the rest is blank. If the wine-dealer's name was for some reason in doubt, his likely status designation was not.⁷⁾

4. *P.Oxy.* VI 904 (5th century). This is a petition to an unnamed provincial

4) Should [Αὐ[ρ]ήλιοι] be printed instead of {Αὐ[ρ]ήλιοι}? In other words Aurelii in line 12 was not left in by mistake; rather, the scribe deliberately rubbed it out, leaving (as usual) traces of what he had first written. That is perhaps why the word is so damaged.

5) Unfortunately, the papyrus is lost (see R.A. Coles, *Location-List* [London 1974] 39). - Further support for an hypothesis of incertitude: 1) the papyrus bears no month-and-day notation; 2) the name in line 16 has evidently replaced one that was washed out (see note *ad loc.*); 3) this name is that of one of the incumbents and this in turn may hint at despair at locating a third new qualified liturgist.

6) Month and day are not preserved, but may have been entered in lines 14-15 (now lost).

7) For Aurelii and Egyptian wine occupations in later centuries, see *ZPE* 11 (1973) 53 and n. 88.

governor from a man who had been appointed to the liturgy of *riparius*, but had not been receiving the promised support needed to carry out that office. He blames Philoxenus the *magistranus* for his troubles. But for line 1, only the body of the petition survives; it begins (line 2) with a typical petitionary proem (cf. *ZPE* 29 [1978] 197). Above line 2 has been written:

Παρά Φλ.⁸⁾

The editors expand the abbreviation to Φλ(αουίου) and take this as the plaintiff's personal name. It is preferable, however, since the name is, as so often, abbreviated, to take it instead as the status designation Flavius, and to assume that the man's personal name was simply not added, thus making an already anonymous text even more mysterious. That the plaintiff, as a *riparius*, would by this time more likely be a Flavius than an Aurelius is suggested by the examples collected in *ZPE* 13 (1974) 292-93.

5. *SB* I 5941, front side (510).⁹⁾ This unusual wooden tablet contains formula-like reference to two, probably fictional contracting parties in the first six lines and a dating clause in the seventh. The text printed in *SB* is:

[Φ]λαυ[φ [τῷδε] τῷ εὐλογιωτάτῳ γραμματικῷ
καὶ παιδευτῇ Ἑλληνικῶν λόγων ἐλευθερίων
παρὰ Αὐρηλίου τοῦδε πραγματευτοῦ ὄθονιακοῦ
4 υἱοῦ τοῦδε τοῦ τῆς ἀρίστης μνήμης ὀρωμένου
ἀπὸ τῆς Καισαρείων μητροπόλεως
ἐπαρχείας ρ.
Μετὰ τὴν ὑπατείαν Φλ(αουίου) Ὀπορτοῦνου τοῦ λαμπροτάτου, θῶθ
κδ, γ Ἰνδ(ικτίωνος).

Paradoxical are the amount of detail given to some items and the formulaic lack of specificity given to others. Unusual in their specificity, given the general set-up of this text, are:

1. the elaboration of the titulature of the γραμματικός;
2. the description of the πραγματευτής as ὄθονιακός;
3. the precise, albeit irreconcilable, dating line.¹⁰⁾

Formulaically anonymous are:

1. the personal names of the two contracting parties;
2. the patronymic of the second party;
3. the city of origin of the second party;¹¹⁾
4. the province (ἐπαρχία) of which the above city was metropolis.

8) The printed transcript of the edition suggests, at most, that παρά Φλ' may have been centered on the papyrus, at least, that it did not begin at the lefthand margin, but substantially further in.

9) For the date: Worp, *ZPE* 26 (1977) 273 n. 21.

10) Bagnall and Worp, *The Chronological Systems of Byzantine Egypt*, p.65.

11) I am inclined to take Καισαρείων, not as referring to a real city, that is, to any identifiable Caesarea, but as standing for a "pretend" city.

Of interest is that the more dignified party, the first, the γραμματικὸς, is given the status designation Flavius; the πραγματευτής is styled Aurelius.¹²⁾

6. *SB I 5941*, reverse side (see preceding item). This is a partial model text concerning an arbitration apparently (perhaps fictionally) stemming from contention over the sale of a house. The "purchasers" are:

Φλάβιον τόνδε καὶ τήνδε τὴν γαμετὴν σου.

Though the reference is worth listing here, not much can be made of it for present purposes. Possibly of interest is that the formulaic husband is accorded the name Flavius, his wife is not.

7. *P.Antin. II 97* (6th century). This is an official declaration submitted by a man who was serving as pagarch. Only the lefthand side survives. "Blank spaces for the name of the writer (line 1) and for the dates (line 7) show that the document is a draft."¹³⁾ Line 1 is printed (though with a different accent):

†(?) Φλ(άουλος) (blank) [.

It seems strange, however (despite the remarks on *P.Oxy. VI 904* above),¹⁴⁾ that the declarant should leave out his own name even in a draft. Likelier, I think, is that the abbreviation should be resolved in the dative and that the missing name (or names)¹⁵⁾ and titles are those of the official being addressed. In either case, the designation Flavius is appropriate. For pagarchs uniformly had the name Flavius (*ZPE 11* [1973] 57 and n.104), as did officials higher up on the bureaucratic ladder (*ZPE 11* [1973] 56ff.).

8. *P.Mich. XIII 669* (514 or 529). This is a contract of loan drawn up in a first hand, lines 1-18. The three debtors then sign their acknowledgements in lines 18-23. A fifth hand, still in line 23, then begins:

Ϝ Αὐρήλ[ιος.

There are not only no further traces of writing in line 23; there are no further traces of writing at all on the papyrus, despite a 7.5 cm. free space at the bottom. The editor (line 23 note) suggests Aurelius may start the name of "the notary in whose office this security was drawn up" or the name of a witness. The editor appears (correctly) to rule out the first alternative and perhaps (as he should) to lean toward the second.¹⁶⁾ Even so, the situation remains odd: contracts of this type normally had more than one witness; and

12) Cf. Konon the *pragmateutes*, above, n.1.

13) Editorial description. The dates were subsequently inserted above line 7; the name was never filled in.

14) Unless the queried cross in the Antinoopolis papyrus should be treated as π(α(ρά?)).

15) If the official being addressed was, e.g., the *dux Thebaidos*, it may well be that a string of names was to have been supplied. Cf. *P.Cair.Masp. III 67279.1-2*: three of the duke's names are written, blanks are left for supplying the rest.

16) Since the last debtor-signer, Apollos son of Dioscorus, could write for himself (e.g. *P.Mich. XIII 659.305-07*) and for others (e.g. *P.Cair.Masp. III 67300.20-21*), there is no need to consider that Aurelius might begin the name of one who writes in behalf of an illiterate contracting party.

even if this contract had only one witness, a twenty-fourth line would have been needed to complete his name and statement of attestation. Also unusual is that the contract does not start with formal dating *prescript* at the top; instead the text launches immediately into the epithet and name (or names) of the creditor. The mystery of the abrupt termination of *P.Mich.* 669 may therefore, I submit, be solved by considering the text to have been a draft document that may have been the basis for a notarial redrafting, but was never itself completed at top (where space would have been insufficient unless part of the upper margin has been broken off) and at bottom (where space was plentiful). Aurelius in line 23 was to mark the beginning of the name of a witness whose identity may not yet have been established. Given the generally "Aureliate" composition of Aphrodito society (cf. V.A. Girgis, *Prosopografia e Aphroditopolis* [Berlin 1938] *passim*), the notion that the witness when found would, at the village level, more likely be an Aurelius than a Flavius is understandable. Flavii in the Aphrodito papyri tend by and large to be outsiders (cf. Girgis, *op. cit.*, the cluster of examples in *P.Cair.Masp.* III 67327). If the witness, as frequently, turned out to be an ecclesiastical figure, an adjustment would have been needed. Generally, clerics went without using either Aurelius or Flavius in their nomenclatures.

9. *APF* 2, 1903, 183 (7th century, Arab period). The text, printed by Wilcken, is:

+ Φλάυιος Ἰωάννης σὺν θ(εῶ) συγγουλάριος τῆς κατὰ Θηβαίδα
 ἡγεμονικῆς τάξεως υἱὸς τοῦ τῆς θεοφιλοῦς μνήμης Ἀνουβίλωνος
 ἀπὸ ταύτης τῆς Ἀντινοέων πόλεως + Αὐρηλίῳ τῶδε υἱῶ
 τοῦδε γεωργῶ ὀρωμένῳ σὺν θ(εῶ) ἀπὸ κώμης τῆσδε τοῦ Ἐρμουπολίτου
 5 νομοῦ, τὰ νῦν δὲ διαγόντι ἑνταῦθα ἐπὶ τῆς αὐτῆς Ἀντινοέων πόλεως
 χαίρειν. [Ἄ]ομ[ολ]ογῶ ἐγὼ ὁ δεῖνα γεωργὸς ἐκουσίως καὶ αὐθαίρετως
 μεμισθῶ[σ]θ[αι] παρ' [ὑ]μῶν ἐπὶ δεκαετῆ χρόνον λογιζόμενον
 ἀπὸ καρπῶν [τῆς σὺν] θεῶ εἰσειούσης τετάρτης [νδ(ικτίωνος)] καὶ αὐτῆς
 τὸ διαφέρον [ὑ]μῶν γ[ε]ωργ[ον] δόκλῆρον ἀρουρῶν ὄσων ἐστίν.

The text, because of its inclusion of details, is not strictly a formulary, much less a notarial formulary. It does not even look as if it could have served as a model for leases generally issued by the lessor it names, Flavius John, *singularis* of the praesidial *officium* of the lower Thebaid,¹⁷⁾ unless John was involved all at once in issuing a number of leases for ten-year terms to different tenant farmers from different Hermopolite villages, temporarily resident in Antinopolis.¹⁸⁾ Details left indefinite in the lessee's identifica-

17) As a *singularis* he is aptly labeled as Flavius; cf. *ZPE* 11 (1973) 58-59. The text, by the way, is grammatically askew. John's name and title should be in the dative, his lessee's descriptives in the nominative.

18) Concrete examples of Hermopolite dwellers in Antinopolis in the Byzantine period in: *P.Berl.* Zill. 6 (*scriniarius* of the ducal *officium*); *P.Stras.* III 317 (farmer); *P.Cair.Masp.* II 67155 (date seller) and 67164 (vegetable seller); and *P.Hamb.* I 23 (vinedressers).

tion are:

1. personal name, τῷδε, line 3;¹⁹⁾
2. patronymic, τοῦδε, line 4;
3. Hermopolite village of origin, τῆσδε, line 4.

It is the number of these details, especially the pivotal nature of the first, and the fact that blanks have not been left for their later supplementation²⁰⁾ that indicate that this piece was not intended itself to be filled out into valid contractual format. Of significance for the Flavius-Aurelius pattern of course is the anticipation that the anonymous or notional tenant farmer would have to be an Aurelius, cf. *ZPE* 11 (1973) 55 and n.96.²¹⁾

What the above nine examples suggest, in brief, is the predictability of the Flavius-Aurelius system in the mind of the Byzantine Egyptian scribe. It was possible to conjecture a man's status designation, Flavius or Aurelius, from his position in the community, real or notional, or from his function in a given situation or transaction, and to draft one's documents accordingly.

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19) Cf. ὁ δεῖνα, line 6. For use of such "fillers" in Byzantine formularies, see *P.Lond.* I 113.2 (pp. 203-07), cf. *SB* I 5941, 6000.

20) The usual Byzantine practice when a significant, but not crucial detail was lacking and its supplementation was anticipated. Cf. *P.Oxy.* VII 1042.17 (blank for patronymic), *P. Stras.* II 190.6-7 (blanks for patronymics), *P.Cair.Masp.* III 67328 II.3 (blank for matronymic).

21) This text also conforms to the pattern whereby, when Flavii and Aurelii engage in lease contracts, the former are the lessors, the latter the lessees: *ZPE* 13 (1974) 286-88; and to the pattern whereby, in leases, citizens (*politai*) are lessors to villager-lessees: Keenan, *Proc. XVI Congress of Pap.*, *ASP* 23 (Chico 1981) 479-85.