



**Emotional Strategies in Petitions of Dioscorus of
Aphroditê**

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Abstract: Early in the 20th century, a fortunate discovery of a bulk papyri at Aphroditês kôme, modern Kôm Ishgâu in Upper Egypt, brought several hundred documentary and some dozens of literary texts to the attention of scholars, which once were the papers of a certain Dioscorus, son of Apollôs. Dioscorus lived in the age of Justinian. From the dates of the documents it may be inferred that he was born around 520 AD. Soon after 575 AD we lose his traces. He spoke and wrote Coptic as well as Greek and was one of the well-to-do landowners (*ktêtôres*) of his village. As a man of certain social standing and education, Dioscorus took over responsibilities for the affairs of his village and upon the death of his father Apollôs in 545 AD followed him as one of the foremen (*prôtokômêtai*) of Aphroditês kôme (or Aphroditê, as it was called in shortened form). In this capacity, Dioscorus addressed several petitions to various authorities of the Eastern Roman Empire. In those documents he frequently refers to emotions to support his arguments. The following study will try to figure out, which are the emotional motives and patterns, how and where he uses them, and if he uses these ‘emotional strategies’ intentionally.

Early in the 20th century, a fortunate discovery of a bulk papyri at Aphroditês kômê, modern Kôm Ishgâu in Upper Egypt, brought several hundred documentary and some dozens of literary texts to the attention of scholars, which once were the papers of a certain Dioscorus, son of Apollôs¹. Disocorus lived in the age of Justinian. From the dates of the documents it may be inferred that he was born around 520 AD. Soon after 575 AD we lose his traces. He spoke and wrote Coptic as well as Greek and was one of the well-to-do landowners (*ktêtôres*) of his village. As a man of certain social standing and education, Dioscorus took over responsibilities for the affairs of his village and upon the death of his father Apollôs in 545 AD followed him as one of the foremen (*prôtokômêtai* of Aphroditês kômê (or Aphroditê, as it was called in shortened form)². In this capacity, Dioscorus addressed several petitions to various authorities of the Eastern Roman Empire. In those documents he frequently refers to emotions to support his arguments. The following study will try to figure out, which are the emotional motives and patterns, how and where he uses them, and if he uses these ‘emotional strategies’ intentionally.

Dioscorus’ petitions in their historical context

The papyri of his ‘archive’ contain on the one hand literary and semi-literary books (*Ilias*, *Scholia maiora in Iliadem*, a table of conjugation) once belonging to Disocorus and 51 literary texts composed by Disocorus himself, on the other hand some 400 documents (contracts, petitions, official correspondence, receipts and accounts) concerning his private property, various activities he was involved in as a *prôtokômêtês*, and documents he wrote with his own hand or dictated in his capacity as a lawyer (*nomikos*)³. His literary oeuvre comprises flattering *encomia* for official occasions like the *adventus* of a new governor in the province Thebais, *epithalamia* for wedding ceremonies of members of the provincial elite (including governors), and lengthy petitions in metrical form which usually start with a

Quotations of the papyrological editions, series and journals follow the abbreviation suggested by J. F. Oates, R. S. Bagnall, S. J. Clackson, A. A. O’Brien, J. D. Sosin, T. G. Wilfong, K. A. Worp, *Checklist of Editions of Greek, Latin, Demotic, and Coptic Papyri, Ostraca and Tablets*, Atlanta 2001 (BASP Suppl. 9). An updated electronic version of the Checklist is available at:

<http://library.duke.edu/rubenstein/scriptorium/papyrus/texts/clist.html>

¹ On the circumstances of the discovery, cf. J.-L. FOURNET, in: FOURNET – MAGDELAINE 2008, p. 7–8. Fournet also provides a list of text from Byzantine Aphroditê (p. 305–343), which belong to a large extent to the archive of Dioscorus.

² Texts explicitly mentioning Dioscorus are collected in RUFFINI 2011, p. 159–167, s.v. Dioskoros 3. Disocorus’ course of life is reconstructed by s. MACCOULL 1988, p. 5–15; KUEHN 1995, p. 52–76 and GAGOS & VAN MINNEN 1994, p. 1–48.

³ Significant progress in understanding the documents and interpreting the events as they emerge from the papyri have been made by FOURNET 1999, p. 317–343, ZUCKERMAN 2004, p. 75–92. Various aspects of Dioscorus’ activities are highlighted in the series of articles in FOURNET – MAGDELAINE 2008.

prooemium praising the addressed official⁴. In this „poésie documentaire“ Dioscorus appears as casual poet, dexterously seeking the attention and good will of the judicial authorities⁵. The papyri containing his poetical work are the only surviving autographs of an ancient poet and therefore attract attention even if Dioscorus may not be rated as one of the most gifted writers⁶.

Quite a different Dioscorus appears in the regular petitions that he addressed to *officiales*, governors, and even to the emperor Justinian and the empress Theodora. While the metrical petitions were intended to informally path the way for pending legal issues, those regular, juristically relevant petitions, of which more than 40 have been preserved⁷, seriously complain of violent transgressions and abuses committed by local tax officials including the powerful pagarchs (*pagarchoi*). The pagarchs, who around the mid-5th century had replaced the former nome officials, became the most important local authority in the course of the 6th century. Since the middle of this century they appear as the most powerful officials of the *chora*, who were responsible for the collection of taxes of a single nome⁸.

The historical background of those texts are the social and economic tensions between the tenants, farmers and landowners of Aphroditê on one side and the local potentates and great landowners on the other – an aspect of growing social inequalities⁹. In the course of the 5th and 6th centuries, great landlords have acquired much of the arable land at the cost of the free peasants¹⁰. The landlords and their households, however, were also burdened with

⁴ The literary works of Dioscorus have been brilliantly edited with full commentary by FOURNET 1999 = P.Aphrod.Lit.

⁵ The circumstances are analysed by FOURNET 2003, p. 101–114.

⁶ During the first half of the 20th century, Dioscorus' poetic qualities received some harsh criticism, cf., e.g. MASPERO 1911, 480: "... on peut ... conclure, de l'oeuvre de notre auteur, que la poésie grecque en Égypte arrivait au terme extrême de sa décadence"; BELL, 1944, 28: "His knowledge of literary Greek was far from profound; he not infrequently misunderstood the words he culled from older poets, and when he ventured ... to coin new words, his ignorance of etymology and his very uncertain understanding of his literary models produced alarming results". More favourable, and fair, evaluations have been pronounced in MACCOULL, 1988, p. 57–63 and FOURNET, 1999, p. 2–4.

⁷ The petitions of Dioscorus' archive published up so far are recorded in FOURNET & GASCOU 2004, p. 141–196 as numbers 9–37, 41–42, 57–60 and 105–106. Most of them are written by the hand of Dioscorus. A revised edition of those texts as well as an edition of still unpublished petitions is prepared by Jean-Luc Fournet.

⁸ On the power of the pagarchs in Egypt, cf. GASCOU 1972, p. 60–72; LIEBESCHUETZ 1973, p. 38–46 und LIEBESCHUETZ 1974, p. 163–168. The relevant sources are collected in the comprehensive study of MAZZA 1995, p. 169–242.

⁹ The general development of Egypt's society in 6th century is described by KEENAN, 2000, p. 612–637, GASCOU 2004, p. 403–436, and PALME, 2007a p. 244–270. Tensions within the Egyptian villages are observed by RUFFINI 2008, p. 157–170.

¹⁰ On the emerging large landowners and their households (*oikoi*), see GASCOU, 1985, p. 1–90; BANAJI, 2001, p. 134–170; SARRIS, 2006, esp. 10–28 and 177–199. JÖRDENS 1999, p. 114–152 rightly stresses that the intensity of this development varied largely in various parts of Egypt.

responsibility for the tax income by the state¹¹. State and private power were often united in the same hands, an intertwining of private interests and official activities inevitably resulted when great landlords took over the office of the pagarch. Local economic power and the 'home advantage' due to social networks could temporarily turn a pagarch into the rival of the representatives of the central government, the governors¹². However, in some parts of Egypt, for example in the Antaeopolitan village of Aphroditê, there was still in mid 6th century a predominantly free peasant class¹³, which fiercely defended its privilege to autonomous tax-raising (*autopragia*)¹⁴. Aphroditê's position may have been strengthened by the fact that the village (or part of it) was placed under the *domus divina* of Theodora (and Justinian) and thereby took shelter under the empress' patronage¹⁵. During the 540ies, those privileges were ignored or challenged by the pagarch Iulianus¹⁶ and his successor Mênas¹⁷, and Dioscorus repeatedly and courageously rose against what at least he describes as their arbitrary acts. As one of the spokesmen of his village, he spared no effort to defend Aphroditê's *autopragia* as well as his own rights against the encroachments (or what he saw as such) of his enemies. In 548/9 and again in 551/2 AD he even travelled to Constantinople in order to petition the emperor in person¹⁸. Fear of reprisal led him to leave his village late in 565 or early in 566 AD¹⁹ in order to settle down with his family in Antinoopolis, the capital of the Thebais and seat of the governor. Earning now his money as a notary (*nomikos*) attached to the *officium* of the governor, the *dux et Augustalis* of the Thebais, it is in the following years that most of the petitions and many of the poems were written by Dioscorus. Apparently at least his private quarrels with the pagarchs of the Antaeopolite nome were appeased by 573 AD, when he returned to Aphroditê.

The documents of Dioscorus have often been read as testimonies of the hard and sometimes bloody controversy between the mediocre villagers and unscrupulous large landowners,

¹¹ GASCOU, 1985, p. 4–60; BANAJI, 2001, p. 89–100 successfully challenged the feudal model, which, however, has partly been revived by SARRIS, 2006; but cf. the review of MAZZA, 2008, p. 150–156.

¹² On the economic power of large land owners: BANAJI, 2001, p. 101–133; SARRIS, 2006, p. 149–176.

¹³ The social and economic structures of Aphroditê are explored by KEENAN 1984a, p. 51–63; KEENAN 1984b, III, p. 957–963; KEENAN 2007, p. 232–239; ZUCKERMAN 2004a, p. 213–240, RUFFINI 2008, p. 157–170; SARRIS, 2006, p. 96–114.

¹⁴ On the *autopragia* of Aphroditê cf. GERACI 1979, p. 195–205; MIRKOVIĆ 2008, p. 194–195. The usual mechanisms of tax collection in 6th century Egypt are vividly described by ZUCKERMAN 2004a, p. 115–142.

¹⁵ AZZARELLO 2012, esp. p. 101–103.

¹⁶ On Iulianus (RUFFINI 2011, p. 287–288, s.v. Ioulianos 227), who at first is styled *lamprôtatow*, but after 548 advanced to *šndojôtatow ka megaloprepstatow*, cf. MAZZA 1995, p. 227–229; FOURNET 2000, p. 233–247; RUFFINI 2008, p. 189 n. 265.

¹⁷ On the pagarch Mênas cf. RUFFINI, 2011, p. 372–374, s.v. Mênas 13.

¹⁸ Dioscorus' journeys to Constantinople are analyzed by PALME 2008, esp. p. 205–210. On relevant documents see below fn. 26–27.

¹⁹ On Nov. 7, 565 AD (P.Lond. V 1686) he is still living in Aphroditê, while on Sept. 28, 566 AD (P.Cair.Masp. II 67161) he is already in Antinoopolis.

usurping more and more power while the representatives of the central government (especially the *duces*) were either part of their networks or rather helpless against their agitations²⁰. Without doubt the controversy was nothing less than harmless, as the armed security guards of the potentates all too easily committed violence against the villagers²¹. However, sceptical voices have also been raised against this scenario, which is based exclusively on Dioscorus' version of the story²². No doubt Dioscorus was a courageous and clever man, skillfully using every possibility to defend or regain his rights. Coming from a family with moderate wealth and social prestige within the village, Dioscorus apparently enjoyed a certain literary and perhaps juristic education²³. In the 5th and 6th centuries, when classical learning was so highly appreciated that *viri litterati* were called into very high positions because of their literary (not political or administrative) qualities²⁴, such skills were a pre-requisite for successful relations with the higher echelons of administration or society generally²⁵. Not only in his petitions (*didaskaliai*) to Justinian and Theodora²⁶ or some other very high officials like the *praefectus praetorio* Addaeus in Constantinople²⁷, but also in his literary petitions to the representatives of government in the Thebais, the *duces*, *officiales* and *magistres* in Antinoopolis, Dioscorus pulls all the stops of his education to make him heard and win him sympathy²⁸. His repertoire of literary and biblical quotations or allusions might

²⁰ The most influential studies arguing in favour of seeing feudal structures as early as the 5th and 6th centuries were GELZER, 1909, esp. p. 63–99; BELL, 1917, p. 86–106 and HARDY, 1931. Cf., however, the objections of Jean Gascoü and others, fn. 10, 11 and 65. On the scholarship concerning this subject, see KEENAN 1993, p. 137–144.

²¹ We even hear of a murderous assault, cf. P.Mich. XIII 660 and 661 with the comments of MACCOULL 1990, p. 103–107; KEENAN 1995, p. 57–63 and SARRIS 2006, p. 106–107.

²² ZUCKERMAN, 2004a, p. 213–219.

²³ Dioscorus' literary education is analysed by FOURNET 1999, p. 673–687, his knowledge of the Bible is discussed by DIJKSTRA 2003, p. 135–146; on Dioscorus' juristic training cf. VAN MINNEN 2003, p. 115–119; BEAUCAMP 2007, p. 271–287, esp. p. 274–275, and URBANIK 2008, p. 117–142.

²⁴ CAMERON 1965, p. 470–509; CAMERON 1982, p. 217–221 and p. 235–239; CAMERON 2007, p. 21–46.

²⁵ NELLEN, ²1981, esp. p. 345–373 on the increasing significance of the educated in the civil service.

²⁶ P.Cair.Masp. III 67283 (before 10th Nov. 547), s. FOURNET & GASCOU 2004, p. 157, nr. 32. The document is written by Dioscorus, but he does not among the 51 inhabitants of Aphroditê subscribing the petition. FEISSEL 2004, p. 49 therefore opts for an earlier date (540–544/5), cf. however MACCOULL 1984, p. 65–77, KEENAN 1984b, p. 957–963 and MIGLIARDI ZINGALE 1984–5, 142–149 for a date in 547/8. Other documents connected with Dioscorus' journeys to Constantinople are P.Cair.Masp. I 67019 verso (probably 548/9, but 551 is not excluded: FOURNET & GASCOU 2004, p. 152–153, Nr. 24) and the „imperial rescripts“ (P.Cair.Masp. I 67024–67029) to the *dux Thebaidis*, which are, however, only drafts for rescripts, written by Dioscorus himself, cf. ZUCKERMAN 2004b, p. 82–85.

²⁷ SB V 8938 (551); unfortunately, only the address is preserved. Literary petitions are also addressed to the *praefectus urbi*: P.Aphrod.Lit. IV 1 (ca. 551), and other high officials in Constantinople: IV 2 (ca. 551), very fragmentary; IV 4–7 to Domninus; IV 9 to Paulus; IV 8 to Hypatius. Probably all of them date to 551.

²⁸ Cf. an overview over the literary petitions in FOURNET 1999, p. 371.

have been limited, but certainly it sufficiently served the purpose to signal the addressed authorities that a man of some learning was standing before them²⁹.

But also in his juridical petitions (*deêseis kai hikêsiiai*), which offered few space for literary figuration, Dioscorus makes use of quite some rhetoric. In this petitions he very successfully mingles the sober and prosaic account of the facts and state of affairs with occasional evocation of emotional sentiments by a subtile play on words. Using key words and expressions with covibrating negative connotations, he gives some of his phrases a specific tenor. It is *prima vista* not in all instances clear, if Dioscorus became himself increasingly passionate while writing his arguments down, or if he intentionally uses rhetoric measures in order to make his arguments and his version of the story more convincing by evoking certain associations and emotions in the judge he approaches. The addressees of these juridical petitions are high-ranking officials, usually the governor (*dux et Augustalis*) of the Thebais³⁰, who received also the litterary petitions. Since Justinian's Edict XII from 539 AD, the governor of Thebais enjoyed the rank and title of *dux et Augustalis*. He had the supreme command of all the troupes garrisoned in his province, and he was the supreme judge and administrator of the Thebais. Second after the *praefectus Augustalis* residing in Alexandria, the *dux et Augustalis* of the Thebais was the most powerful man of the whole *dioecesis Aegyptus*. He would have to decide which step to take in reaction to the petition³¹. Possibly the petitions were submitted to the *dux* (or other addressees) by Dioscorus in person, and an audience gave the petitioner an occasion to orally deliver his complaints while handing over the written document. An oral presentation will perhaps have given still more room to emotional emphasis or exaggeration, thus the extant written version may be nothing more but a feeble reflection of a glowing speech, intended to move and convince the judge.

It goes without saying that Dioscorus' petitions have to be seen in the wider context of contemporary petitions in general³². More than 100 original petitions from Late Antique Egypt preserved on papyrus have been edited up so far, and many more are still awaiting their

²⁹ On linguistic and rhetorical aspects in Dioscorus' writings, s. KOVELMAN 1991, p. 135–152; FOURNET 1999, p. 259–264; SCHWENDNER 2008, p. 55–66.

³⁰ On the rôle of the *duces* in Dioscorus' archive cf. MACCOULL 1986, p. 30–40 (where, however, some of the *encomia* addressed to officials in Constantinopel are still regarded as directed to the *duces*); FOURNET 1999, p. 326–343; SARRIS 2006, p. 109–113, and PALME 2008, p. 210–216.

³¹ For the administrative background s. PALME 2007a, p. 245–249; DEMICHELI 2000, p. 417–456. The various competences of a *dux* are conveniently analysed by FOURNET 1999, p. 337–343.

³² Cf. the articles in FEISSEL & GASCOU 2004 on the Byzantine petitions. On petitions addressed to the emperor cf. ANDT, 1920; CLASSEN 1977; HONORÉ 1979, p. 51–64; CORIAT 1985 p. 319–348; MOURGUES, 1995, p. 255–300; CORCORAN 1996, p. 43–73.

decipherment³³. Although many of those petitions survived only in a fragmentary state of preservation, they form the firm basis of ongoing research on the formal structure, the language and the juristic background of the wide-spread practice of people of all social strata to address representatives of state power in order to seek help on legal issues. The Late Antique petitions have to be seen, of course, in the light of a long tradition of similar requests for legal assistance since Hellenistic and Roman times manifest in many hundreds of papyrological and epigraphical documents, often recording (also) the response of the emperor or governor³⁴.

Dioscorus *versus* Mênas

This evidence sets the frame for the petitions written by Dioscorus. For the purpose of our study on Dioscorus' use (intentionally or not) of emotions in support of his arguments, the eloquent complaints against the pagarch Mênas provide the best basis for an exemplary analysis. My considerations will focus on P.Cair.Masp. I 67002 (May–July 567)³⁵, a petition to the *dux et Augustalis* Athanasius by the *parvi possessores* and residents (*leptoktêtores* and *oiketores*) of Aphroditê against Mênas, accusing him of ignoring the privilege of *autopragia* and using physical violence against a number of people from the village. This petition provides a very substantial text of more than 71 long lines which vividly tell the story in detail³⁶. A fortunate coincidence has preserved a corresponding literary petition, P.Aphrod.Lit. IV 3 (May – ca July 567), which might be regarded as the poetic pendant to P.Cair.Masp. I 67002, stating the same facts in a metric form. As Jean-Luc Fournet has observed, P.Aphrod.Lit. IV 3 represents the literary version of the same complaint and most probably accompanied 67002 when submitted³⁷. Yet another petition talking about the abuse of power by Mênas is P.Lond. V 1677 (ca 568–570), addressed to a *magister* in the *officium*

³³ FOURNET & GASCOU 2004, p. 142–196 list 118 published papyrological testimonies dating later than the 4th century. A substantial number of yet unpublished petitions from the archive of Dioscorus are prepared for edition by Jean-Luc Fournet. FEISSEL 2004, p. 45–49 has compiled a list of petitions (mostly preserved in inscriptions and the Acta conciliorum oecumenicorum) to the emperors of the 4th to 6th century, and a corresponding list of rescripts on p. 50–52.

³⁴ There is an ample bibliography on the form and development of petitions to high-ranking officials of the Empire and (particularly) the emperor, and the form of their response; among the most important contributions are: TURPIN 1988, p. 285–307; TURPIN 1991, p. 101–118; HAUKEN 1998, HAUKEN 2004, p. 11–22. HAENSCH, 2007, p. 153–181; KELLY 2011, esp. 38–122. The focus of those studies is, however, on the 2nd–4th centuries A.D.

³⁵ P.Cair.Masp. I 67002 (with BL VIII 70; XI 52 and XII 44); FOURNET & GASCOU 2004, p. 145–146, nr. 9; SARRIS 2006, p. 110. KEENAN, 2008, p. 171–180. On the date, see below fn. 44.

³⁶ For paraphrases of the events cf. AZZARELLO 2012, p. 101–103, nr. 49 and MACCOULL, 1988, p. 26–29.

³⁷ FOURNET 1999, p. 375–377.

of the *dux*, whose name is not preserved³⁸. In this case, the petitioner is Disocorus himself, and he complains of outrages by Mênas on his brother-in-law Apollôs and his own son. According to the date, Mênas may also be the pagarch against whom the lengthy, but very fragmentary petition P.Lond. V 1674 (ca. 570) to the *dux et Augustalis* by (probably) the inhabitants of Aphroditê, complaining about unlawful increase of the taxes and violence exercised against people who could not pay³⁹. Similar complaints against Mênas are raised by the monks of the monastery of Psinepoïs in P.Cair.Masp. I 67021 (ca 567), written by the hand of Disocorus and addressed to a high ranking clerical, maybe the bishop of Alexandria⁴⁰. Mênas is said to have collected taxes imposed on property which revenues were not harvested by the monastery. Again brutal acts have been committed by the servants of Mênas described as shepherds, ποιμῶνες, μηλονὸμοι⁴¹.

All petitions speak of similar misdeeds of the pagarch Mênas⁴²: illegal tax levies and violent transgressions by the armed men sent to collect them. The petitions form part of a series of documents concerning the already mentioned, long-lasting conflict of inhabitants of Aphroditê (including Disocorus and his relatives) against local authorities like a certain *vir magnificentissimus* Theodosius⁴³, who embezzled tax money delivered by the village, or the pagarchs Mênas and his predecessor Iulianus, who tried to subject Aphroditê to regular tax collection, ignoring its privilege of *autopragia*. The two journeys to Constantinople by Dioscorus (and other villagers) have resulted in some interventions by high-ranking personalities of the central government and possible even the emperor himself, but seem to have brought only temporary relief after 551. Since 565, however, the problems turned up again, and it is in this phase that Mênas enters the scene.

It should be noted, that P.Cair.Masp. I 67002 and all the other cited documents are not the original petitions (which were submitted to the addresses) but drafts of the documents, written

³⁸ On P.Lond. V 1677 (with BL IX 146; XII 108) cf. FOURNET & GASCOU 2004, p. 170, nr. 60. The addressee might be Ioannes (RUFFINI 2011, p. 275, s.v. Ioannes 227) or Callinicus (RUFFINI 2011, p. 305, s.v. Kallinikos 17), both later on holding the position of the *dux* after Athanasius. On the chronology of the *duces* see FOURNET 1999, p. 330–336. For the extraordinary career of *dux* Athanasius cf. fn. 48 and 49.

³⁹ On P.Lond. V 1674 (with BL IX 146; XII 108) cf. FOURNET 1999, p. 324 and 334.

⁴⁰ P.Cair.Masp. I 67021, 16–18 (with Korr.Tyche 570): καὶ μὲν ἐνόησεν αὐτὸν ἐἶναι τὸν ἐπὶ τῆς ἀφροδίτης ἐδικτυῶσαι παρὰ Μηνῆος τὸν ἐπιτροπὸν τῆς ἀφροδίτης καὶ παγάρχου τῶν ἐναντίων.

⁴¹ Tensions between the farmers of the village and the shepherds are perhaps one aspect of the controversy, s. KEENAN, 1985, p. 245–260.

⁴² The events are analysed by GASCOU, J., 1972, p. 60–72; FOURNET 1999, p. 318–321 and AZZARELLO, 2012, p. 101–103.

⁴³ ZUCKERMAN 2004b, p. 75–77, who convincingly argues against the common interpretation that Theodosius was the *curator* of the *domus divina* to which Aphroditê (or parts of it) belonged. Rather he was the son of *comes* Ammonius, who is attested until 547 as the *patronus* of the village and who was supposed to countercheck the tax money delivered by Aphroditê, s. FOURNET 2001, p. 475–485, bes. 481f. On Theodosius cf. RUFFINI 2011, p. 572, s.v. Theodosios 16.

by Dioscorus and kept by him as copies. 67002 is the only one preserved in its entire length, written in three very wide columns on a papyrus roll with the impressive measures of 30,5 x 233,0 cm. Its date can be established as May 567, as in col. I 10 a “shortly compasses 15th indiction“ is mentioned⁴⁴. The form of the document follows the conventional structure of Late Antique petitions from Egypt:

I. Heading (lines 1–2): - The recipient: Flavius Athanasius, *dux et Augustalis* of the Thebais
 - The petitioners: the *parvi possessores* and inhabitants of Aphroditê
 - The subject: d°hsiw ka< □keσpa

II. Prooemium (I 1–9): - *Encomium* on the *dux*

III. Complaint against Mênas, pagarch of the Antaeopolite nome (I 9 – III 20):

- Illegal confiscation of plots of land belonging to Dioscorus (I 9 – I 20)
- Imprisonment of 13 inhabitants of Aphroditê (II 1–17)
- Illegal tax collection and violence in Aphroditê (II 17 – III 20)

IV. Request for intervention by the *dux* (III 20–25).

Three different complaints are formulated. Although the *parvi possessores* appear as petitioners, the first section of the text (I 9 – I 20) is dedicated to a personal problem of Dioscorus which he brings as an example illustrating the methods of Mênas: The pagarch confiscated a plot of his land but nevertheless hold Dioscorus still reliable for its taxes⁴⁵. This happened under the pretext of fiscal debts by Dioscorus. Then the petitioner turns to the main subject of the petition (II 1–17): 13 men of Aphroditê were detained when they brought their animals to the cattle-market in the nearby village Thynis. On the order of the pagarch Mênas they were imprisoned and tortured. Their cloths, cattle and equipment were seized and money was extracted from them with use of force for alleged tax debts. When the governor (and predecessor of the petitioned *dux*) directed to set the men free, Mênas transferred them to another prison instead. Only after ten months of imprisonment he finally let them go. The second grave point of complaint (II 17 – III 20) concerns the criminal outrages of Mênas’ handy-men during a *razzia* in the village under the pretext of tax collection. In itself an infringement as Aphroditê was exempted from external tax collection, these men committed in addition a series of criminal acts: they burned some houses, stole the cattle, destroyed the irrigation machines and even raped virgins and nuns. Dioscorus does not miss to emphasize

⁴⁴ Dating according to FOURNET 1999, p. 330–332 (following BL I 100 over XI 52), confirmed by AZZARELLO 2012, 101, n. 291.

⁴⁵ On Dioscorus as *ktÆtvr* (or *leptoktÆtvr* in his own words), s. MACCOULL 1988, p. 5–9; KUEHN 1995, p. 54–58. *LeptoktÆtvr* occurs only in Dioscorus’ writings (cf. also P.Lond. V 1674, 95) and seem to be a neologism created by him.

that the Aphroditans are “men of the imperial household” (II 14–15) and that property and personnel of the *domus divina* were also afflicted by the *razzia*, as he was well aware that Athanasius (now *dux*) was the *curator* responsible for the *domus divina* by the time those things had happened⁴⁶.

When Dioscorus wrote this account, he was already working as notary attached to the court of the governor of the Thebais at Antinoopolis⁴⁷. Flavius Athanasius, who held this position in 567, played a key-role not only in the administration, but also in the social and political life of the Thebais, as the texts of Dioscorus’ archive clearly imply⁴⁸. Most probably Athanasius not only was *dux Thebaidis*, but simultaneously also held the position of the *dux et Augustalis* of *Aegyptus* and had authority over Arcadia⁴⁹. Just a year before P.Cair.Masp. I 67002, Dioscorus had dedicated to him the *encomium* P.Aphrod.Lit. IV 24 and at least one more poem (P.Aphrod.Lit. IV 39) as well as the literary petition P.Aphrod.Lit. IV 10⁵⁰. Dioscorus the notary and poet was certainly not unknown to Athanasius.

On the other hand, Dioscorus most probably knew how to approach Athanasius and carefully choose the juristic arguments and linguistic accentuations to convince him – and the adaequat metaphors to evoke sympathetic emotions and hopefully urge him to actions in support of his case. Dioscorus starts in *Prooemium* I 1–9 with a more conventional encomiastic praise of Athanasius as righteous judge and benefactor for everybody seeking for justice: Πάσα δικαιοσύνη καὶ δικαιοπραγία τὰς προ[ό]δους προλάμπουσιν ἀεὶ τῆς πανεξόχως βελτίστου ὑπερφυοῦς ὑμῶν ἐξουσίας, ἣν ἐκδέχομεν πρὸ πολλοῦ οἶον οἱ ἐξ Ἄδου καταδοκοῦντες τὴν τότε τοῦ Χ(ριστο)ῦ ἀνάου Θ(εο)ῦ παρουσίαν⁵¹. Such a *captatio benevolentiae* is typical for the “littérisation” of petitions. In the long text that follows, Dioscorus repeatedly touches four motifs when he again and again provokes emotional conceptions and scenes in a very subtle way, avoiding any penetrating or tactless clumsiness. Those four recurrent motifs are:

⁴⁶ This fact was rightly stressed by MORELLI 2008, p. 223–245; esp. p. 234–237 on his earlier career as *curator domus divinae*.

⁴⁷ Such *advocati* and *scholastici* were regularly attached to the *officia* of the governors, s. PALME 1999, p. 103 with further literatur in n. 94 und 95.

⁴⁸ On Athanasius, cf. FOURNET 1999, p. 330 n. 508; RUFFINI 2011, p. 91–93, s.v. Athanasios 4. For the social background of the *duces* s. FOURNET 1999, p. 327–329: Already in mid 6th century the *duces* usually came from families of the provincial elite. This means that *de facto* the noble families of each province shared the (usually bi-annual) position of the governor between them even before Justin II ordered in Novelle 149 (569 AD) that the local *potentes* and the bishops should appoint the governors, cf. PULIATTI 1984, p. 140–161.

⁴⁹ MORELLI, 2008, p. 223–245. It is not yet clear, however, if *Arcadia* was usually attached to the *Thebais*, or if just Athanasius hold different positions in personal union.

⁵⁰ *Encomium* for the birthday of Athanasius: P.Aphrod.Lit. IV 24 (566); Epithalamium for Athanasius: P.Aphrod.Lit. IV 36 (566/7). In addition to P.Cair.Masp. I 67002, also the petitions 67004 (ca. 567); 67005 (567 or 568) are addressed to the *dux* Athanasius.

⁵¹ “All justice and right dealing ever brighten the progress (*adventus*) of your exalted authority, which is preeminently best; and we have long since received it [e.g., your authority] the way those in the netherworld once waited for the *parousia* of Christ, the eternal God” [translation MACCOULL 1988, p. 26].

parental affection and compassion for children; sympathy or antipathy in characterizing persons; insinuating common pictures of anxiety and dread; progressive disdain of his adversary Mênas.

Parental affection and compassion for children

Most striking is perhaps the piteous motif of starving and helpless children, introduced to evoke the mercy of the the *dux*, who himself is addressed as a loving and caring father of children. Dioscorus alludes to his own children as victims affected by the machinations of Mênas in the opening section of the petition, which describes how the pagarch deprived him of a plot of land in Phthla and caused his flight to Antinoopolis. Since then he and his children are forced to live abroad, still waiting that justice will be done to them: I 18–19: κα< énekδ<κhtow Ípārxei ι éylio[w] βvw nĒn šp< j°nhw sĀn t°knoiw. In this passage Dioscorus simply mentions the fact without much pathos, even speaking about himself in the third person and thereby emphasizing the objectivity of the example. Of course he is well aware that the *dux* knows his story and that he is working as a notary at the *officium* and presumably is comparatively well off. This mention purely serves the purpose to bring up for the first time a motif that will be repeatedly resumed in the third part of the petition, when the consequences of Mênas' actions against the inhabitants of Aphroditê will be described.

Dioscorus picks up the thread with much more pathos in his description of the extortion of the villagers. In II 3–4 a first complaint is made that the imprisonment of the 13 villagers and the forceful collections of large amounts of money by Mênas caused starvation among their families: e□w épotrofθn ≤m«n ka< t«n t°k[n]vn. After stating that the children of the imprisoned farmers are left like orphans (III, 9: toÁw talaip≈rouw ῶlouw ÛrfanoÊw), he repeats that they have nothing to eat (III 10: mØ ¶xontaw tθn énagka≈an trofÆn) and that during winter time they are forced to appease their hunger with animal's fodder, while in summer time only chaff and the remains of the sieving of the tax wheat is left for their nourishment: III 10–11: šn t° xeim«ni tr≈jima ka< ÛlÊraw šsy≈omen, t° [dç] y°rei tâ épokayārmata ≥toi épokoskinÆmata ka< katast°llmata t∞w šmbol∞w ≤m«n par' •st≈aiw šdòmenoi. Within a few lines (III 9–11) the topic is addressed three times. While the first and second mentions are short, the third one drastically explains the situation at greater detail. It seems that Dioscorus carefully intensified the emotional connotation of his complaint step by step. The comparison of the villagers children with orphans enhances the effect. At the end of the petition Dioscorus does not miss the opportunity to remind the *dux* that also he himself is a father of children, when he makes an appeal to the justice and welfare

of Athanasius and his “most lucky and most noble children”: III 21: $\kappa\alpha\tau\grave{\alpha} \tau\omega\omega \acute{\iota}\mu\langle\kappa\rangle\eta\iota$ $\acute{\iota}\pi\epsilon\rho\beta\alpha\lambda\lambda\omicron\acute{\epsilon}\sigma\eta\omega \sigma\upsilon\theta\rho\alpha\omega \kappa\alpha\langle \tau\omega\omega \tau\langle\kappa\rangle\eta \epsilon\acute{\epsilon}\tau\upsilon\kappa\epsilon\sigma\tau(\grave{\alpha})\tau(\nu\eta) \kappa\alpha\langle \epsilon\acute{\epsilon}\kappa\lambda\epsilon\epsilon\sigma\tau\acute{\alpha}\tau(\nu\eta) \acute{\iota}\mu\langle\kappa\rangle\eta \tau^{\circ}\kappa\eta\upsilon\eta$. This sharply contrasts the emphatic description of the sorrowful situation of the villager’s families. Although this is much in the line with the usual salutary wishes at the end of letters or petitions, in the context here it reads like a memento to the “starving children” and “poor orphans” mentioned just a few lines before.

Sympathy and antipathy

A second level of emotional affection is addressed by a carefully chosen terminology. Naturally the praise of the petitioners on the one hand and the negative characteristic of the opponents belong to the genuine rhetoric features of denoting ‘good’ and ‘bad’ in all kinds of petitions, complaints and pleadings. Besides characterizing the competing parties by their favourable deeds or evil acts, a specific accentuation in the wording offers the possibilities to denote sympathy or antipathy without elaborating at great length and exposing bias or prejudice all too obvious. Disocorus uses this method of transporting positive or negative emotions very cautiously but consequently.

In order to raise sympathetic sentiments for the inhabitants of Aphroditê, he describes them as $\tau\omicron\acute{\alpha}\omega \tau\alpha\lambda[\alpha\iota]\rho[\acute{\alpha}\rho\omega\omega] \leq\mu\epsilon\omega \lambda\epsilon\pi\tau\omicron\kappa\tau\acute{\epsilon}\tau\omicron\rho\alpha\omega$ (III 3–4), the “burdened *parvi possessores*” who have been banished ($\xi\eta\delta\epsilon\upsilon\eta$) from their homes. They suffered much torture ($\alpha\kappa\iota\sigma\mu\omicron\omega \rho\omicron\lambda\lambda\omicron\omega \kappa\alpha\langle \beta\alpha\sigma\acute{\alpha}\nu\omicron\iota\omega \text{ II } 5; \beta\alpha\sigma\alpha\eta\iota\zeta\omicron\mu\epsilon\eta\omicron\iota \text{ II } 6\text{--}7$) and other punishments ($\zeta\eta\mu\iota\acute{\alpha}\tau\alpha \text{ II } 6\text{--}7$); they are even in danger of being completely destroyed ($\tau\epsilon\lambda\epsilon\alpha\eta\alpha \leq\mu\langle\kappa\rangle\eta \acute{\epsilon}\nu\alpha\tau\rho\acute{\omicron}\nu \text{ III } 12$). The dramatic word “torture” occurs twice ($\beta\alpha\sigma\acute{\alpha}\nu\omicron\iota\omega$ and $\beta\alpha\sigma\alpha\eta\iota\zeta\omicron\mu\epsilon\eta\omicron\iota$), and also $\tau\alpha\lambda\alpha\iota\pi\rho\omega\omega$ (III 3) re-appears in the phrase $\tau\alpha\lambda\alpha\iota\pi\rho\omega\omega \tilde{\iota}\lambda\omega\omega \acute{\upsilon}\rho\phi\alpha\eta\omega$ (III 9) to illustrate the “burdens” of the villagers. Every time Dioscorus alludes to the inhabitants of Aphroditê, an emphatic adjective serves to raise pity for them.

The same method is applied to characterize the adversaries (the pagarch and his soldiers, armed servants or shepherds). In this case, however, vocabulary with negative intonation is used. Most often the handy-men of the dishonest pagarch are labelled as robbers: $\lambda\alpha\rho\alpha\upsilon\omega \kappa\alpha\langle \beta\iota\alpha\upsilon\omega \text{ (II } 11), \mu\epsilon\tau\acute{\alpha} \rho\omicron\lambda\lambda\omega\omega \iota\text{'}\sigma\tau\rho\iota\kappa\omega\omega \dots \beta\omicron\eta\upsilon\epsilon\alpha\omega \text{ (II } 23), \acute{\epsilon}\tau\acute{\alpha}\kappa\tau\omicron\iota\omega \kappa\alpha\langle \iota\text{'}\sigma\tau\acute{\alpha}\rho\chi\omicron\iota\omega \text{ (III } 4), \iota\text{'}\sigma\tau\rho\iota\kappa\langle\kappa\rangle\eta \xi\eta\delta\omicron\upsilon\eta \text{ (III } 12)$. It is much in the same line when their behavior in the village is styled as $\xi\kappa\rho\omicron\rho\upsilon\acute{\epsilon}\sigma\alpha\eta\tau\epsilon\omega \kappa\alpha\langle \lambda\epsilon\eta\lambda\alpha\tau\acute{\epsilon}\sigma\alpha\eta\tau\epsilon\omega \text{ (III } 3)$. These verbs normally describe the raids of foreign enemies, and it is certainly not by mere chance that Dioscorus uses them here to underline the hostility shown by Mênas and his men, who commit criminal acts that normally would be typical for encroachments of attacking armies: they destroyed the

village (§pra^αdeusan t^θn k[≈]mhn II 24) and raped virgins (pary^ϕnouw diek^θreusan III 3). All this are very strong words, especially if one considers that they are used to denote a high-ranking representative of state power and his staff. The supreme administrator and collector of the nome's taxes appears as a robber and enemy. The terminology –more so than the facts– unmasks his acts as criminal, not mere exaggerations of tax levies. This vocabulary intends to evoke resentment and should chime in the *dux* with the antipathetic feelings of Dioscorus and his clients. Interestingly those passages with a subtile, but suggestive emotional connotation are spread over a large part of the text.

Metaphers of anxiety and dread

Repetition was one of Dioscorus' strategies to subliminally influencing and possibly convincing his addressee, the *dux*. In a few instances, however, he turned his heavy guns on his adversaries, the pagarch Mênas and his helpers, by conjuring pictures linked to terror and fear, hostility and malevolence. To avoid the impression of being bold but rather to produce a maximum effect by shifting to an unconscious level, Dioscorus recourses to metaphers and comparisons. The first instance in P.Cair.Masp. I 67002 occurs towards the end of the first section, where Dioscorus complains about the seizure of his land at Phthla. The very last sentence, which should leave a lasting impression, recalls a familiar allusion to the Old Testament: §j ^ϕsou to^È Madiån ¶ynouw e[□]vy^θotow tot^ϕ tå t[«]n ÉIsrahlit[«]n gen^Æemata éfarpãjai (I 18). The men of Mênas go pillaging the harvest of Dioscorus' land "just like the host of Madian wrecked the Israelites' harvest"⁵². This implies, of course, that Dioscorus may expect the same help that God rendered to the Israelites, as he suffers the same kind of injustice. This is a strong appeal to the justice of the *dux*, without addressing him directly.

Progressing to the second topic of the petition – the case of the inhabitants of Aphroditê against Mênas –, Dioscorus stresses no less than three times a comparison of the pagarch's servants with the *barbaroi*. In the language of the Later Roman Empire, the term *barbaros* generally describes the external enemies of the empire. In the Thebais this word very concretely means the southern neighbours of the province, the Nobades and Blemmyes⁵³. Those *barbaroi* were an absolutely realistic dread to many inhabitants of the Thebais, and may have been also a familiar memory to the *dux*, as in the middle of the sixth century there

⁵² Christian motifs and quotations from the Bible frequently occur in Dioscorus' "poésie documentaire", cf. FOUNRET, 1999, p. 341–342. On the linguistic influence of the Bible to Dioscorus, cf. PAPATHOMAS 2000, p. 481–499. Less convincingly, KUEHN 1995 argues for a mystical and gnostic orientation in Dioscorus' poetry.

⁵³ Blemmyes are explicitly mentioned in: P.Aphrod.Lit. IV 10, 21–25 and IV 11, 82–83 (568) for *dux* Ioannes. The contacts – sometimes peaceful, sometimes hostile – between Upper Egypt and its southern neighbours above always been intensive, see e.g. TÖRÖK 1988, esp. p. 226–229; and DIJKSTRA 2004, p. 149–154 with further literature.

have been repeatedly war actions between the Empire and the Blemmyes⁵⁴. Around 567 AD the situation seems to have escalated to a full-scale war, after which Flavius Athanasius, the *dux et Augustalis Thebaidis*, succeeded in restoring a lasting peace in around 570 AD⁵⁵. Thus, in the same year, when Dioscorus addressed his petition to Athanasius, the *dux* was deeply involved in war or war-like actions against the *barbaroi*. But even during times of official peace, occasional raids of nomadic tribes (all too easily styled as Blemmyes by the Romans) into the Nile valley were a constant, latent threat to the civilian population. Those *barbaroi* suddenly appeared, raided some villages or farms, went marauding and carried off the booty before the Roman army could react or counterstrike. Even with people who were not inflicted personally, these situations left them with anger, rage, and thirst for revenge.

This is what people in the Thebais had in mind when talking or hearing about *barbaroi*, and by allusion of this word Dioscorus tries to convey to the *dux*: this is exactly the way that we experience the razzias of the pagarch's raiding companies. Mênas' servants "lay waste to the village even worse than those *barbaroi*": $\xi\text{pra}^{\alpha}\text{deusen } t\theta\text{n } k\approx\text{m}[\text{h}]\text{n } \text{diapory}\text{Æsaw } \text{pl}^{\circ}\text{on } \text{b}[\text{ar}]\text{b}\bar{\text{a}}\text{rvn}$ (II 24); they are even worse than the *barbaroi* in stealing and evildoing: $\text{to}\acute{\text{A}}\text{w } \text{é}\text{litr}^{\alpha}\text{ouw } \text{ple}^{\alpha}\text{v } \text{barb}\bar{\text{a}}\text{rvn } \text{kako}\acute{\text{E}}\text{rgouw } \text{ka}\langle \text{é}\text{r}\text{'xil}\text{'st}\bar{\text{a}}\text{w } \text{mhlon}\acute{\text{O}}\text{mouw}$ (III 22). They sack all the village Aphrodîtê and its territory like the barbarians and also destroy hermitages: $\text{ka}\langle \text{t}\bar{\text{a}}\text{w } \text{é}\text{sk}[\text{htr}]^{\alpha}\text{a}\text{'w } \text{di}^{\circ}\text{lusan } \xi\text{kpory}\text{Æsantew } \text{ka}\langle \text{lehl}\bar{\text{a}}\text{t}\text{Æsantew } t\theta\text{n } \text{p}\check{\text{c}}\text{san } k\approx\text{mhn } \text{ka}\langle t\theta\text{n } \text{ta}\acute{\text{E}}\text{thw } \xi\text{nor}^{\alpha}\text{an } \dots\text{w } \xi\text{p}\langle \text{t}\langle\text{n } \text{barbarvy}^{\circ}\text{ntvn } t\theta\text{pvn}$ (III 2–3). This evokes associations with shocking pictures: after the visits of Mênas' men, the whole area looks like after a barbarian raid – circumstances that the *dux* impossibly could accept and that should fill him with indignation and incense.

A few lines after that, the servants of the pagarch become still worse than *barbaroi*. They do not behave like men, but rather like wolves and wild beasts: $\text{ka}\langle \text{pr}\bar{\text{a}}\text{jeiw } \dots\text{w } \text{l}\acute{\text{E}}\text{kv}\text{n } \text{ka}\langle \text{èrp}\bar{\text{a}}\text{gvn } \text{é}\text{e}\langle \text{pratt}\acute{\text{O}}\text{ntvn } \text{»mof}\bar{\text{a}}\text{gvn } \text{tr}\acute{\text{O}}\text{poi}\text{w}$ (III 15). They do not hesitate to shed the villagers blood like a cheeky fellow carelessly spills water, so that human blood runs like water over the land: $\text{t}\acute{\text{U}} \text{g}\bar{\text{a}}\text{r } \text{é}\text{nyr}\approx\text{pinon } \text{a}\acute{\text{A}}\text{ma } \xi\text{kx}^{\circ}\text{ousin } \text{o}\square \text{toio}\acute{\text{E}}\text{toi } \text{a}\acute{\text{E}}\text{y}\bar{\text{a}}\text{deiw } \text{ka}\langle \text{étromoi}, \text{o}\acute{\text{A}}\text{'[o]n\text{' } \xi\text{p}\langle \text{g}\infty\text{n } \text{I}\bar{\text{d}}\text{vr } \xi\text{kx}\acute{\text{E}}\text{' } \text{tiw } \text{tolmhr}\approx\text{tatow } \text{m}\bar{\text{a}}\text{thn}$ (III 15–16). The sarcasm of this comparison lays in the fact that the man spilling the water is already called *tolmhr≈tatow*, "most audacious, most daring". What should be said about someone shedding blood?

⁵⁴ In 535–537 AD one of Justinian's most famous generals, Narses, campaigned against the *barbaroi* and shut down the cult in the Isis temple in Philae (Procopius, *Bell. Pers.* 1.19.36–37 = FHN III 328).

⁵⁵ RÉMONDON 1961, esp. 72–79 even speaks of a Third Blemmyan War, inter alia on the basis of P.Cair.Masp. I 67004, a petition addressed to *dux* Athanasius by the *bouleutai* of Omboi. The situation is, however, rated much less dramatic by DIJKSTRA 2004, p. 149–154.

Towards the end of the third section —and near to the very end of the long petition— Dioscorus goes still one step further. While all comparisons until now accused the servants of the pagarch, Dioscorus finally addressed Mênas himself in a metaphor, describing him as wild and dangerous as an angry lion: $t\acute{U}n\ m\epsilon\eta n\ e\text{ϥ}\eta\mu^{\circ}(non)\ p\acute{\alpha}g\alpha r\chi on\ \acute{\epsilon}p\omicron\pi\alpha\acute{\epsilon}[es]y\alpha i\ \leq m\langle n\ y\mu\omicron\lambda\epsilon\omicron n\tau[o]f\eta\delta\omicron r\omicron n$ (III 22). It should be noted that the key word, $y\mu\omicron\lambda\epsilon\omicron n\tau[o]f\eta\delta\omicron r\omicron n$, “like a ramping and roaring lion”, is a neologism created by Dioscorus⁵⁶. We may regard it as a lucky creation or not, but the new and unusual word certainly served its purpose to catch the attention of the addressee. Tellingly, in this very phrase Dioscorus also urges the *dux* to intervene: $\acute{\epsilon}p\omicron\pi\alpha\acute{\epsilon}sy\alpha i\ \leq m\langle n$, “release us” from his fury. It is a very brief, but absolutely direct cry for help. Can the *dux* refrain to save someone from a bloodthirsty lion?

Characterizing the adversary

While all examples cited up so far still leave us in doubts, how much strategy and intention is involved in Dioscorus’ emotional accentuations, his portrayal of the pagarch Mênas, his personal enemy and defendant in the petition, is highly significant. Caution was in place in representing this powerful official who, like all pagarchs, undoubtedly stemmed from a noble family of the province. Unlike his servants, Mênas could not immediately and flatly be called a criminal mind or *barbaros*. If Dioscorus wanted to raise emotions against him, he had to do it carefully step by step. Mênas occurs no less than eleven times in the text of the petition, and it is instructive to read these passages in the sequence they appear:

- I, 6: $M\eta\eta\zeta\ \tau\omicron\acute{\epsilon}\ \lambda\alpha\mu\pi\tau\omicron\tau\acute{\alpha}\tau\omicron u\ \sigma\kappa\rho\iota\eta\alpha\rho\upsilon\ [k]a\langle\ p\acute{\alpha}g\alpha r\chi\omicron u\ \tau\omicron\omega\ \acute{\epsilon}\text{A}\eta\alpha\iota\omicron\pi\omicron\lambda\iota\tau\langle n$
 I, 13: $\iota\ \tau\omicron\iota\omicron\acute{\epsilon}\tau\omega\ \acute{\epsilon}\sigma\pi\lambda\alpha\gamma\chi\omega\omega$
 I, 17: $\iota\ \delta\epsilon\ e\text{ϥ}\eta\mu^{\circ}(now)\ \lambda\alpha\mu\pi\rho\delta\acute{\iota}(t\alpha\tau\omega)\ [p\acute{\alpha}g\alpha]r(x\omega)\ \textit{(ironical)}$
 II, 2: $\iota\ e\text{ϥ}\eta\mu^{\circ}(now)\ \lambda\alpha\mu\pi\rho(\delta\acute{\iota}\tau\alpha\tau\omega)\ M\eta\eta\zeta\omega$
 II, 5: $\tau\text{“}\ e\text{ϥ}\eta\mu^{\circ}(nf)\ M\eta\eta\delta\ \rho\acute{\alpha}g\alpha r\chi(f)$
 II, 12: $a\acute{\epsilon}\tau\omicron\acute{\epsilon}\ \tau\omicron\acute{\epsilon}\ e\text{ϥ}\eta\mu^{\circ}(nou)\ M\eta\eta\zeta\ \rho\acute{\alpha}g\alpha r\chi\omicron u$
 II, 15: $p\acute{\alpha}\eta\tau\alpha\ \tau\acute{\alpha}\ \kappa\alpha\kappa\langle\omega\ \gamma\epsilon\eta\omicron m\text{“}na\ \rho\alpha\rho\ \tau\omicron\acute{\epsilon}\ a\acute{\epsilon}\tau\omicron\acute{\epsilon}\ M\eta\eta\zeta$
 II, 22: $\iota\ a\acute{\epsilon}\tau\acute{U}\omega\ \rho\acute{\alpha}g\alpha r\chi\omega\omega$
 III, 1: $M\eta\eta\zeta\omega\ \iota\ a\acute{\epsilon}\tau\acute{U}\omega\ \rho\acute{\alpha}g\alpha r\chi\omega\omega$
 III, 17: $a\acute{\epsilon}\tau\acute{U}\omega\ \delta\epsilon\ \iota\ e\text{ϥ}\eta\mu^{\circ}(now)\ \rho\acute{\alpha}g\alpha r\chi\omega\omega$
 III, 22: $t\acute{U}n\ m\epsilon\eta n\ e\text{ϥ}\eta\mu^{\circ}(non)\ p\acute{\alpha}g\alpha r\chi on\ \acute{\epsilon}p\omicron\pi\alpha\acute{\epsilon}[es]y\alpha i\ \leq m\langle n\ y\mu\omicron\lambda\epsilon\omicron n\tau[o]f\eta\delta\omicron r\omicron n$

⁵⁶ On this expression, see MACCOULL, 1988, p. 28. It is borrowed from a famous passage in 1 Petr. 5,8, where it describes the devil – and this is the association Dioscorus wanted to recall in his audience.

Only in his first mention at the beginning of the petition Mênas is introduced with his full title and the honorific epitheton *lampròtatow* (*clarissimus*), signaling his elevated rank⁵⁷. This was the appropriate way to name the adversary of the petition, and Dioscorus could not have started in any other way without violating the requirements and conventions of a petition. Only here we learn that besides being pagarch of the Antaeopolite nome, Mênas also held a position as *scriniarius*, which probably means that he was senior official in the accounting department of the *officium* of the *dux* or the *praeses Thebaidos*⁵⁸. The second passus referring to Mênas does neither mention his name nor his title, but describes him with the suggestive *toioËtow êsplagxow*, “this heartless man” – a subjective classification, of course, not relevant for a legal action.

When Mênas reappears for the third time in I 17, he is recalled with his official epitheton and title. This mention, however, comes immediately after the *narratio* of several of his misdeeds, which makes the honorific “most splendid pagarch” (*lampròtatow pãgarxow*) not only seem unjustified, but straightaway ironical. Moreover, it strikes that *lampròtatow* is only one more time applied to Mênas, when in II 2 he is referred to at the beginning of the section on the imprisoned peasants of Aphroditê. In the long passage after II 2 – comprising almost two thirds of the petition – the honorific *lampròtatow* never turns up again. The accused person is simply referred to as *toioËtm°now pãgarxow Mhnçw*, and after II 15 even his name is suppressed, reappearing only at the beginning of the third section (III 2), where it was unavoidable to call the adversary once more by name. Towards the end of the long text, Mênas appears ‘de-personalized’, deprived of his honorific epitheta, and without a name.

Dioscorus skillfully sets a second negative connotation (after *êsplagxow*) in approximately the middle of the whole text, when in II 15 he alludes to “all the misdeeds from the same Mênas” (*pãnta tâ kak«w genom°na parã toË aËtoË Mhnç*), before he finally concludes with the metaphor of the *yumoleontofyòrow pãgarxow*. By the variants of representing his adversary over a the long text, Dioscorus creates a gradually growing distance between this person and the addressee of the petition by suppressing first his full title, then his honorific epitheta and finally even avoiding to mention his name. Step by step the reader (and judge) should follow Dioscorus in his view on the criminal pagarch. In small doses Dioscorus diminishes respect and sympathy for Mênas, and it seems difficult to believe that these

⁵⁷ On the use of the senatorial status designation *clarissimus* in Byzantine papyri and inscriptions, cf. ARJAVA 1991, p. 18–26 with further literature.

⁵⁸ On the *scriniarii*, accountants of the financial section of a governor’s *officium*, cf. PALME, 1999, p. 105 and 110–111.

notions, spread out over a text of such considerable length, should be coincidental outbreaks of Dioscorus' own emotions. Rather he systematically uses this rhetoric crescendo in order to guide his reader's feelings towards a specific direction. This impression is confirmed by still another observation: while in the first part of the petition (until II 5) Mênas is referred to in the usual way as ἡ ἐπιφθόνη, "the aforementioned", in II 12 he appears as αὐτὸς ὁ ἐπιφθόνη (ἡ ἐπιφθόνη) Μηνῆς παγάρχου, and thereafter only ἡ ἐπιφθόνη, "the same", refers to him. By repeating αὐτός, Dioscorus emphasizes that "the same" and again "the same" Mênas caused all evil things.

P.Aphrod.Lit. IV 3 is the poetic version of P.Cair.Masp. I 67002, and in order to clarify, to what extent Dioscorus' 'emotional strategies' were used intentionally (or not), we have to check, if similar emotional passages turn up again. As this 'poem' could not claim any juristic validity, it gave Dioscorus the opportunity to emphasize certain aspects of the *causa* without posing the burden of proof on him. The sheer fact that the prose petition was supported by such a poetic pendant indicates that Dioscorus was ready and willing to throw every rhetorical and stylistic measure into the scale. A supplementary 'poet petition' would offer ample space for emotional arguments, it would seem, and it is interesting to see whether he uses them or not.

Despite its very fragmentary condition⁵⁹, the few extant lines offer some welcome insights. Immediately after the invocation of allmighty God and the immortal Emperor (καὶ ἀθανάτου βασιλῆος *sic*), line A *recto* 5–6 start with a very explicit cry for help and opens a firework of very direct invectives against the adversary Mênas: ῥύσαό με, πτολίαρχε, βίης ἀπάνευθε Μηνῆ ὠμοφάγου, χαλεποῦ, πολάρπαγος ὠμῆ ἐρντω(v)⁶⁰. After that the papyrus breaks off, and only a few letters of each following line survive, among them ἀγρ[ο - - in line 7, which again points to "wild" act of Mênas, and ἄρπαξ in line 8, corresponding to πολάρπαγος in line 6. Without leaving any ambiguity, Dioscorus directly speaks of the "violence" he suffers from Mênas, who is described as a "malicious carnivore of immense rapacity". The next column (A *recto* col. II) starts with Ἄνταϊός τολύπευσε πολυδακρ[ύ]τερον ἀρείων, "Antaeus⁶¹ was taken by sorrow more than the tear-bringing works of Ares would have caused". And after a mention of Mênas in the fragmentary line col. II 2, the next line continues Ὡν πάρος

⁵⁹ The text, originally published as P.Cair.Masp. III 67338 (completed by MACCOULL, 1988, p. 127–128), should be consulted in the revised edition of J.-L. Fournet (P.Aphrod.Lit. IV 3), who associates also a fragment of P.Cair.Masp. III 67353 with this petition. A detailed philological commentary to the text is provided by FOURNET 1999, p. 470–475.

⁶⁰ "Protect me, master of the city, against the violence of Mênas, malicious carnivore of immense rapacity".

⁶¹ Antaeus was the eponymous hero of Antaeopolis. Thus, this reference is a poetical chiffre and a short-form for Antaeopolis, s. MACCOULL, 1988, p. 128 and FOURNET 1999, 473, commentary *ad loc.*

ἐξαλάπαξαν ἐμὴν πόλιν, “they have sacked my town”, which probably corresponds to the “rapacity” of the preceding passage. Of the following text only some tiny fragments are preserved, and among the few extant words, ὁμότροπον οὐλοκ[άρηνον (“like-minded curly-head”, an allusion to the Blemmyes⁶²) in B *recto* 2 and ἀγροτερῆος (“wilder than ...”) in A *verso* 3 catches the eye as words with an pejorative connotation. Despite this very lacuneous text, the tendency seem clear: All the vocabulary of P.Aphrod.Lit. IV 3 – and we have only a few lines – is much more drastic than the cautious wording of P.Cair.Masp. I 67002. Moreover, Dioscorus loses no time in preparing his audience for such strong words, he immediately jumps into the subject and uses a very ‘emotional’ language from the outset. Again he creates new words in order to exaggerate the tone and to attract the attention of the addressee: ἀγροτερεύς in A *verso* 3 is a *hapax*, as is πολυάρπαγος in A *recto*, col. I 6.

Moreover, three direct parallels between the poetic and the juristic version of the complaint occur in the surviving text: The ἐξαλάπαξαν ἐμὴν πόλιν of A *recto* col. II 3 corresponds to ὕπραδευσεν τὸν κᾶμ[η]ν διαπορῶσαω πλῶν b[ar]bārvn in P.Cair.Masp. I 67002 II 24, while ἄρπαξ (8) and πολυάρπαγος (6) remind us of ἀρπάγων in 67002 III 15. Most instructive, however, is the corresponding use of the ὁμοφάγος: in P.Cair.Masp. I 67002 III 15, the adversary is characterized as καὶ πρᾶξειω ...w λῆκνν καὶ ἐρπάγνν ἐεὶ prattōntvn »mofāgvn trōpoiw, without naming Mēnas and his men explicitly; in the poetic version it is Μηνᾶ ὁμοφάγου (A *recto* col. I 5–6). In the perception of the addressee, Mēnas has replaced the wolf.

This analysis of P.Aphrod.Lit. IV 3 supports the suspicion which already has been raised while studying P.Cair.Masp. I 67002: Dioscorus with full intention employs a considerable rhetorical repertoire to evoke the positive as well as negative emotions of his addressee. Similar observations can be made in many other petitions formulated and written by him, and noteworthy much of the significant phrasing reappears in the two other extant petitions against ‘the fury of Mēnas’, P.Lond. V 1674 and 1677⁶³. Proficient in language, he simultaneously uses several levels of subtle influence, like underlying connotations of words, insinuation of purpose and connection between facts, emotionally loaded associations and metaphors, cautious or indirect reminders to the duties and jurisdictional responsibilities of the governor and judge. All this is hardly a coincidental phrasing by an eloquent notary. The

⁶² FOURNET 1999, 473, commentary *ad loc.*, referring to Nonnos, *D.* XVII 385: Βλέμυς οὐλοκάρηνος.

⁶³ Both petitions are of considerable length, but very fragmentary. Besides the negative vocabulary (e.g. P.Lond. V 1677, 25: βιάω; 26: τῶν ληστῶν), which is generally typical for the genre of petitions, the topos of starving children and villagers reappears in P.Lond. V 1674, 62–66 and 93–95 as well as in 1677, 29 and 32. Also the wording has some striking parallels (e.g. πλέον τῶν βαρβαροθέντων τόπων in 1674, 22 and 1677, 35–36; μετὰ τῶν ληστρικῶν ἐφόδων in 1674, 77 and τῶν ληστῶν in 1677, 26), but this is in line with Dioscorus’ habit of ‘autoplaiat’ also well known from his encomiastic poems.

well calculated doses of emotional emphasis and the well organized distribution of the relevant passages over a text as long as P.Cair.Masp. I 67002 rather point to a clear strategy and well-devised composition. Dioscorus may have been himself emotional on the topics of the petition and the situation of his village, but in the written version of this petition he is not taken away by his sentiments; more likely, he deliberately makes use of various stylistic methods to create emotions in the addressee of the petition, who will also decide the case.

The topic and the facts of the case against the pagarch Mênas are known to us only through the presentations of Dioscorus, and the same holds true for the rest of his petitions as well. We do not have any document telling the story from Mênas' (or any other adversary's) point of view. Moreover, we are not informed, if Dioscorus' emotional arguments and insinuations had any effect on the addressed officials like the *dux et Augustalis* Athanasius. We cannot say, if the intentional emotional appeals to compassion and pity, or indignation, fear and anger, really moved, convinced, or shaken up the emotions of the *dux*. The fact that Dioscorus moved back to his village Aphroditê in 573 AD may indeed indicate that the situation had returned to normalcy and that this maybe was a consequence of the petitions which may have led to measures against the pagarch. Unfortunately, until now no document from Aphroditê has turned up that would let us understand, if Dioscorus' strategies were successful in the end. We do know, however, that Dioscorus succeeded in convincing most of his modern readers. Papyrologists, philologists and historians generally tended to believe him almost all accusations against Iulianus, Mênas, Theodosius and others. The majority of scholars regards his description of the clashes between the aristocratic large landowners and the humble *leptoktêtores* as typical for 6th century Egypt and even representative for the social and economic tensions beyond the boundaries of Egypt. From Jean Maspero, Matthias Gelzer and Harold Bell on, most scholars have read Dioscorus' complaints as matters of fact⁶⁴, have felt sympathy for the struggle of Aphroditê for autonomy, or hold in disdain the violent pagarchs Mênas and Iulianus or the corrupt *vir magnificentissimus* Theodosius. In the end, at least indirectly this had considerable impact on many historians' evaluation of the social conditions and economic developments Egypt underwent in the age of Justinian or in Late Antiquity in general⁶⁵. The mostly dark colors in our picture of Egypt in the late 6th and early 7th

⁶⁴ The most influential studies were those by MASPERO 1911, p. 426–481; GELZER 1909, esp. p. 92–96; HARDY 1931, *passim*; and BELL 1917, p. 86–106. Bell was – under the impression of Dioscorus' (and other) complaints – even talking of a “Byzantine servile state in Egypt”. Sympathy for Dioscorus underlays the works of MACCOULL 1988, and MACCOULL 1990, p. 103–107.

⁶⁵ Cf. the discussions on the situation in Egypt as one aspect of general developments in the Eastern Roman Empire: KEENAN 1993, p. 137–144; BANAJI 2000 p. 92–99; BANAJI 2001 p. 6–22 and 134–170; RUFFINI 2005, p.

centuries are to a large extent based on Dioscorus' narrative and his success in emotionally evoking our social conscience. Only some very critical historians have pointed out that Dioscorus of course was party in this cases and that it is at least possible that not all deeds of his adversaries were necessarily arbitrary actions with criminal intentions⁶⁶.

However, just the fact that we have to put the question without being able to answer it with certainty demonstrates how successful Dioscorus' interplay of emotions and arguments still is today.

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242–254 and RUFFINI, 2008, p. 157–170. LEPPIN 2011, p. 235–236. SARRIS, P., 2006, p. 131–148 provides a convenient overview over the scholarly evaluations.

⁶⁶ Cf., e.g. ZUCKERMAN 2004a, esp. p. 213–240 (with comments in PALME 2007b, p. 330–338).

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