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## CHAPTER I

# An Egyptian Exception?

It is a particular aspect of the relations between Egyptian and Greek that I would like to examine here: the way in which the Egyptian language, in the new form that it took on during Late Antiquity in Christian milieus, namely that of Coptic,<sup>1</sup> developed and attempted to undermine the monopoly

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<sup>1</sup> Coptic is the last stage of the Egyptian language, written with Greek letters. The term *Coptic* must give rise to a preliminary warning of a terminological as well as methodological nature. It is commonly used to designate several realities: it refers to various phenomena connected to the Egyptians who speak and write that language, otherwise known as the Copts. This last word goes back to the Arabic *Qibṭī*, which was derived from the Greek word Αἰγύπτιος “Egyptian” (itself, it seems, in turn derived from an Egyptian designation of Memphis, *Hwt-kꜣ-Pth*, lit. “The house of the *ka* [i.e., spiritual double] of Ptah,” which, by metonymy, would have been used by the Greeks to designate Egypt at a time when their knowledge was limited mainly to Lower Egypt). The Arabs, long after the conquest of Egypt in 642, used indeed this term to characterize the Christian community constituting the population of the conquered country, as opposed to the Muslim conquerors. It then moved on to European languages through the neo-Latin *coptus*. This usage is the only one that is historically valid—even if it fits a context much later than the period that will be treated here, and one during which Egypt was, at least initially, not totally Christian and the Egyptians did not identify themselves as such by their religion. But the word *Coptic* was also used to describe the writing of the Christians of Egypt, the Copts, as well as the state of the language that it renders. This is a modern use, which has given rise to the creation of the term *Coptology* (study of the Coptic writing system and language and, by extension, of the civilization of those who used this writing). It should be noted that the use of this word not only for the writing but also for the state of the language that corresponds to its emergence has led some to use the term *Coptic* also for texts that are not written in Coptic *stricto sensu* (see, for example, very recently Quack 2017, 27). In any case, we must be wary about (and even banish) secondary uses, especially in terms of chronology or material culture: we must absolutely avoid speaking of a “Coptic period,” as so often happens; in the same way, one can question the relevance of defining as Coptic an object of everyday life, such as a ceramic or a fabric—as has become customary in museum or collection catalogs. Here, I will use this term only for the language and writing that transcribes it as well as for those who use it. As Coptic is Egyptian, I will

that the Greek language had held for centuries as the official language. What I will analyze, then, is a very specific domain of written culture.

The written culture of Egypt and the interlinguistic relationships that it involves can be studied through two types of sources: (1) sources pertaining to writing that I will call “enduring,” in other words, the books and publications created to last and to be disseminated beyond the circle of the people commissioning their writing; and (2) sources pertaining to “everyday” writing, which we modern scholars have typically come to designate with the term “documents”—a conveniently broad term, yet one that is nonetheless very vague in that it covers, as generally used, a wide variety of artifacts. Without entering into an excessively nuanced typology, these can consist of (a) writings that an individual writes for him- or herself (reminders, lists, accounts); (b) writings exchanged between two individuals (private or business letters); (c) documents that testify to an exchange between two individuals, but within a legal framework (contracts, etc.); (d) documents addressed by an individual to the administration (petitions or various requests) or, conversely, (e) by the administration to an individual (tax receipts, administrative letters, various orders)—both of which therefore pertain to the regulated context of public law; and lastly, (f) internal administrative documents. As opposed to the first category, sources pertaining to “everyday” writing are normally set in the urgency of the present and are not intended for intergenerational dissemination (except for some kinds of legal documents).

I will focus in this book on documentary sources and, more specifically, on those produced within a context regulated by the law and the state (categories c–f according to the above typology), which in Egypt had long been subject to the monopoly of Greek, namely legal texts that the ancients called *dikaiōmata*, as well as texts pertaining to the judicial and administrative domain. Our task will be to establish the chronology and mechanisms whereby Egyptian came to enter the domain of *regulated* writing, thus acquiring an official dimension and becoming an actor in public written culture, to the detriment of the monopoly that Greek had acquired for itself. Through this problematic, which clearly relates to the broader subject of the emergence of Coptic, its development, and its coexistence with Greek, we will develop a genuine sociological account of bilingualism in Egypt during Late Antiquity. This is relevant given that the official use of a language reveals and determines to a large extent both

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also use “Egyptian” as a synonym. It is, moreover, the only word known to the Greek language (Αἰγύπτιος “Egyptian”) and to the Coptic one (ΜΝΤΡΜΚΗΜΕ lit. “which is peculiar to the inhabitants of Egypt”).

how this language is collectively perceived and how it relates to other languages.

In 1993, Roger Bagnall wrote, “The relationship of Greek and Coptic documentary usage would repay further study.”<sup>2</sup> Recent years have seen their share of discoveries that renew our understanding of the subject—and I myself have had the opportunity to find and recently publish a few key pieces—that modify the chronology that had been established.<sup>3</sup> There is still much to be done on this subject. In this book, I will attempt a synthesis on this important issue, basing my investigation on the re-examination of isolated papyri or of dossiers of papyri (and, in chapter 4, on the presentation of new pieces) that I believe can help us renew our perspective.

### The Egyptian Situation (250–550)

During the first three centuries of its history, Coptic was limited exclusively to nonregulated written exchanges. In this and the following chapter, we will ask whether this state of affairs is historically noteworthy or significant and, if so, what makes it so. However, I first need to present the linguistic context in Egypt at the time.

As is well known, a consequence of the Graeco-Macedonian conquest of Egypt and the establishment of the Ptolemaic Dynasty was the institution of Greek as the official language. This situation remained unchanged when Egypt came under Roman domination (30 BC). In the name of a very Roman type of pragmatism, the new power did not attempt to break with the previous linguistic tradition; rather, by availing itself of existing structures, it accepted that the administration continued using Greek while introducing Latin into it under certain circumstances (some documents originating in the army or regarding it, as well as those related to Roman citizenship). Compared to Greek, Egyptian—the language of the large majority of the population—was employed in multiple written forms depending on the context, of which only one was in common usage: Demotic (as opposed to Hieratic, which was reserved for the writing of literary and religious texts, and hieroglyphics, which were restricted to epigraphy [Fig. 1]). Even though the last example of Demotic is a graffito left on a wall at the Temple of Philae (452) [Fig. 2], its “natural” use disappeared much earlier. This writing ceased to be used in letters and tax receipts during the middle of the first century and, except in Egyptian temple environments,

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<sup>2</sup> Bagnall 1993, 241n51.

<sup>3</sup> Fournet 2010b; Förster, Fournet, and Richter 2012; Delattre and Fournet 2018.



Fig. 1. The last hieroglyphic inscription (394) on the wall of Hadrian's Gate at Philae. It accompanies a representation of the Nubian god Mandoulis. We can note the presence, at the bottom, of a contemporary inscription in Demotic. (Photograph courtesy of J. H. F. Dijkstra.)

no longer served for legal transactions as well after the first century. I will not dwell on the cause of this disappearance, which was the economic decline of temples: Roger Bagnall shed light on this almost thirty years ago.<sup>4</sup> What is of interest to me here are its sociolinguistic consequences. Apart from the temple milieu, the population no longer had a form of writing its primary language at its disposal, and from the first century found itself in a situation of collective “agraphia,” condemned to having to make

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<sup>4</sup> Bagnall 1988. See also Lewis 1993 and more recently Stadler 2008.

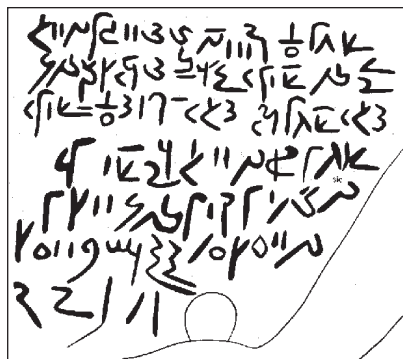


Fig. 2. The last testimony of Demotic (452) in a graffito carved in the Temple of Philae. (From F. Ll. Griffith, *Catalogue of the Demotic Graffiti of the Dodecaschoenus*, Oxford 1935–37, pl. LIV.)

use of Greek for its written communication. The only way to escape this linguistic schizophrenia was to reinvent a new form of writing. The former system was intrinsically bound to temples (which imparted its teaching through “Houses of Life”); and while temples continued to writhe in their death throes, Christianization, which was gaining significant ground during the third century, triggered this reinvention. In a context characterized by the hegemony of Greek and a departure from writing systems derived from ancient hieroglyphics, the new Egyptian writing could only be Greek. Following experiments (called “Old Coptic”<sup>5</sup>) that had already been performed by Egyptian priests who were increasingly unable to master the ancient Pharaonic writing, Greek graphemes were borrowed [Fig. 3]. To these were added others, for rendering phonemes specific to Egyptian that Greek letters could not express. The process was certainly neither organized nor linear, but among the multiple trials that were attempted independently, one came to be one step ahead of the others. It spread through stages and mechanisms unknown to us, and spawned Coptic in the traditional sense.<sup>6</sup>

What I am interested in here is the profile of Coptic writings from the first centuries. While these writings pertain both to the literary and

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<sup>5</sup> Quaegebeur 1982, 1991a; Aufrère 1999; Bosson 1999, 72–77; Quack 2017. These experiments were themselves preceded by others (“Pre-Old Coptic”): cf. Quaegebeur 1991b; Aufrère 1999, 48–51 (“pré-vieux-copte I”); Quack 2017, 30–37 (“‘Graeco-Egyptian’ writing system”). Kasser 2004, 78, distinguishes two types of Old Coptic: “vieux-copte ancien” (I–II AD) and “vieux-copte tardif” (III–IV AD).

<sup>6</sup> From the recent bibliography I retain Bagnall 2005; Choat 2012; Zakrzewska 2015; and Quack 2017.

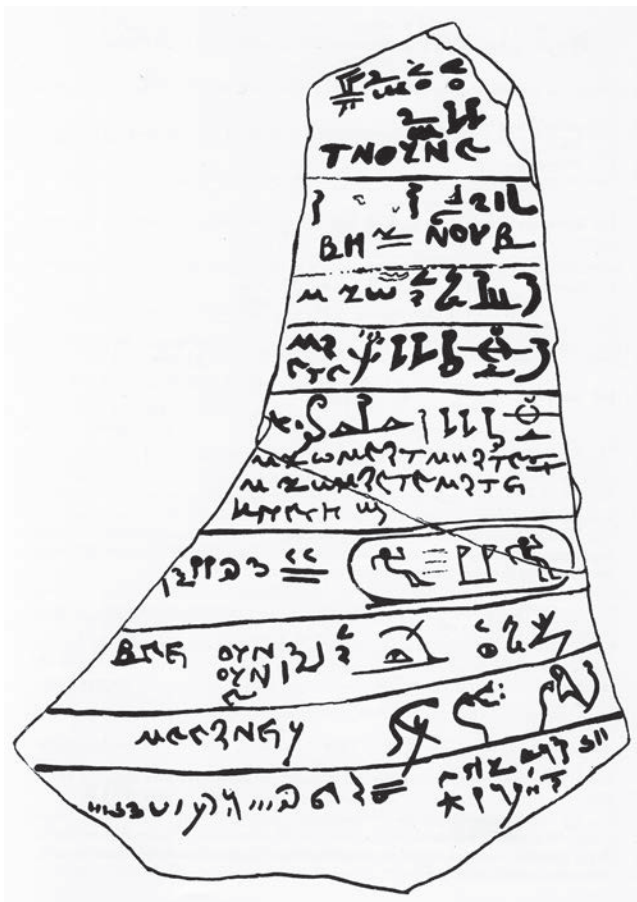


Fig. 3. School exercise from the Temple of Narmouthis (*O.Narm.Dem.* II 37, second/third century): the hieroglyphic or Hieratic signs are accompanied by their transliteration into Old Coptic. In the latter, we can see some letters derived from Demotic. (Facsimile courtesy of Paolo Gallo.)

documentary domains, it was with literary texts that Coptic made its appearance in the third century,<sup>7</sup> and not just with any form of literary texts, given that the five examples that have been attributed to this century take

<sup>7</sup> I do not take here into account the texts written in what is called Old Coptic, even if I am well aware that the line dividing Old Coptic and Coptic is a modern construction that is essentially based on the difference between milieus and not entirely on specific philological and linguistic traits. As Tonio S. Richter notes, “It would be hard to draw a sharp line between those Old-Coptic efforts, which were situated in the pagan contexts of Roman Egypt, and the earliest evidence of what is usually classified as Coptic and is associated with Christian contexts in a broad sense” (Richter 2008a, 413).

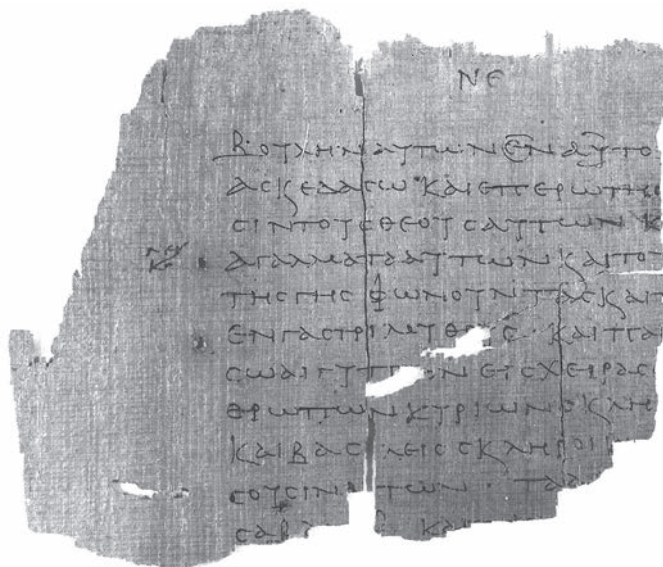


Fig. 4. This Greek edition of *Isaiah* (here *PSI XII 1273*) contains marginal annotations in Coptic that are the earliest testimony of this new writing (third century). (Photograph courtesy of the Biblioteca Medicea Laurenziana, Florence.)

the form of annotations to Greek biblical texts or bilingual versions of the Bible:<sup>8</sup>

- (1) Marginal annotations in a Greek edition of *Isaiah*, the majority of which belongs to the Chester Beatty Library, and which can be dated by its writing to the third century (more likely the first half, according to Frederic G. Kenyon) [Fig. 4].<sup>9</sup> According to the edition,

<sup>8</sup> On these texts (and others dated to the third century but more probably to the fourth century), see the lectures I gave in 2017 at the Collège de France (<http://www.college-de-france.fr/site/jean-luc-fournet/course-2016-2017.htm>). I exclude here the Kieselegg Papyrus (ed. Brashear and Satzinger 1990 = TM 64362), a Christian acrostic hymn in Greek and Coptic; *P.Bodmer VI* (ed. Kasser 1960 = TM 107761) containing *Proverbs* 1–21; and *P.ChesterBeatty AC 1390* (ed. Brashear, Funk, Robinson, and Smith 1990 = TM 61614): all of them must be dated more probably to the fourth century than to the third. There is doubt regarding the date of *P.Mich. inv. 5421* (ed. Browne 1979, no. 2 = TM 107779) containing *Job* 30:21–30: its editor favored the fourth–fifth century, but, according to the stratigraphic data, it should be from the end of the third or fourth century (van Minnen 1994, 72). See also TM 107771, 107888, 107910, 107962, and 108146, all dated to the third–fourth century.

<sup>9</sup> *P.ChesterBeatty VII* (= *P.Beatty VI*, ed. Kenyon 1937) + *PSI XII 1273* + *P.Merton I 2* = TM 61951. According to Paola Degni (Cavallo, Crisci, Messeri, and Pintaudi 1998, 111–12), this manuscript could be from the second century.



these Coptic annotations could be from the “middle of the third century or a little later,” but we cannot rule out the end of the century. Its origins remain uncertain, even though the Coptic dialect used for these annotations, which is a form of ancient Fayyumic, seems to point to the Fayyum.<sup>10</sup>

- (2) A Graeco-Coptic glossary to the minor prophets *Hosea* and *Amos* (kept in London), written on the reverse side of a Greek land register and which was paleographically dated from the “late third century” by its editors, “if not fourth” according to Arthur S. Hunt.<sup>11</sup> A recent study has shown that the land register probably dates from the “third quarter of the second century” and that it originates from Oxyrhynchus, which tallies with the dialect used for the Coptic part of the glossary (Mesokemic).<sup>12</sup>
- (3) The Coptic version of *Psalms* 46:3–10 copied among exercises in Greek (declension of pronouns, a paraphrase of Homer, fraction tables, declension of a *chreia*, conjugation of a verb) in a school notebook composed of seven tablets, kept at the Bodleian Library.<sup>13</sup> According to the editor of the Coptic portion, this educational codex dates from the second half of the third century.<sup>14</sup> Purchased in Luxor, its exact origin is unknown, but the Akhmimic dialect characteristic of the Coptic used to copy the *Psalms* seems to confirm that it has been written in Upper Egypt, perhaps in the Theban area.
- (4) A bilingual papyrus codex of sixty-four folios containing the *Acta Pauli* (Greek), the *Canticum* (Coptic), the *Book of Lamentations* (Coptic), and *Ecclesiastes* (Greek and Coptic), copied by at least two hands, maybe as writing exercises in both languages.<sup>15</sup> The editors,

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<sup>10</sup> According to TM 61951, the following origins have been proposed: Aphroditopolis/Atfih (Schmidt), Upper Egypt/Panopolis (Sanders), Arsinoe (Kilpatrick).

<sup>11</sup> P.Brit.Mus. EA 10825 (ed. Bell and Thompson 1925, reprinted in *P.Rain.Unterricht. Kopt* 257a) = TM 61982. Hunt’s opinion about the date is given by Bell and Thompson 1925, 241.

<sup>12</sup> Benaissa 2016.

<sup>13</sup> T.Bodl. Greek Inscr. 3019 (= TM 61276): Coptic text edited by Crum 1934; Greek text edited by Parsons 1970 (Mertens-Pack<sup>3</sup> 2732; Cribiore 1996, no. 388).

<sup>14</sup> Parsons 1970 and Cribiore 1996, 273, date it to the end of the third century.

<sup>15</sup> Hamburger Papyrus bilinguis 1 (ed. Diebner and Kasser 1989) = TM 61979. I am inclined to think that our two copyists were bilinguals with a better command of Greek, trying to learn Coptic writing or perfecting themselves in Coptic at the same time as they compiled collections of texts for personal use. Even if this codex is not strictly speaking a school text, it had an educational purpose. See Diebner and Kasser

following Eric G. Turner, proposed a date between 275 and 350, but according to a recent re-examination of the script of this codex, the end of the third century should be preferred.<sup>16</sup> The Fayyumic dialect used for the Coptic parts points to a Fayyumic provenance.

- (5) A set of annotations to a Greek edition of the minor prophets in a papyrus codex from the Freer Gallery,<sup>17</sup> dated by its writing from the end of the third century. Although this dating was accepted by most scholars, some prefer the fourth century—in my view, correctly.<sup>18</sup> Although it could have been acquired in the Fayyum, nothing can actually confirm its provenance.<sup>19</sup>

As opposed to the typical ratio between literary and documentary texts (usually one to six or seven), we have only one document for this century:<sup>20</sup> a private letter preserved on an ostrakon from Kellis (Dakhla Oasis), which is written in a form of archaic Coptic, dating from the later third century [Fig. 5].<sup>21</sup>

During the following century, Coptic documentation became far more visible: the number of literary texts (almost all biblical) proliferated, although they came to be very clearly surpassed by the number of documentary ones. Documentary Coptic truly developed during this century. Rather than going over examples of this, which would be time-consuming

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1989, 21 (“Schreibübung [. . .], bei der Buchstabenformen und Orthographie des Schülers z. T. von Lehrerhand, z. T. vom Schüler selbst (auf Anweisung des Lehrers?) verbessert wurden”); and Crisci 2004, 114–15 (“Anche senza voler escludere istanze di perfezionamento di competenze grafiche individuali (in certo senso inevitabili quando si ha a che fare con scritture manoscritte), non penso che fosse questa la principale ragion d’essere di una operazione che aspirava invece a costituire una raccolta di testi religiosi, greco-copti, per letture edificanti, individuali o collettive”).

<sup>16</sup> Diebner and Kasser 1989, 51; Crisci 2004, 114.

<sup>17</sup> Freer MS V (ed. Sanders and Schmidt 1927) = TM 61966.

<sup>18</sup> Turner 1977, 181 (OT 187). A comparison with *P. Bodmer XXV* (now attributed to the fourth century) favors this later dating. For the various opinions on the date of this codex, see Choat 2006b, 91–97.

<sup>19</sup> See Choat 2006b, 88–91.

<sup>20</sup> I am excluding *P. Mich. Copt.* 1 (TM 86539), of unknown provenance, dated by its editors from the third or early fourth century. This letter cannot be this old, because it follows the new-style format of letters, and the writing would be compatible with the fifth to sixth centuries, which the use of an initial cross and final crosses confirms.

<sup>21</sup> O. Kellis Copt. Inv. D/1/234 (ed. Gardner 1999, reed. *P. Kellis VII* 129 = TM 88395). On this text, see Kasser 2004; Bagnall 2005; and Quack 2017, 72–73.

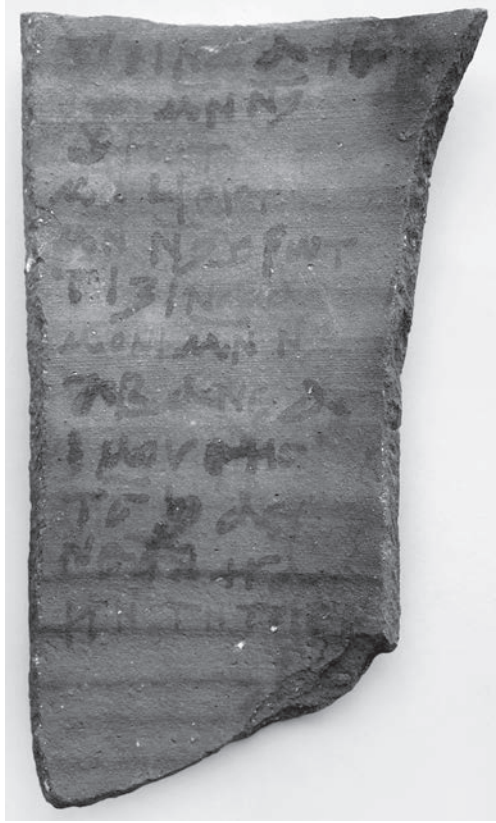


Fig. 5. The most ancient document in Coptic: a private letter from Kellis (*P.Kellis VII* 129, later third century). (© Dakhleh Oasis Project and C. A. Hope.)

and pointless,<sup>22</sup> I would like to characterize briefly their nature with regard to Greek documents found in the same context. To do so, I will focus primarily on homogeneous groups of texts, in particular on archives that have the merit of contextualizing the concomitant use of Coptic and Greek.

The oldest such archive is that of the Melitian monastery of Hathor (Cynopolite/Heracleopolite), consisting of two subarchives, those of the elder Apa Paieous (330–40) and of his (whether direct or not) successor

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<sup>22</sup> We find a list of Coptic documents from the mid-third to the early fifth century in Choat 2006a, 178–85, to be completed in particular by the editions of texts from Kellis (*P.Kellis VII*, published in 2014).



Fig. 6. A Coptic letter sent by Apa Papnoute to Nepheros, the elder of the Hathor monastery (*P.Neph.* 15, ca. 360–70). (© Institut für Papyrologie, Universität Heidelberg.)

Nepheros (360–70).<sup>23</sup> The former contains ten letters, six of which are in Greek and four in Coptic,<sup>24</sup> and a Greek legal text (“contract for the appointment of a deputy”);<sup>25</sup> the second contains twenty-six letters, twenty-four of which are in Greek and two in Coptic [Fig. 6], and sixteen other documents (contracts, tax receipts, etc.), all in Greek. Note that the editor believes that the author of one of the Greek letters addressed to Paieous concerning relations between the Melitian congregation and the Bishop of Alexandria (*P.Lond.* VI 1914) is Egyptian, judging by the mistakes he makes. It can therefore be argued that the choice of Greek is related to the nature and importance of this letter, which acts as an official report.

The documents found in the bindings of the codices from Nag Hammadi date from the same era, and also appear to pertain to a monastic circle (especially in those of Codices VII and VIII).<sup>26</sup> Apart from numerous accounts, they contain sixteen Greek letters revolving around the monk Sansnos, and about the same number of Coptic letters, which are most often fragmentary.<sup>27</sup>

<sup>23</sup> A third group of texts, that of Papnouthios (*P.Lond.* VI 1923–29), is less clearly related to these. It consists entirely of Greek letters. On the monastery of Hathor or Phathor, cf. Hauben 2002.

<sup>24</sup> *P.Lond.* VI 1914–19 (Greek); 1920–22 (= *SBKopt.* III 1311–13) and *SBKopt.* III 1310 (Coptic).

<sup>25</sup> *P.Lond.* IV 1913.

<sup>26</sup> I am referring here just to the texts included within the covers and do not want to get into the debate surrounding the “monastic connexion” of the codices themselves (see, for instance, Wipszycka 2000 and the bibliography that she mentions).

<sup>27</sup> Greek letters: *P.Nag Hamm.* 66–81; Coptic letters: *P.Nag Hamm.Copt.* 3 (letter or homily), 4–8 (letters), 9–14 (undetermined fragments, probably letters), 15–19 (letters). Wipszycka 2000, 190–91, gives a list of documents that she considers to be of monastic origin.

Texts from the same period or slightly later originate from the oases of Kharga and Dakhla in the Western Desert of Egypt. They are significantly larger in number owing to the excavations carried out in this region over the past several decades. For Kharga, it is the site of Douch (Kysis) that has been the most prolific, although only eleven texts, out of the 639 published ostraca (350–400), have been identified as Coptic,<sup>28</sup> all of which are private letters.<sup>29</sup> However, this is a large number if we compare it to the number of private or business letters in Greek, which makes up barely more than twenty texts. The same goes for Ain Waqfa (a village): of the seventy-nine published documents (350–400), there is only one Coptic letter<sup>30</sup>—the only letter in this group of texts that includes delivery orders, receipts, agreements, or accounts. Finally, of the six documents found at Chams el-Din (Mounesis), one is a record of bookkeeping in Greek in which a line of Coptic managed to slip in.<sup>31</sup>

The Kellis excavations in the Dakhla Oasis have delivered a considerable number of both Coptic and Greek texts, originating from circles professing Manichaeism. While it is difficult to compare the near 450 Greek documents (ca. 290–390)<sup>32</sup> and the 207 Coptic documents (datable from ca. 355 to 380+)<sup>33</sup> in terms of typology, given that their publication is not yet entirely completed, we can get a more precise image of the Coptic documents through a summary given in *P.Kellis* VII (2014). Out of the 207 Coptic documents identified, 199 are letters and 8 are lists or accounts; on the other hand, Greek documents are composed of legal documents and petitions, in addition to private and administrative letters. Therefore, while Coptic documents are almost all letters, the bilingualism of the actors in this dossier is

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<sup>28</sup> These ostraca (*O.Douch* I 40, 44, 49; II 183; IV 369; V 508, 524, 547, 606, 636) are as yet unpublished, except for *O.Douch* I 40 (ed. Bagnall, Choat, and Gardner 2004) and 49 (ed. Choat and Gardner 2003 = *SBKopt.* III 1292)—on these two texts, see also Schenke 2007. G. Roquet wrote a note about them in Sauneron et al. 1978, 32–33.

<sup>29</sup> I will return later to the case of *O.Douch* I 49.

<sup>30</sup> *O.Waqfa* 77, yet unpublished.

<sup>31</sup> *O.Chams el-Din* 3 = *SB* XX 14823, 4.

<sup>32</sup> I obtain this number by adding the 81 documents in *P.Kellis* I, the 16 in *P.Gascou*, the 62 currently being published in the two sets of *APF* by K. A. Worp (19 documents in the first set, 41 in the second, which moreover includes 2 transcriptions of letters by R. S. Bagnall), and the 289 in *O.Kellis*. K. A. Worp has also informed me of the forthcoming publication of a letter in a volume of *Mélanges*. In fact, to be more precise, it would be necessary to compare by sector: Greek and Coptic papyri come from Area A, House 1–3, which provided only very few of the 289 published ostraca (House 2: 2; House 3: 3; House 4: 10; and House 5: 3). Cf. *O.Kellis*, 14.

<sup>33</sup> *P.Kellis* V 6. The edition of the Coptic texts is now finished.

striking, as they are capable of switching from one language to the other without it always being easy to justify the use of the language. For example, a father writes to his son in Coptic, whereas the latter writes to him in Greek;<sup>34</sup> meanwhile, both of them receive letters in Greek.<sup>35</sup> Another writes to his “brother” sometimes in Greek, sometimes in Coptic.<sup>36</sup> The same person may switch from Coptic to Greek within the same letter for no specific reason.<sup>37</sup> The bilingual nature of this community is summarized well by the recommendation that Makarios makes to his “son” Matheos in a Coptic letter: “Study your Psalms, whether Greek or Coptic.”<sup>38</sup>

The last group of texts dating from the fourth century will take us to the Nile Valley, albeit to its outskirts, more particularly to the archive of the anchorite Apa John (Lycopolis, ca. 375–400), which for the moment is composed of thirty-four papyri, all of which are letters, fourteen of them in Greek, and twenty in Coptic. These letters were addressed by monks, clerics, soldiers, state officials, and individuals to Apa John, who has to be identified as the famous John of Lycopolis known by literary sources, so that he would pray for them or intercede in their favor in dealings with the authorities.<sup>39</sup> As the senders did not always state their position, it is difficult to explain the choice of language. While the majority of the Cop-

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<sup>34</sup> *P.Kellis* V 12 (Coptic); *P.Kellis* I 12 (Greek). See also *P.Kellis* VII 66 and 67 (Coptic letter of Pamour to his “brother” Pekysis) and *P.Kellis* I 72 (Greek letter of Pekysis to Pamour).

<sup>35</sup> *P.Kellis* I 10 and 11.

<sup>36</sup> *P.Kellis* I 71 (Greek) and *P.Kellis* VII 64, 72, and perhaps 65 and 70 (Coptic). The term *brother* often used in ancient letters does not necessarily imply family relationship.

<sup>37</sup> *P.Kellis* V 43. See also *P.Kellis* V 35, a Coptic letter starting with a magical charm in Greek, written by the same hand (that of Valens). On this letter, see Mirecki, Gardner, and Alcock 1997.

<sup>38</sup> *P.Kellis* V 19, 13–14.

<sup>39</sup> Concerning these archives, cf. van Minnen 1994, 80–84; Zuckerman 1995, 188–94 (both independently identified—in my view, correctly—the Apa John of this archive with the John of Lycopolis known by literary sources); Choat 2007a (who has announced its planned re-edition). The Greek texts are *P.Amh.* II 145 (= *W.Chr.* 53) with the subscription of John in Coptic; *P.Herm.* 7–10 and 17; *W.Chr.* 130 (= *P.Lond.* III 981, 241); *SB* XIV 11882 (connected to this archive by Choat 2007a, 180, about which Gonis 2008, 69n2, has some reservations); XVIII 13612; five documents (two of them possibly belonging to this archive) edited by Gonis 2008. The Coptic ones are *P.Lond.Copt.* I 1123; *P.Ryl.Copt.* 268–76 and possibly 292, 301, 310–14, 396; *SBKopt.* IV 1695 (ed. Choat and Gardner 2006); perhaps also *P.CrumST* 172. A Coptic unpublished piece cited by Choat 2007a, 180, must be added (P.Mich. inv. 6626).

tic letters originate from monks,<sup>40</sup> others are addressed to John in Greek (such is the case of Psois, *P.Herm.* 7, to which I will return in chapter 2<sup>41</sup>), despite being written by Egyptians.

Isolated texts must be added to these groups, from a list of which I spare the reader because they contribute nothing more: they are letters, and less commonly record-keepings. The same goes for the two following centuries and a half: while Coptic documents during that period (and especially during the fifth century) are less abundant and do not benefit from the contextualization of archives as homogeneous as those that I have just discussed, their nature is identical to what we have seen concerning the fourth century. It was only in the second half of the sixth century that the profile of the documentation changed, as we will see in chapter 3. What conclusions can we draw, then, from this rapid overview of the first centuries in which Coptic was used?

I will not dwell on the geography of this documentation, which has already been analyzed by Roger Bagnall:<sup>42</sup> it is most often found in oases and the desert-like outskirts of the valley, where monasteries and other (semi-)anchoretic settlements came to be established. The villages of the Fayyum have not yielded any document in Coptic, at least not until the Arab Conquest (with very rare exceptions), despite providing so many documents in Greek. I am tempted to think that this is probably not by chance, considering that it is also the region where Demotic was used for the longest period of time, as much in the religious and the magical domain, as in contractual documents, a testament to the persistence of an indigenous language school for notaries that attempted to resist Greek. The link between Demotic and paganism may explain why Christians, in a highly Hellenized region, continued to use Greek, at least in the beginning and in their everyday writing. I will have the opportunity to come back to this point in chapter 3. Last of all, cities were almost entirely absent from our survey. Although the publication of previously unpublished Coptic texts from Oxyrhynchus may somewhat modify this assessment, their number for the period that concerns us definitely

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<sup>40</sup> Almost all the letters whose author indicates his status are written by monks (*P.Ryl.Copt.* 268, 269; *SBKopt.* IV 1695). For the others, the names and titles are lost in lacunae, but the use of the expression “brother” (“my brother,” “our brother,” etc.) strongly suggests that we are dealing with monks or maybe clerics (*P.Ryl.Copt.* 271, 273, 276, 292, 313, 314).

<sup>41</sup> Cf. chapter 2, pp. 50–53.

<sup>42</sup> Bagnall 2011, 81–85.

appears to be very low.<sup>43</sup> As we can see, urban milieus are almost completely absent, to the benefit of monastic ones (or “sectarian” groups such as the Manichaeans).

However, are the conclusions of this sociological approach, which only the documents allow us to establish, also valid for literary texts? This is a tricky question that is made significantly more complex by the absence of provenance and stratigraphic data allowing us to place Coptic books in their geographical and sociocultural context. What is now certain is that the use of Coptic for nondocumentary purposes tends to precede that for documentary ones. Moreover, we note that it does not take on the form of works in the traditional sense but rather that of annotations to Greek texts, Graeco-Coptic glossaries, or school exercises in Greek sets or bilingual writing exercises. We are therefore faced with a subliterate usage intended for learning oriented toward Greek or based on Greek.<sup>44</sup> Moreover, some of these texts appear to originate from cities (Oxyrhynchus) or Fayyum, as opposed to our finding about the provenance of documents. The few pieces that are available and the absence of irrefutable provenance must encourage us not to come to overly definitive conclusions. It is nevertheless tempting to think that the first generations to use Coptic (in the latter half of the third century) lived in urban milieus—the very same ones that led to the formation of municipal elites<sup>45</sup>—or in villages that were significantly Hellenized. It furthermore appears that the use of this new writing aimed to create a version of the Scriptures in vernacular based on Greek editions, rather than to produce an original literature. It was not until several decades later that this writing, once it had been perfected and had proven itself, seems to have spread to the least Hellenized milieus (monastic ones in particular), which apparently used it for documentary purposes, to communicate among themselves. Given that monastic communities were also centers for the copying of Christian works, they were able to establish the link between the two usages.<sup>46</sup> I will not focus on this

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<sup>43</sup> Cf. Clackson 2007 and the discussion of Bagnall 2011, 84–85.

<sup>44</sup> In the glossary to *Hosea and Amos* (P.Brit.Mus. EA 10825 = *P.Rain.UnterrichtKopt.* 257a), the lemmas are Greek and the annotations are Coptic. The point was thus to understand the Greek version.

<sup>45</sup> Cf. Bagnall 2009b, 71–72; Bagnall 2009a, 67–69; Camplani 2015, 138. On the Coptic elites, see also Wipszycka 1992b, 118; and Camplani 2003.

<sup>46</sup> I do not share E. Zakrzewska’s opinion that the invention of Coptic took place in a monastic milieu (Zakrzewska 2016, 216): “Now, as mentioned-above, the earliest Coptic writings come from monastic, Manichaean or Gnostic communities. As is well known, these pioneers of the monastic movement were, in the eyes of their



now, as I will come back to this problem in chapter 2. For the moment, I am merely sowing a few seeds.

The precedence of literary Coptic is also possibly at the origin of one of the most noteworthy paleographic features of Coptic writing in general: its tendency for a noncursive form and a capital letters look, which is peculiar to the copying of literary papyri. With the noteworthy—but for the moment inexplicable—exception of texts from Kellis,<sup>47</sup> Coptic writing from the first centuries stands in sharp contrast to the cursive of Greek documentary texts, especially that of notary deeds, to such an extent that during the sixth century the notary and amateur poet Dioscorus of Aphroditite used the same style of writing for Coptic documents and his Greek poems, as opposed to the style used in his Greek documents [Fig. 7]. This link between Coptic and book writing, which Leslie S. B. MacCoull originally proposed, was called into question by Roger S. Bagnall, who considered that it was based on an oversimplification of “book hands” as opposed to “cursive business hands.”<sup>48</sup> The fact that the typology of writing forms in use is much more complex than this understanding does not contradict the theoretical, and ideal, opposition developed by the ancients, between book and documentary writing—and by that I mean legal and administrative writing, and not that of private letters, which are often placed halfway between the two. Admittedly, we can ask whether the graphic style of Coptic is motivated by a usage that was originally exclusively literary, or by the fact that Coptic started to be employed, in the domain of documents, exclusively for private epistolography (as we are going to see in greater detail), at a time when the trend was to “literatize” the writing of private letters. In any case, it is undeniable that from the beginning

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contemporaries, indeed ‘underconforming to the point of deviance.’ They consciously distanced themselves from their original social milieu and networks in order to create an alternative lifestyle that can only be characterized as innovative in the extreme. Part of this alternative lifestyle could be a different linguistic behavior, in this case the use of Coptic in writing.” But I agree with her conclusion: “To put it somewhat sharply: literary Coptic was originally constructed not to convert Egyptian farmers but to discuss new ideas with like-minded, well-educated ‘counterculturists.’” Camplani 2015, 146–47, seems to me closer to the truth, although he links the first phase too tightly with clerical milieus (“in sintesi, possiamo affermare che la pratica del copto conosce una prima fase in ambienti clericali e episcopali, per poi essere fatta propria dal monachesimo e da questo ricevere un impulso alla sua diffusione oltre il contesto monastico”), whereas it is due, in my opinion, rather to secular Christian milieus (a hypothesis that he considers too: 141).

<sup>47</sup> Noted, for example, by Gardner and Choat 2004, 499–501.

<sup>48</sup> MacCoull 1997, 350; Bagnall 2011, 79–80.

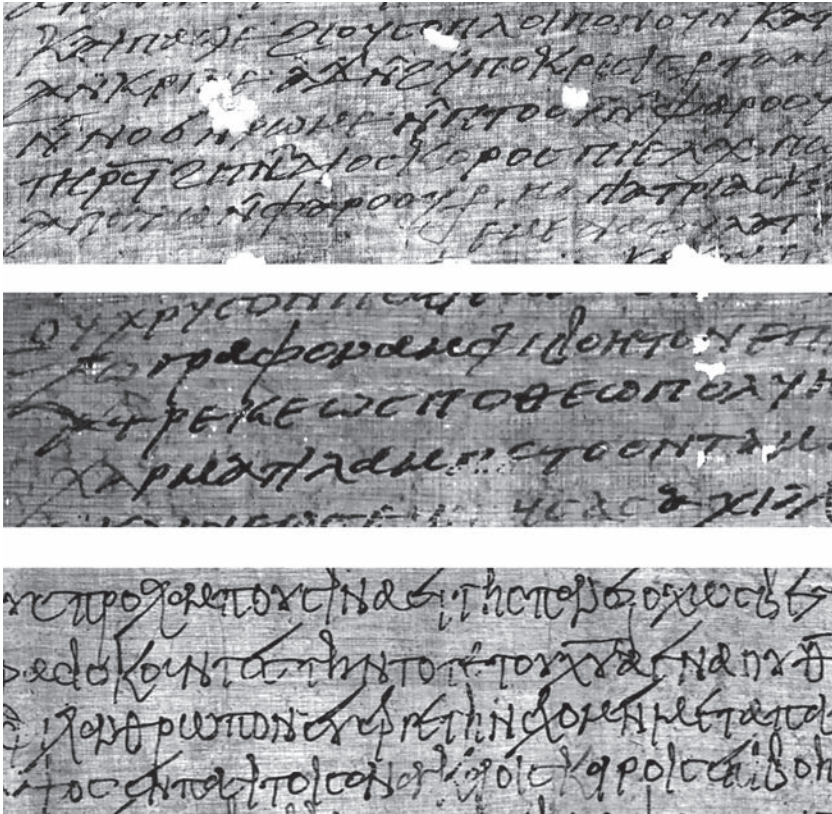


Fig. 7. Dioscorus's two main styles: (a) sloping capital letters for Coptic documents (top: P.Alex. inv. 689 r° [Aphrodite, 569]) and literary texts (middle: *P.Aphrod.Lit.* IV 18 [Antinoopolis, 567 or 568]); (b) upright cursive for Greek documents (bottom: *P.Cair.Masp.* I 67002 [Aphrodite, 567]). (Photograph courtesy of Alain Lecler [IFAO] and Adam Bülow-Jacobsen.)

it strongly contrasted with the style of Greek documents pertaining to notarial or administrative practices. Moreover, this contrast was maintained for such a long time and so systematically that I am tempted to see it as the result of a conscious and deliberate social distribution of the two forms of writing: that is, a socially organized digraphia.<sup>49</sup> I see evidence of

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<sup>49</sup> This contrast is all the more necessary since the two languages share the same graphic system (the Greek alphabet), and the shift from one to the other within the same text may not always be very clear and may cause misunderstanding. One could neutralize this risk only by using a different graphic style for each of the languages, which makes it possible to grasp at a glance the language that is used. Cf. Fournet 2018a, 80–81.

this in the fact that Coptic writing ended up adopting a cursive style when it ceased to be employed solely for literary and epistolary purposes—in other words, when it came to be used for legal texts.<sup>50</sup> I therefore think that it is legitimate to relate paleography to the field of use. In my opinion, the capital letters aspect of Coptic would seem to be the graphically translated acknowledgment of its unsuitability for legal or administrative uses. Once again, we see that paleography reflects the history of a society and its cultural choices.

For now, what primarily interests me—and here I am returning to my initial problem—is the nature of the fourth-century documentary texts. Except for a few bookkeeping records, as I have just mentioned, these consist solely of letters, and specifically of private or business letters—texts, in other words, that lie outside the public or legal sphere. The exceptions are very rare: one is possibly *O.Douch* I 49, a letter addressed by a *princeps* (that is, a military officer) regarding wheat distribution:

Pistoīs, *princeps*, writes to the beloved brother Sansnos: in the Lord—greetings. See, nine artabas of wheat: I have sent them over so that you (pl.) might apportion them amongst you. Give part (i.e., as payment) to Dio (the) camel-herder, corresponding as if you might sell it; and write how much then you have been paid. Be well in the Lord.<sup>51</sup>

As this case most likely refers to military provisions, we could consider this document an administrative letter *stricto sensu*, which should follow an official procedure. But it may also be an unofficial missive sent to a coreligionist who knew Pistoīs well. In any case, the diplomatics of this letter contrasts sharply with Greek administrative letters from the same period, in which the Christian greeting is absent.<sup>52</sup> In fact, the only indisputable exception is a recently published text (2014), which has received little attention since then, *P.Kellis* VII 123, overlooked perhaps because it

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<sup>50</sup> Among ancient examples, see *CPR* IV 23 (610); *SBKopt.* III 1369 (ed. Alcock and Sijpesteijn 2000; 646/647); and *P.Vat.Copt.Doresse* 1 (ed. Förster and Mitthof 2004; mid-seventh century). However, even once “cursivized,” it would continue to develop features distinctive from those of Greek, which made it possible to distinguish the two within a single given text (cf. Fournet 2009c, 443, fig. 18.12; Cromwell 2010).

<sup>51</sup> Trans. Choat and Gardner 2003, 145.

<sup>52</sup> *O.Douch* II 183 is also a Coptic letter written by an officer (an *optio*). However, we know nothing of its contents. *O.Douch* I 44 is written to a  $\pi\rho(\ )$  which may be, according to the editors, either a *praepositus* or a priest (*presbyteros*).

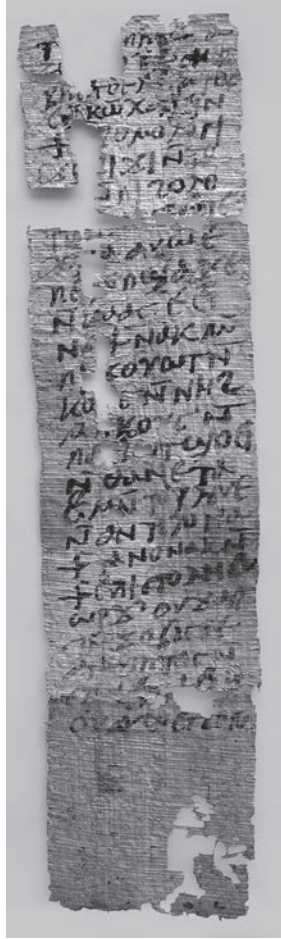


Fig. 8. A Coptic loan receipt in the form of a letter (*P.Kellis VII 123* [Kellis, ca. 355–80]). (© Dakhleh Oasis Project and C. A. Hope.)

was published in the midst of private letters. Although written in an epistolary form, “this is essentially a loan receipt and an agreement to repay in kind (sometimes called a ‘sale in advance’)” [Fig. 8]<sup>53</sup>:

Τ[ὠι ἀγα]πητῶι ἀ[δελφῶι] Ἰωσήφ | Βησᾶτος Λ[ου]ιῶρος | ἐν  
κ(υρίῳ) χαίρειν.  
|<sup>5</sup> †[P]ρομολογῖ | χε̅ ρ̅ιχ̅ι̅ ἡ̅το|[τκ̅] ἡ̅πιζολο|γοτῖνος  
ε̅τε|χρ̅ι̅α̅ λ̅γω̅ ε̅<sup>10</sup> πε̅φ̅μ̅ω̅α̅ χε̅ | ἡ̅κα̅α̅ς̅ ε̅ε̅ι̅να̅†̅ ἡ̅α̅κ̅  
ἡ̅|πι̅χο̅υ̅ω̅τ̅ ἡ̅|κο̅[γ]̅ς̅ ἡ̅̅νη̅ς̅ |<sup>15</sup> ἡ̅̅κο̅υ̅ς̅ ἡ̅|πα̅ει̅ω̅τ̅ ω̅ο̅ει̅ |

<sup>53</sup> *P.Kellis VII*, p. 272.

ΝΘΑΝΕΤΑ | ΕΜΝΤΟΥ ΛΑΥΕ | ΝΑΝΤΙΛΟΓΙΑ |<sup>20</sup> †`ΤΑΝΟ ΝΑΚ  
 Ν|†`ΕΠΙΣΤΟΛΗ ΕΥ|ΩΡΧ` ΟΥΧΑΕΙ | 2Ν ΠΧΟΕΙΣ . Ε|ΔΓΑΠΗΤΟΣ  
 Ν|<sup>25</sup> ΣΟΝ ΕΤΤΑ . ` . `Η|ΟΥ ΛΥΩ ΕΤΣΟΕΙ.

To my beloved brother Joseph son of Besas. (From) Louioros; in the Lord,—greetings. I acknowledge that I have received from [you] this *holokottinos* for my need and its worth, so that I will pay you these twenty choes of oil per the *chous* (-measure) of my father Shoei of the monastery; for they are not disputed. I am drawing up this letter for you as a deed of security. Be well in the Lord my (?) beloved brother, who is honored (?) and . . .<sup>54</sup>

This document follows the formulary of the Greek receipts. But, at the same time, it is explicitly presented as a letter (l. 21, *epistolē*), which is a way of recognizing that it does not have the same status as a Greek legal document even if it claims the same effects. We have here an attempt at drawing up a legal document in Coptic, which nevertheless is formally hybrid and which does not seem to have been imitated. It is an isolated case.

Apart from this one exception, Coptic is exclusively limited to private letters—in any case to texts involving communication.<sup>55</sup> This does not mean that in bilingual environments such as Kellis, private letters were always written in Coptic. In fact, we observe the interchangeability of languages for the epistolary function: both Greek and Coptic were used between the same individuals, and sometimes in the same letter. In other environments, such as Kharga, we find, on the contrary, a preference for Coptic (Douch), or even its exclusive use (Ain Waqfa) in nonregulated epistolary communication (excluding delivery or payment orders, which also take on an epistolary form and are always in Greek). Are we dealing with less Hellenized milieus, or did the authors deliberately choose to use Coptic for private communication?

In any case, no matter how hard we search for them, we have found no judicial or legal document in Coptic from this period. Greek was used whenever someone wanted to write a petition<sup>56</sup> or make a transaction.

<sup>54</sup> Translation from *P.Kellis* VII.

<sup>55</sup> I am omitting the somewhat marginal case of bookkeeping records.

<sup>56</sup> The petition was a complaint addressed to the authorities to institute a legal proceeding. See chapter 3.

Failing to master that language, the person would go to a bilingual notary who would draw up the deed in question in Greek and translate it orally from Greek into Coptic for his client. If the person was not capable of understanding the text of the contract in Greek, he was often—but not always—incapable of writing in Greek his subscription (the equivalent of our modern signature), which constituted agreement. In this case, he called upon a third party, the *hypographeus*, who would subscribe at his request. This situation is noted at the end of a settlement of claims from 545: “and when all terms had been read and translated to them and had satisfied them, they subscribed by agency of Pamouthios at their request because they are illiterate” (it is not necessary to specify that “illiterate” here clearly means illiterate *in Greek!*).<sup>57</sup> The translation of acts for the attention of the parties was so frequent that usually the notary did not even take the time to specify it, except in the case of a few talkative or pedantic notaries.<sup>58</sup>

Therefore, there was no question of writing the text of a contract in Coptic or of providing a subscription in a language other than Greek.<sup>59</sup> It would have been possible to attach a summary in Coptic, in line with notarial practices during the Ptolemaic period or the beginning of the Roman period, in which it was possible to provide a summary in Greek or in Demotic,<sup>60</sup> depending on the language in which the contract was written. I am nevertheless unaware of an example of such a practice.

Admittedly, at times, scholars mention Coptic “summaries” found on the reverse side of Greek legal acts; some are even described as “chancellery notes,” which would give them an official nature.<sup>61</sup> However, the study of these texts, which have never been gathered together or ana-

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<sup>57</sup> *P.Oxy.* LXIII 4397, 186–88: καὶ ἀναγνωσθέντων πάντων καὶ ἐρμηνευθέντων αὐτοῖς καὶ ἀρεσθέντων ὑπέγραψαγ διὰ Παμουθίου αἰτηθέντος παρ’ αὐτῶν ἀγραμμάτων ὄντων.

<sup>58</sup> Other than *P.Oxy.* LXIII 4397, cf. also *P.Münch.* I 13, 71 (sale; Syene, 594); *P.Mon. Phoib.Test.* 1, 13–15 and 70 (= *P.Lond.* I 77, 12–14 and 69 [231]) (will; Hermonthis, end of the 610s)—concerning this text, see chapter 4. It must be noted that these texts are very long: respectively 245, 85, and 89 lines.

<sup>59</sup> The counterexamples are doubtful: for example, MacCoull 1995, 345 (= *BL X* 282) believes that there is a Coptic subscription in *P.Vat.Aphrod.* 4, 15 (Aphrodite, Vith c.): ΤΣΥΡΑ ΣΑΒΙΝΟΣ “Tsyra daughter of Sabinos,” where it must actually be read as Ἀὐρηλία Τσῦρος.

<sup>60</sup> See Depauw 2009.

<sup>61</sup> *BGU XVII* 2683 intr. (p. 21): “wahrscheinlich eine Notiz der Kanzlei.”

lyzed specifically through an interlinguistic perspective, shows a different phenomenon altogether (cf. appendix 1).<sup>62</sup> I was able to identify a dozen Greek contracts with Coptic “summaries,” all of which date from the years 520–50 and originate from Hermopolis or an Antinoopolite enclave in Hermopolite territory.<sup>63</sup> They belong to at least three archives: that of Taurinos,<sup>64</sup> that of the monastery of Apa Sabinos (called the “Northern Rock of Antinoopolis”), and that of the monastery of Apa Apollō at Bawīt. Most of the time, these one- or two-line annotations replicate the title of the document—which is written in Greek as required, on the verso—and are always written in another hand. They were therefore added subsequently and are not part of the document as such. They are annotations made by someone more comfortable with Coptic than with Greek, and therefore allowing one more easily to identify a document once it was rolled up: perhaps one of the monastery archivists who spoke less Greek than his predecessors?

We can go even further with the texts of the Taurinos archive. Here we are struck by the clumsiness of the hand or hands responsible for the notations that are found on their reverse side—a characteristic that in my opinion appears to confirm that all four of them do indeed belong to the same archives. In addition to the inexperienced character of the writing, which resembles that of a semiliterate person, we observe, among other errors, graphic confusions that can only be explained through the misunderstanding of a preexisting original.<sup>65</sup> In brief, the writer appears not to understand fully what he is writing. I am also inclined to think that these annotations pertain to a sort of exercise for learning Coptic, and that they must be completely dissociated both from the writing of the act and its subsequent use. We would seem to find still stronger evidence for this idea in *BGU XVII 2683* [Fig. 9]: the three lines of accounts, which are moreover written in a direction different from that of the Greek endorsement, are written by a hand so untrained that they are difficult to read, and, more

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<sup>62</sup> Bagnall 2011, 82, cites only one of these texts without analyzing the relationship between the front and the back sides.

<sup>63</sup> On the location of the monastery of Apa Sabinos (*P.Prag.* I 46), cf. Fournet 2009b, 120; and Gascou 2011.

<sup>64</sup> To which *BGU XVII 2683* from the Aurelia Kyra dossier and *BGU XII 2187* must be added.

<sup>65</sup> For example, in *BGU IV 1094*, ΠΝΣΦΡΑΚΙΣΜΑ for ΠΕΚΣΦΡΑΓΙΣΜΑ with a misreading of εκ<с> in ηс.

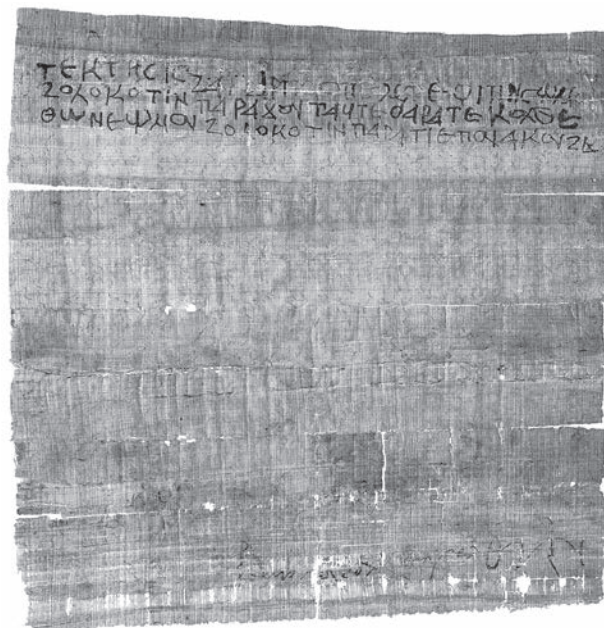


Fig. 9. A Coptic account on the verso of a Greek lease (BGU XVII 2683 [Hermopolis, 523?]). Note the clumsiness of the writing. (© Staatliche Museen zu Berlin—Ägyptisches Museum und Papyrussammlung, Scan: Berliner Papyrusdatenbank, P 11746.)

importantly, their content has nothing to do with the contract on the other side.<sup>66</sup> This is clearly nothing but an exercise!

We can therefore affirm that not only were legal texts always written in Greek, but that the titles summarizing their content on the reverse side of the sheet were also always written in Greek. Coptic was not involved at any time during the editorial process of the document.

This invisibility of Coptic in documents pertaining to the non-epistolary sphere also has its parallel in the public space. As Jacques van der Vliet writes, “The public space of Christian Egypt was, up until a time period difficult to specify with certainty, exclusively Greek. It is unlikely that in the

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<sup>66</sup> This may also be the case of *P.Athen.Xyl.* 17: the Coptic text states that the declarant is the woman  $\tau\epsilon\theta\rho\omicron\mu\eta\eta$  whereas following the subscription (the beginning of the document has been lost), it is Phoibammōn, son of Khoīs.



fourth and fifth centuries”—I would also include the sixth century—“the Coptic language was ever used for monumental inscriptions.”<sup>67</sup> It seems to me that this coincidence in the lack of both public inscriptions and legal or administrative papyrus documents deserves to be highlighted. Even church dedicatory inscriptions—I am not talking about monasteries, which do not really pertain to the public space—are in Greek, the official language of the Church.<sup>68</sup>

To return to Coptic legal texts, their nonexistence during the first centuries of the history of Coptic has piqued the curiosity of the scholarly world. Some have interpreted this as an accident of our documentation. For example, Leslie S. B. MacCoull does not hesitate to state that “the paucity of the pre-conquest Coptic documents”—she means *legal documents*—“is more probably an artefact of our state of preservation down to the present day, than the result of circumstances in the late ancient world.”<sup>69</sup> Moreover, she writes,

When sites in Egypt were explored for papyri, or when accidental discoveries were made, the material later in time occurring in the upper strata suffered the most loss. Owing to the exclusively classical background of workers in the field until recently, Greek papyri were not only what were prized but what were read and published, while Coptic papyri were put away in storage, relegated to the occasional glances of visiting Orientalists or religion specialists. Their loss has been severe, and its extent can only be imagined. Their survival is even more precarious in the political climate of today.<sup>70</sup>

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<sup>67</sup> Van der Vliet 2006, 304. The first monumental Coptic inscription is, to my knowledge, a dedication commemorating the transformation of a Pagan temple into a church (*FHN* III 330 [Dendur, ca. 536–69, see Ochała 2011]), but its provenance is peripheral, given that it is the Nubian king Eirpanome’s doing. Otherwise, the first Coptic inscriptions, the date of which is always difficult to establish, belong to the private sphere and are funerary—they often contain parts written in Greek (initial divine invocation, etc.). On these bilingual inscriptions, cf. Fournet 2018a, 62–64, 72–73, and 80. For the earliest dated funerary inscription (553), see van der Vliet 2017, 412–15.

<sup>68</sup> See chapter 2.

<sup>69</sup> MacCoull 1997, 351. Cf. also MacCoull 1995, 351–52.

<sup>70</sup> MacCoull 1995, 352.

While the two reasons that she proposes are very real,<sup>71</sup> they do not in any way explain the fact that only legal documents are missing: neither the chance of destruction nor the lack of interest that long hindered Coptic papyrology is capable of accounting for this complete absence.<sup>72</sup>

Would an explanation of a legal nature be more legitimate? We could argue that, from the Antonine Constitution of Caracalla (212)—which granted Roman citizenship to all free men in the Empire—the legal context to which relations between individuals were set was Roman law, and this law, while tolerating Greek, left no space for a language as distant from Roman legal concepts as was Egyptian. I will have the opportunity to return to this problem, but, for now, it will suffice to object by arguing that history provides multiple counterexamples to the causal link that we are tempted to draw between law and the language of legal expression.<sup>73</sup> Unless, of course, the Roman authorities formally prohibited the use of vernacular in the production of legal acts? However, we have no traces of such a prohibition on papyri—except perhaps a fleeting allusion in a will from the 610s in which the non-Greek-speaking testator declares “having dictated [his] will in the language of the Egyptians but having ordered it to be written in Greek according to that which is prescribed by the imperial laws properly and piously established.”<sup>74</sup> This is, however, the somewhat specific case of a will that, because it pertains to the *jus civile*, is always subject to restrictions in terms of languages (Greek was officially tolerated in Egypt for wills of Roman citizens only at a very late date, under Severus Alexander between 224 and 235).<sup>75</sup> Conversely, we have no traces of a law authorizing the use of Coptic, which might explain, as we will see,<sup>76</sup> the proliferation of Coptic legal acts before the end of Byzantine domination in Egypt (642). The silence of papyri is not enough, however, and it is necessary to expand our investigation to all legislative sources.

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<sup>71</sup> For the second one, cf. Clackson 2004, 29–30.

<sup>72</sup> Cf. Bagnall 2011, 78–86.

<sup>73</sup> Cf., for example, Cotton 2009, 159; or Richter 2010b, 48n49.

<sup>74</sup> *P.Mon.Phoib.Test.* 1, 13–15 = *P.Lond.* I 77, 12–14 (p. 231): τὸ ἔσχατον [βο]υλημάτιον ἐπαγόρευσα (1. ὑπαγόρευσα) μὲν τῇ τῶν Αἰγυπτίων φωνῇ Ἑλληνικοῖς δὲ καὶ ῥήμασιν ἐπέταξα γραφῆναι κατὰ τε θειωδῶς ὑπὸ τῶν καλῶς καὶ εὐσεβῶς κειμένων νόμων διηγορευμένα (which here I am citing in the edition of Garel 2015). I will return to this will in chapter 4.

<sup>75</sup> It was not until a Novel of Theodosius II from 439 that Greek was officially authorized for the wills throughout the empire (*Novellae*, XVI, 8).

<sup>76</sup> Cf. chapter 4.

## The Legal System on the Scale of the Empire: Legal Sources and Near Eastern Papyri

Although jurists have focused on the language of the writing of legal acts, it was above all to determine whether, from a Latin-centric point of view, Greek had a certain degree of legitimacy.<sup>77</sup> There are nevertheless two texts that focus more specifically on the use of vernacular for legal purposes.<sup>78</sup> The first is a text by the jurist Ulpian (beginning of the third century) transmitted via the *Digest* and regarding the *stipulatio*, the exchange between parties that validates a transaction:

*Eadem an alia lingua respondeatur, nihil interest. Proinde si quis Latine interrogaverit, respondeatur ei Graece, dummodo congruenter respondeatur, obligatio constituta est: idem per contrarium. Sed utrum hoc usque ad Graecum sermonem tantum protrahimus an vero et ad alium, Poenum forte vel Assyrium vel cuius alterius linguae, dubitari potest. Et scriptura Sabini, sed et verum patitur, ut omnis sermo contineat verborum obligationem, ita tamen, ut uterque alterius linguam intellegat sive per se sive per verum interpretem. (D. 45, 1, 1, 6 = Ulpianus libro quadragesimo octavo ad Sabinum)*

It makes no difference whether the reply [to a *stipulatio*] is made in the same language or in another. For instance, if a man asks in Latin but receives a reply in Greek, as long as the reply is consistent, the obligation is settled. And the same goes for the opposite case. Whether we extend this rule to the Greek language only or to another, such as Punic or Assyrian [= Syriac] or some other tongue, is a matter of doubt. That is what Sabinus wrote, but the truth also admits that all tongues can produce a verbal obligation, provided that both parties understand each other's language, either of their own accord or by the means of a truthful interpreter.<sup>79</sup>

The main point to retain from this text is that any kind of language can give rise to an obligation.

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<sup>77</sup> Cf. Dagron 1969, 39–40 (= Dagron 2012, I, 219).

<sup>78</sup> On this problem, cf. MacMullen 1966; and, above all, Wacke 1993.

<sup>79</sup> I am modifying the translation of Watson 1998, IV, 163–64, in particular for *Et scriptura Sabini, sed et verum patitur* (I thank Jean-Marc Mandosio for helping me to understand the structure of this sentence). See also Wacke 1993, 26–27.

The second text concerns *fideicommissa* (the expression of a trust, which was not made in the solemn forms of bequests or institutions of heirs through a Roman will):

*Fideicommissa quocumque sermone relinquī possunt, non solum Latina vel Graeca, sed etiam Punica vel Gallicana vel alterius cuiuscumque gentis. (D. 32, 11 pr. = Ulpianus libro secundo fideicommissorum)*

*Fideicommissa* may be left in any language, not only Latin or Greek but Punic, Gallic, or that of any other nation.<sup>80</sup>

The problem of the language of legal transactions arises for jurists mainly in relation to the *jus civile*, which implies *verba solemnia* that can only be uttered in Latin, unlike the deeds that come under the *jus gentium*, where it is possible, indeed necessary in the case of peregrines or even of Roman citizens who are not literate in Latin, to employ Greek and other languages. The obligation to integrate non-Greek-speaking citizens, which had become even more imperative after 212, accounts for the fact that the juridical use of other languages was extended, including of course Greek (which had acquired a special status beside Latin) but also the empire's other vernacular languages. What matters, henceforth, is that the parties can understand each other, whichever language they speak—with the exception of some specific legal acts, such as wills, as we saw above. Justinian, taking up again Ulpian's arguments about *stipulatio*, clearly reaffirms this principle:

*Utrum autem Latina an Graeca vel qua alia lingua stipulatio concipiatur, nihil interest, scilicet si uterque stipulantium intellectum huius linguae habeat: nec necesse est eadem lingua utrumque uti, sed sufficit congruenter ad interrogatum respondere: quin etiam duo Graeci Latina lingua obligationem contrahere possunt. Sed haec solemnia verba olim quidem in usu fuerunt: postea autem Leoniana constitutio lata est, quae, sollemnitate verborum sublata, sensum et consonantem intellectum ab utraque parte solum desiderat, licet quibuscumque verbis expressus est. (Inst. 3, 15, 1)*

Whether the stipulation is in Latin, or Greek, or any other language, is immaterial, provided the two parties understand

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<sup>80</sup> Watson 1998, III, 73.

one another, so that it is not necessary even that they should both speak in the same tongue, so long as the answer corresponds to the question, and thus two Greeks, for instance, may contract an obligation in Latin. But it was only in former times that the solemn forms referred to were in use: for subsequently, by the enactment of Leo's constitution, their employment was rendered unnecessary, and nothing was afterwards required except that the parties should understand each other, and agree to the same thing, the words in which such agreement was expressed being immaterial.<sup>81</sup>

Such are the rare discussions of the problem in legislative sources. However, what about in practice? We have seen that the papyri do not support jurists' conclusions. Was this the case outside of Egypt? Although it remained exclusively Egyptian for a long time, documentary papyrology has diversified over the past decades, by opening up to other geographical horizons, especially thanks to discoveries in the Near East.<sup>82</sup> Today we have a number of legal acts in various languages derived from Aramaic (Nabataean, Palmyrenian, and above all Syriac).<sup>83</sup> I will skip over acts in Nabataean from the first and second centuries, published particularly in *P.Yadin* (or *P.Babatha*),<sup>84</sup> to focus on those from the third century (which are therefore almost contemporaneous to the era during which Coptic appeared in Egypt) that originated in the Middle Euphrates. They pertain to two collections of texts, that of the papyri from Dura-Europos (*P.Dura*), discovered during the excavations of Yale University and of the Académie des Inscriptions et Belles-Lettres (1928–37), and the Euphrates Papyri (*P.Euphr.*), a group of twenty-one documents that were purchased and most probably came from the former Apadana (slightly to the north of Dura, as Rostovtzeff had already demonstrated) and were published by Denis Feissel, Jean Gascoü, and Javier Teixidor from 1989 to 2000.<sup>85</sup> These documents (petitions and contracts), all written under Roman domination, testify to the use of a

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<sup>81</sup> Trans. Moyle 1913.

<sup>82</sup> Cotton, Cockle, and Millar 1995; Gascoü 2009a.

<sup>83</sup> For a brief overview of the dialectical diversity of Syria and Mesopotamia, cf. Taylor 2002, in particular 302. For the relation between Greek and Syriac, cf. Brock 1994; and Millar 2011. For an analysis of the impact of Greek on Syriac, see Butts 2016.

<sup>84</sup> See Cotton 2009 for a presentation of the dossier and its legal aspects.

<sup>85</sup> See Feissel and Gascoü 1989, 1995, 1997, and 2000; and Teixidor 1990 and 1993. On the legal aspect of these texts, see now Johannsen 2017.

language other than Greek, in this case, one of the three Aramaic dialects that I cited above. In these papyri, vernacular language comes into play in three different forms:

(a) It can be the main language of the act:

- *P.Dura* 151 (Dura,<sup>86</sup> 200?),<sup>87</sup> possibly a contract for a sale or lease or, according to J. T. Milik, a will, written in Judeo-Aramaic;
- *P.Dura* 152 (Dura, third century?),<sup>88</sup> probably a lease contract, written in Palmyrenian;
- *P.Euphr.* 18 (Marpolis, 240),<sup>89</sup> an acknowledgment of debt written in Syriac [Fig. 10];
- *P.Euphr.* 19 (Marpolis, 242),<sup>90</sup> a land lease contract written in Syriac;
- *P.Dura* 28 (Edessa, 243),<sup>91</sup> a contract for the sale of a slave written in Syriac (observing a formulary marked distinctly by Greek<sup>92</sup>).

(b) It may be limited to the subscriptions of the parties and/or certain witnesses:

- *P.Dura* 27 (Dura, ca. 225–40),<sup>93</sup> a sale contract in Greek with subscriptions in Greek and one in Aramaic (the only case in Dura, according to the edition);
- *P.Euphr.* 12 (Beth Phouraia, 244),<sup>94</sup> a deposit contract (*parakatathēkē*) for mobile assets (clothing and jewelry) that belonged to a deceased person, written in Greek with subscriptions in Greek and one in Syriac;

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<sup>86</sup> Here and for the following documents, I mention the place of writing and not that of the conservation or discovery of the text.

<sup>87</sup> Milik 1968; TM 171909; Cotton, Cockle, and Millar 1995, no. 152.

<sup>88</sup> *PAT* 1656; TM 171910; Cotton, Cockle, and Millar 1995, no. 153. For the language (given as Aramaic in the *P.Dura*) and the date, cf. *PAT* 237.

<sup>89</sup> = *P.Euphr.Syr.* A (ed. Teixidor 1990, 147–54; reed. Aggoula 1992, 391–97); TM 383599; Cotton, Cockle, and Millar 1995, no. 159.

<sup>90</sup> = *P.Euphr.Syr.* B (ed. Teixidor 1990, 154–59; reed. Aggoula 1992, 397–99; and Teixidor 1993 [1991/1992], 198–202); TM 383600; Cotton, Cockle, and Millar 1995, no. 157.

<sup>91</sup> TM 17225; Cotton, Cockle, and Millar 1995, no. 160. Cf. Goldstein 1966.

<sup>92</sup> “Written in their own native language for members of a Semitic population touched by Hellenism, who are Roman citizens” (Goldstein 1966, 1).

<sup>93</sup> TM 17224; Cotton, Cockle, and Millar 1995, no. 47.

<sup>94</sup> = *SB XXVI* 16655 (ed. Feissel and Gascou 2000, 163–74); TM 44670; Cotton, Cockle, and Millar 1995, no. 29.

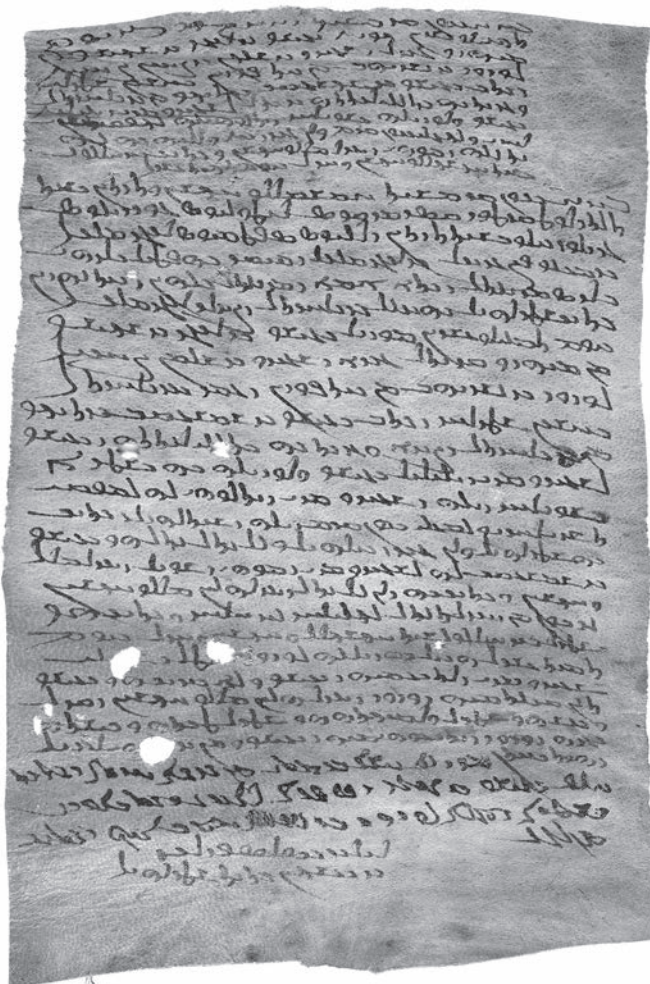


Fig. 10. An acknowledgment of debt entirely written in Syriac (*P.Euphr.* 18 [Marcopolis, 240]). (Photograph courtesy of Adam Bülow-Jacobsen.)

- *P.Euphr.* 6–7 (Marcopolis, 249),<sup>95</sup> a contract for the sale of a slave (and its duplicate) in Greek with four subscriptions in Syriac (and on the reverse side, five subscriptions, four of which are in Syriac) [Fig. 11];

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<sup>95</sup> = *SB XXIV* 16167–68 (ed. Feissel and Gascou 1997, 6–26; TM 23926–27; Cotton, Cockle, and Millar 1995, no. 158).

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