# CHRONICA

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(Front-page: Golden greave from the Late Bronze Age
11th/12th century BC, found near Szeged in 2017.
Photo: Móra Ferenc Museum, Szeged, Hungary)

# CHRONICA

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# *Contents*

# The Depictions of Astral Rebirth in the 26th Dynasty Tomb of Benaty[*]

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## Introduction

In my recent analysis of the Dendera zodiacs, I proposed that the primary purpose of these artefacts, dating from the 1st century BCE and CE, was not to catalogue the various constellations of the sky, as has hitherto been widely believed,[1] but rather to recount and illustrate the astral aspects of the myth of Osiris, including notably the birth of his son, Horus.[2] My claim is essentially based on Plutarch's remark that the conception and birth of Horus were tied to three key points in the annual solar cycle: the autumnal equinox, the winter solstice, and the spring equinox.[3] Acting on Plutarch's hints, and assuming that the images in the zodiacs marked specific cultic or celestial events connected with the divine regeneration cycle, I could determine that Horus' astral rebirth was centred not only around the yearly wanderings of the sun, but manifested itself through a series of occurrences that involved both the sun and the moon (see below). It is of course well-known that the concept of rebirth in general

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[*] This paper was presented at the 17th *Current Research in Egyptology* conference on 5 May 2016 in Kraków.

[1] S. Cauville, *Le zodiaque d'Osiris*. Leuven: Peeters, 1997, 32–36; A. von Lieven, *Der Himmel über Esna. Eine Fallstudie zur Religiösen Astronomie in Ägypten am Beispiel der kosmologischen Decken- und Architravinschriften im Tempel von Esna*. Ägyptologische Abhandlungen 64. Wiesbaden: Harrassowitz, 2000, 187; C. Leitz, "Die Sternbilder auf dem rechteckigen und runden Tierkreis von Dendera," *Studien zur Altägyptischen Kultur* 34 (2006), 285–318, 289–315; J. Lull and J. A. Belmonte, "The Constellations of Ancient Egypt," in J. A. Belmonte and M. Shaltout (eds.), *In Search of Cosmic Order: Selected Essays on Egyptian Archaeoastronomy*, 157–94. Cairo: American University in Cairo Press. 2009, 178–192.

[2] G. Priskin, "The Dendera Zodiacs as Narratives of the Myth of Osiris, Isis, and the Child Horus," *Égypte Nilotique et Méditerranéenne* 8 (2015), 133–185, 137–152.

[3] Plutarch, *De Iside et Osiride*, 65; J. G. Griffiths, *Plutarch's De Iside et Osiride*. Swansea: University of Wales Press, 1970, 221; the reference to the first equinox being disguised as the civil date II Akhet 6 ("the sixth day of Phaophi") in the narrative, see my arguments in G. Priskin "The Dendera Zodiacs," 141.

was inextricably linked with various celestial phenomena all throughout Egyptian history, as evidenced both in writing, by numerous astronomical references for example in the Pyramid and Coffin Texts,[4] and visually, in the decoration of tombs and funerary equipment.[5] So, as regards the astral rebirth myth recorded by the zodiacs of the Graeco-Roman era, the question naturally arises whether the projection of Horus' nativity onto the sky, and the association of its development with particular events and dates, was the invention of the Egyptian hour-watchers (astronomer-priests) living around the 1st century BCE, and was prompted in some way or other by the adoption of the zodiac into the indigenous astral beliefs? Or, and this is perhaps the more likely possibility, was it the case that the celestial rebirth saga about the family of Osiris had been around for quite some time, but was not revealed in a form that withstood the test of time (or – due to the lack of a familiar framework like the zodiac – was only represented through such allusions that would not be readily recognisable for us)?

   In this paper I will argue that the astral myth about the birth of Horus had been devised prior to Ptolemaic times, and that good evidence to this effect can be found in the 26th dynasty tomb of Benaty located at Qarat Qasr Selim in the Bahariya oasis.[6] Benaty – whose name is often spelled out as Bannentiu in Egyptological literature[7] – lived in the second half of the 6th century BCE, and was a wealthy merchant or landowner who must have benefitted greatly from the booming wine industry that made Bahariya prosper during the Saite Period.[8] His hypogeum tomb has no superstructure; if it ever had one, it has completely disappeared by now. The tomb thus consists of a six-metre deep vertical shaft in the south, to the north of which lies a larger, decorated pillared hall that is surrounded by three smaller chambers on three sides (see fig. 1). From these only the original burial chamber in the north is decorated; the eastern and western side rooms were cut later in Roman times.[9] Despite the rather humble stature of Benaty in terms of cultic involvement, a strong thematic link con-

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[4]  R. Krauss, *Astronomische Konzepte und Jenseitsvorstellungen in den Pyramidentexten*. Ägyptologische Abhandlungen 59. Wiesbaden: Harrassowitz, 1997; P. Wallin, *Celestial Cycles: Astronomical Concepts of Regeneration in the Ancient Egyptian Coffin Texts*. Uppsala Studies in Egyptology 1. Uppsala: Uppsala University, 2002.

[5]  O. Neugebauer and R. A. Parker, *Egyptian Astronomical Texts* III: *Decans, Planets, Constellations and Zodiacs*. Providence: Brown University Press, 1969, 6–104; E. Hornung, *The Ancient Egyptian Books of the Afterlife*. Translated by D. Lorton. Ithaca: Cornell University Press, 1999, 26–151.

[6]  A. Fakhry, *The Egyptian Deserts: Baḥria Oasis* I. Cairo: Government Press, 1942, 65–93; A. Fakhry, *The Oases of Egypt* II: *Baḥriyah and Farafra Oases*. Cairo: American University in Cairo Press, 1974, 140–153.

[7]  H. Sherbiny and H. Bassir, "The Representation of the Hedgehog Goddess Abaset at Bahariya Oasis," *Journal of the American Research Center in Egypt* 50 (2014), 171–189, 173–176.

[8]  A. Fakhry, *s. v.* Bahrija, Oase, in W. Helck and E. Otto (eds.), *Lexikon der Ägyptologie* I. Wiesbaden: Harrassowitz, 1975, 601–4.

[9]  A. Fakhry, *The Oases of Egypt* II, 141.

nects his tomb with the later zodiacs, and that is the abundance of Osirian motifs in its decorative programme, a feature that is shared by other contemporaneous tombs in the area.[10] In the middle of the northern wall of the burial chamber Osiris sitting in his Judgement Hall is depicted twice, once facing east and once west.[11] His duplicated figures form the nucleus of the two scenes occupying the entirety of the eastern, northern, and western walls of the burial chamber. In the east the weighing of the heart is shown, whereas in the west Benaty approaches Osiris in procession with a series of seven divinities.[12] The northern half of the eastern wall of the pillared hall shows Osiris and Horus as they stand beside a false door that frames two registers; the upper one contains an embalming scene, while in the lower one Isis and Nephthys adore the erect mummified Osiris.[13] Also in the pillared hall, on the western half of the southern wall we see Benaty as he is led by Iunmutef and Anubis into the presence of the Osirian triad, that is Osiris, Isis, and Horus.[14] All these scenes underline a rather evident truth, namely, that the Osirian vision of the afterlife had a profound influence on the decoration of the tomb.

While Benaty's final resting place is also known for some other peculiarities, for example for one of the earliest attestations of Ha, god of the western desert, in the oases,[15] or the appearance of the hedgehog goddess Abaset,[16] the depictions that intrigue us most for the comparison with the zodiacs are found on the eastern and western halves of the northern wall of the pillared hall (fig. 1). Traditionally they are interpreted as a "snapshot" taken at the beginning of the night, such that the eastern scene represents the rising full moon, whereas on the other side the simultaneous event of the sun setting in the west is captured.[17] At this point, it should be noted that quite similar – though unfortunately much more fragmentary – scenes also exist in the nearby tomb of Tjaty,[18] but their spatial arrangement is a bit different (lunar scene on the eastern wall, solar scene in the north), and some details also differ (most notably perhaps,

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[10]  A. Dodson and S. Ikram, *The Tomb in Ancient Egypt: Royal and Private Sepulchres from the Early Dynastic Period to the Romans*. London: Thames and Hudson, 2008, 287.

[11]  A. Fakhry, *The Egyptian Deserts*, 89; A. Fakhry, *The Oases of Egypt* II, 149.

[12]  A. Fakhry, *The Egyptian Deserts*, 90–93; A. Fakhry, *The Oases of Egypt* II, 148–153.

[13]  A. Fakhry, *The Egyptian Deserts*, 69–71; A. Fakhry, *The Oases of Egypt* II, 144.

[14]  A. Fakhry, *The Egyptian Deserts*, 82–84; A. Fakhry, *The Oases of Egypt* II, 146–148.

[15]  K. Jasper, "Did the Ancient Egyptian Traveller Consider Ha, God of the Western Desert, while Traversing His Domain?" in C. Alvarez, A. Belekdanian, A.-K. Gill, and S. Klein (eds.), *Current Research in Egyptology 2015: Proceedings of the Sixteenth Annual Symposium*, 62–73. Oxford: Oxbow Books, 2006, 65.

[16]  H. Sherbiny and H. Bassir, "The Representation of the Hedgehog Goddess," 181–189.

[17]  A. Fakhry, *The Egyptian Deserts*, 71–78; F. Colin and F. Labrique, "*Semenekh oudjat à Baḥariya*," in F. Labrique (ed.), *Religions méditerranéennes et orientales de l'antiquité: Actes du colloque des 23–24 avril 1999 à Besançon*, Bibliothèque d'Étude 135: 45–78. Cairo: Institut Français d'Archéologie Orientale, 2002, 48–53.

[18]  A. Fakhry, *The Egyptian Deserts*, 136–139; A. Fakhry, *The Oases of Egypt* II, 130.

the solar boat is heading west), so it is not possible to make generalisations about the two sets of scenes. As for the interpretation of the depictions in Benaty's tomb, I will here outline an alternative understanding of their meaning which takes into consideration the ideas that are encapsulated by the later cosmic diagrams, that is the zodiacs. In order to do this, however, first I will have to revise in the most summary fashion some of the representations of the Graeco-Roman zodiacs by which they tell the story of how Horus, son of Osiris and Isis, was born.

## *Key events in the nativity of Horus according to the zodiacs*

The birth story of Horus is told in great detail by the round zodiac found in the second eastern Osirian chapel on the roof of the Dendera temple (middle of the 1st century BCE),[19] and by the rectangular zodiac that is depicted on the ceiling of the pronaos (first half of the 1st century CE).[20] A more concise version is offered by the zodiac that decorates the ceiling of the inner room in the tomb of Petosiris in the Dakhleh oasis (beginning of the 2nd century CE).[21] Since, as we shall see later, this is the zodiac that in a sense displays the closest similarities with the astral depictions in Benaty's tomb (that is, apart from the obvious fact that it is also found in a tomb), I fully reproduce its inner frame here (fig. 2), whereas from the Dendera zodiacs I only show the parts that are immediately relevant for the discussion (fig. 3). Petosiris' zodiac is also the one that makes a direct reference to the child Horus by depicting him with his usual posture and paraphernalia in its very centre (cf. fig. 2).[22]

From the examination of the data it transpires that the first key moment in the astral birth of Horus was the day when the autumnal equinox coincided with the full moon.[23] It is easy to grasp the significance of such a day: the sun and the moon spend exactly the same amount of time in the sky, and the full disc of the latter acts as a perfect nocturnal counterpart of the earlier. At present it is not entirely clear whether the astral birth of Horus was celebrated only and exclusively in those years when this subtle equilibrium between the two major cosmic actors set in. Since all three zodiacs record this event, it is fair to assume that even if the astral rebirth myth was observed regularly every

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19  S. Cauville, *Le temple de Dendara X/2. Les chapelles osiriennes.* Cairo: Institut Français d'Archéologie Orientale, 1997, pl. 60.

20  S. Cauville, *Dendara XV. Traduction. Le pronaos du temple d'Hathor: Plafond et parois extérieures*. Orientalia Lovaniensia Analecta 213. Leuven: Peeters, 2012, pl. viii.

21  J. Osing, M. Moursi, Do. Arnold, O. Neugebauer, R. A. Parker, D. Pingree, and M. A. Nur-el-Din, *Denkmäler der Oase Dachla aus dem Nachlass von Ahmed Fakhry*. Archäologische Veröffentlichungen 28. Mainz: Philipp von Zabern, 1982, pl. 41.

22  See also L. Kákosy, *Egyptian Healing Statues in Three Museums in Italy (Turin, Florence, Naples)*. Monumenti e testi IX. Turin: Ministero per i beni e le attività culturali, 1999, 19.

23  G. Priskin, "The Dendera Zodiacs," 141, 163.

year, those years in which the full moon fell on the day of the autumnal equinox – which happens several times a century – were especially propitious in this regard. This preliminary stage of the birth saga was marked by putting a symbol of the full moon in the sign of Pisces (i.e. the area in the sky where the full moon was seen on the day of the autumnal equinox): in the round zodiac it is a wedjat-eye inscribed into a disc adjoined by a squatting baboon carrying an oryx on its back,[24] in the rectangular zodiac it is a disc encircling the figure of Osiris as he holds a pig by the tail, as well as the aforementioned baboon,[25] whereas in the tomb of Petosiris it is again a wedjat-eye with legs, wings, and a row of ureai on top (fig. 2).[26] Another allusion is made to the co-occurrence of the autumnal equinox and the full moon by a human figure with four ram heads;[27] in the Dendera zodiacs it makes part of the decans (in the round zodiac the four heads have no human body), while in Petosiris' zodiac it stands not far from the composite wedjat-eye sign.

Isis conceives with his child, however, not during the time of perfect equilibrium, but on the day when the moon first becomes invisible following the autumnal equinox.[28] According to a text on the propylon of the Khonsu temple at Karnak (3rd century BCE), the day of lunar invisibility was the time when Khonsu conceived,[29] and a papyrus from the Fayyum, dated to the 1st century CE, emphasises that he and Horus were born on the same day.[30] This implies that Horus' conception – even independently from the evidence provided by the zodiacs – can also be tied to the day when the moon becomes invisible. After the full moon the ever dwindling waning crescent is seen each day gradually closer and closer to the rising sun, so that on one morning it is completely engulfed by its glare. This moment – when the moon is between the sun and the earth – is called conjunction (I use the term in a looser sense; astronomically speaking conjunction sets in when the sun, moon, and earth are perfectly aligned). The invisibility of the moon is thus experienced as seeing only the rising sun on the eastern horizon, with no prior sighting of the crescent of the moon in its vicinity, and since after the autumnal equinox (late September/early October according to the Julian calendar) the sun dwells in the sign of Libra (in the epoch when the zodiacs were created), the zodiacs mark the conception of Horus by depicting just this, i.e. an image of the rising sun in Libra. In the round zodiac this image is a disc enclosing a child (an avatar of the morning sun), while the rectangular zodiac adds another telltale detail, because the disc containing the child is combined with the akhet-hieroglyph

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[24]  G. Priskin, "The Dendera Zodiacs," 161.
[25]  G. Priskin, "The Dendera Zodiacs," 171.
[26]  G. Priskin, "The Dendera Zodiacs," 177.
[27]  G. Priskin, "The Dendera Zodiacs," 169, 176–177.
[28]  G. Priskin, "The Dendera Zodiacs," 142–144.
[29]  K. Sethe and O. Firchow, *Thebanische Tempelinschriften aus griechisch-römischer Zeit*. Urkunden des Ägyptischen Altertums 8. Berlin: Akademie-Verlag, 1957, 74 [89b].
[30]  G. Widmer, "Un papyrus démotique religieux du Fayoum: P. Berlin 6750," *Bulletin de la Société d'Égyptologie de Genève* 22 (1998), 83–91, 91.

alluding to the eastern horizon (fig. 3). In the zodiac of Petosiris the head and limbs of the child protrude from the body of a scarab, another prime representative of the rising sun (fig. 2). Here the sequential listing of the zodiacal signs does not allow for the placement of this image next to the sign of Libra, but it is appropriately positioned on the eastern side of the artefact.

References to the next stage of development, the gestation of Horus at the winter solstice,[31] are omitted in both the zodiac of Petosiris and the tomb of Benaty, so I quickly move on to the next key event in the story, and that is the birth of Horus around the vernal equinox.[32] Both written evidence,[33] and the zodiacs themselves indicate that it took place on the day when the thin sickle of the waxing moon at the beginning of its cycle was seen for the first time after the spring equinox.[34] At this time of the year (late March/early April) the sun dwells in the sign of Aries, and consequently the thin first crescent will appear in the adjacent sign of Taurus shortly after the sun plunges below the western horizon. In the round zodiac this moment is indicated by the figure of a priest holding a ram-headed staff (symbol of the setting sun), facing the signs of Aries and Taurus, and anticipating the appearance of the first crescent; in the rectangular zodiac the scene is more straightforward, because in addition to the observer the unmistakable symbol of the moon with its crescent is depicted above the bull (the sign of Taurus; fig. 3). In the zodiac of Petosiris the sun – as it has just set, beside the sign of Aries and in the west – is shown as a winged scarab travelling in the solar boat and hailed by eight baboons in the netherworld (fig. 2). Next to it, in the visible world, we can see the appearance of the lunar crescent signalling the birth of Horus, and also a female bust, which is the classical representation of the moon (in keeping with the mixed style of this late zodiac).[35]

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[31]  G. Priskin, "The Dendera Zodiacs," 144–149.

[32]  G. Priskin, "The Dendera Zodiacs," 149–152.

[33]  E. Chassinat, *Le temple d'Edfou* V. Mémoires publiés par les membres de la mission archéologique française au Caire 22. Cairo: Imprimerie de l'Institut Français d'Archéologie Orientale, 1930, 352; S. Sauneron, *Le temple d'Esna* II: *textes nos. 1–193*. Cairo: Institut Français d'Archéologie Orientale, 1963, 77; G. Widmer, "Les fêtes en l'honneur de Sobek dans le Fayoum à l'époque gréco-romaine," *Égypte, Afrique & Orient* 32 (2003), 3–22, 17.

[34]  G. Priskin, "The Dendera Zodiacs," 150.

[35]  H. Whitehouse, "Roman in Life, Egyptian in Death: The Painted Tomb of Petosiris in the Dakhleh Oasis," in O. E. Kaper (ed.), *Life on the Fringe: Living in the Southern Egyptian Deserts during the Roman and Early-Byzantine Periods*, 253–70. Leiden: Research School CNWS, 1998, 262–267.

## *The scenes about the conception and birth of Horus in the tomb of Benaty*

Having thus reviewed the most salient developments reflecting the nativity of Horus in the heavens, now we can turn our attention to the depictions in Benaty's tomb that will be shown to refer to the same concepts. As already stated above, the scene on the eastern half of the northern wall of the pillared hall has been interpreted as recording the emergence of the full moon on the eastern horizon at the beginning of the night.[36] It should not be forgotten, however, that the conjunction of the sun and the moon is also an event that takes place in the east. Apart from its implications concerning divine conception, the day of lunar invisibility was also of utmost importance for the ancient Egyptians, because it was the temporal borderline at which they began a new lunar month.[37] Indeed, the careful analysis of the lunar scene in Benaty's tomb suggests that it refers to this stage of the lunar cycle, rather than the full moon. In the middle of the upper register a disc surmounting the lunar crescent encloses a sitting child who faces right. It is therefore perhaps more likely that this figure is the lunar child,[38] and not the solar one that customarily designates the rising sun, though this latter alternative – especially in the light of the reasoning below – cannot be categorically ruled out either.[39] Rather disconcertingly, however, the Egyptian texts that describe the lunar cycle associate both the time of the full moon and the beginning of the month with childness,[40] so it cannot be readily determined which phase the infant within the disc refers to. What is really pertinent to the present discussion is the fact that certain texts link infancy with the day of lunar invisibility.[41]

The child enclosed within the disc on top of the lunar crescent thus in my opinion evokes the day of the moon's invisibility, i.e. the conjunction of the sun

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[36] A. Fakhry, *The Egyptian Deserts*, 71–73; F. Colin and F. Labrique, "*Semenekh oudjat* à Baḥariya," 50–56 (with the possible refinement that it may simultaneously allude to the beginning of the month).

[37] R. A. Parker, *The Calendars of Ancient Egypt*. Studies in Ancient Oriental Civilization 26. Chicago: The University of Chicago Press, 1950, 9; R. Krauss, "Lunar Days, Lunar Months, and the Question of the "Civil-based" Lunar Calendar," In E. Hornung, R. Krauss, and D. A. Warburton (eds.), *Ancient Egyptian Chronology*, Handbuch der Orientalistik 83: 386–391. Leiden, Brill, 2006, 387–389.

[38] Cf. F. Colin and F. Labrique, "*Semenekh oudjat* à Baḥariya," 50.

[39] For an identically depicted solar child, see the mythological papyrus of Herytwebekhet, 21st dynasty, in A. Piankoff, *Mythological Papyri*. Bollingen Series LX. New York: Pantheon, 1957, pl. 1.

[40] An overview of the sources, all dated to the Ptolemaic era, is found in F. Colin and F. Labrique, "*Semenekh oudjat* à Baḥariya," 51–53.

[41] E. Chassinat, *Le temple d'Edfou* III. Mémoires publiés par les membres de la mission archéologique française au Caire 20. Cairo: Imprimerie de l'Institut Français d'Archéologie Orientale, 1928, 213; K. Sethe and O. Firchow, *Thebanische Tempelinschriften*, 68 [81i]; F. Colin and F. Labrique, "*Semenekh oudjat* à Baḥariya," 51.

and the moon. Therefore the central image of the upper register is an amalgamation of the imperceptible moon and the rising sun (hence the child may ultimately be solar). That this is the correct interpretation is suggested by some other details of the scene. From the two sides Isis and Nephthys, surrounded by a host of other gods, gently touch the disc and lift it, in accordance with their usual role of assisting the emergence of the sun.[42] Four strings of ankh-signs emanate from the disc, signalling – as usual – the rays of the sun; there is no need to suppose that they represent beams of the full moon on analogy with the sun[43] – a claim that cannot be substantiated by evidence from elsewhere (the vertical streams of ankh signs in the tomb of Tjaty may be explained along the same lines).[44] In the lower register eight snake-headed figures flank Shu supporting the sky, and they – as the traces of their names also indicate – no doubt represent the Hermopolitan ogdoad.[45] This group of deities had a pre-eminent role in Hermopolitan cosmogony, according to which they continually participated in the prime moment of creation, that is the emergence of the sun from the primaeval waters.[46] Indeed, a scene in the sanctuary of the Hibis temple in the Kharga oasis (6th–5th century BCE) that can be put in parallel with the lunar representation in Benaty's tomb offers a visual record of this act, showing in two registers the eight snake- and frog-headed gods surrounding a child who is wearing a disc on the head and is rising from a lotus bud.[47] The child there is undoubtedly solar, because in a caption he is named "Re-Harakhty of Hermopolis" (*Rᶜ-Ḥr.w-3ḫ.tj n Ḫmnw*; though he is linked to the pre-eminent cult centre of Thoth, so after all he may have some lunar overtones as well).

There are also other details in the pillared hall that further validate the above reasoning. Opposite the lunar scene, on the eastern half of the southern wall, a depiction shows Benaty as he is being introduced by Iunmutef and Anubis to Amun-Re-Kamutef.[48] This composite deity is shown with the characteristic representation of Min (an ithyphallic figure with an upraised hand holding the flail), and in fact, numerous Ptolemaic scenes in the Theban area

[42] J. Assmann, *Ägypten. Theologie und Frömmigkeit einer frühen Hochkultur*. Stuttgart: W. Kohlhammer, 1984, 131; F. Colin and F. Labrique, "*Semenekh oudjat* à Baḥariya," 50 n. 34.

[43] A. Fakhry, *The Egyptian Deserts*, 73.

[44] See A. Fakhry, *The Egyptian Deserts*, 136.

[45] A. Fakhry, *The Egyptian Deserts*, 72; A. Fakhry, *The Oases of Egypt* II, 144.

[46] V. A. Tobin, *s. v.* Myths: Creation Myths, in D. B. Redford (ed.), *The Oxford Encyclopaedia of Ancient Egypt* II. Oxford: Oxford University Press, 2001, 469–472.

[47] N. de G. Davies, *The Temple of Hibis in el Khārgeh Oasis* III: *The Decoration*. Publications of the Metropolitan Museum of Arts Egyptian Expedition 17. New York: The Metropolitan Museum of Arts, 1953, pl. 4 [v].

[48] A. Fakhry, *The Egyptian Deserts*, 66–67; A. Fakhry, *The Oases of Egypt* II, 143.

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identify the same god with the name Min-Amun-Re-Kamutef.[49] As regards the lunar cycle, inscriptions from the Graeco-Roman temples clearly indicate that Min's role is to "take the place" of the moon on the day of its invisibility.[50] Moreover, a passage in the Book of Traversing Eternity directly associates Kamutef with the same lunar day.[51] On the southern half of the eastern wall, flanked by a series of divine standards, the reclining emblem of Nefertum is depicted,[52] which may be yet another allusion to the rising sun (cf. chapter 174 of the Book of Going Forth by Day).[53] Therefore the connotations of these scenes on the eastern part of the pillared hall reinforce the signification of the lunar scene on the northern wall.

In contrast to the obscure nature of the scene on the east of the pillared hall, the meaning of its counterpart on the western half of the northern wall has long been correctly established. The interpretation of this scene is of course greatly helped by the fact that the inscriptions above the human figures and jackals towing the solar boat state that the vessel is poised in the west (*jmn.t*), and at the mountain of Manu (*M3nw*), the mythical western entry point of the netherworld (fig. 2).[54] The depiction therefore without doubt represents the sun god as he is setting in the evening with his select entourage.[55] A more in-depth look into a few details, however, refines this statement further and shows that the moment captured is really the one when the sun has just sunk below the horizon. In the lower register, beside Shu and four other figures supporting the sky, we can once more see the Hermopolitan ogdoad, now represented by eight baboons, hailing the solar boat.[56] As has been pointed out earlier, this group of deities customarily assist the rising sun in the east. Their presence in the west can be made sense of on account of the belief that the rise of the sun in the visible world was equivalent with its descent into the netherworld, and the

49  D. Klotz, "The Theban Cult of Chonsu the Child in the Ptolemaic Period," in C. Thiers (ed.), *Documents de théologies thébaines tardives* I, Cahiers de l'ENiM 3: 95–134. Montpellier: Université Paul Valéry (Montpellier III), 2009, 110 n. 97.

50  E. Chassinat, *Le temple d'Edfou* III, 211; E. Chassinat, *Le temple d'Edfou* VII. Mémoires publiés par les membres de la mission archéologique française au Caire 24. Cairo: Imprimerie de l'Institut Français d'Archéologie Orientale, 1932, 311; S. Cauville, "Le pronaos d'Edfou: une voûte étoilée," *Revue d'Égyptologie* 62 (2011), 41–55, 43.

51  M. Smith, *Traversing Eternity: Texts for the Afterlife from Ptolemaic and Roman Egypt.* Oxford: Oxford University Press, 2009, 415.

52  A. Fakhry, *The Egyptian Deserts*, 67–68; A. Fakhry, *The Oases of Egypt* II, 144.

53  T. A. Allen, *The Book of the Dead or Going Forth by Day: Ideas of the Ancient Egyptians Concerning the Hereafter as Expressed in Their Own Terms.* Studies in Ancient Oriental Civilization 37. Chicago: The Oriental Institute, 1974, 183.

54  F. Colin and F. Labrique, "*Semenekh oudjat* à Baḥariya," 48.

55  A. Fakhry, *The Egyptian Deserts*, 74–77; A. Fakhry, *The Oases of Egypt* II, 145–147; F. Colin and F. Labrique, "*Semenekh oudjat* à Baḥariya," 48–49.

56  A. Fakhry, *The Egyptian Deserts*, 75; A. Fakhry, *The Oases of Egypt* II, 146.

two mirror events were accompanied by the same actions.[57] The solar scene in Benaty's tomb and the solar boat on the western part of Petosiris' zodiac are two instances which, through the portrayal of the baboons, clearly express this parallelism (for the association of the baboons with the entry into the duat, see also chapter 126 of the Book of Going Forth by Day).[58] The direction in which the solar boat is heading is also informative. It is only possible in the netherworld that the boat is sailing eastwards, as it is in fact doing on the northern wall of the pillared hall; if it was still above the horizon, the boat would have to be depicted facing west. The situation that the sun god is already in the netherworld may also explain why his figure sitting in the solar disc is named and shown as Re-Harakhty, and not as Atum, the usual evening manifestation of the sun. The similarity with the zodiac of Petosiris is again tangible, because there, too, the sun below the western horizon takes on its morning form, a winged scarab (for the sun as a scarab in the western entry zone of the netherworld, see also the first hour of the Amduat and the Book of Gates).[59]

What is more, the solar scene depicts not an ordinary sunset, but rather an evening on which the first crescent of the waxing moon appears. To the right from the solar disc we can see a baboon – according to the caption next to it, Thoth himself – as he offers the wedjat-eye and a feather to the solar deity. This motif, involving the wedjat-eye only, occurs not infrequently in the solar boat,[60] and is usually associated with the return of the distant eye of Re.[61] Its role as such may be underlined by the presence of a lion-headed goddess playing the sistrum within the solar disc. The feather may stand for Maat (order and righteousness), since the baboon making the offering in the solar boat is sometimes named Lord of Maat (*nb m3$^C$.t*),[62] and also the wedjat-eye and Maat are often presented together, though the particular combination of the two signs in Benaty's tomb is quite unique.[63] However, the feather may have another layer of signification in the solar scene, especially because in the caption it is also

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[57]  E. Hornung, *Das Amduat. Die Schrift des verborgenen Raumes* II: *Übersetzung und Kommentar.* Ägyptologische Abhandlungen 7. Wiesbaden: Harrassowitz, 1963, 10.

[58]  T. A. Allen, *The Book of the Dead or Going Forth by Day*, 102.

[59]  E. Hornung, *The Ancient Egyptian Books of the Afterlife*, 42 fig. 14, 66 fig. 30.

[60]  C. Leitz, (Hrsg.), *Lexikon der ägyptischen Götter und Götterbezeichnungen* VII. Orientalia Lovaniensia Analecta 116. Leuven: Peeters, 2002, 640. For examples, see T. DuQuesne, "Seth and the Jackals," In W. Clarysse, A. Schoors, and H. Willems (eds.), *Egyptian Religion: The Last Thousand Years; Studies Dedicated to the Memory of Jan Quaegebeur*, Orientalia Lovaniensia Analecta 84: 613–28. Leuven: Peeters, 1998, 616 fig. 3; T. Bács, "The Last New Kingdom Tomb at Thebes: The End of a Great Tradition?" *British Museum Studies in Ancient Egypt and Sudan* 16 (2011), 1–46, 43 fig. 24.

[61]  P. Wilson, *A Ptolemaic Lexikon: A Lexicographical Study of the Texts in the Temple of Edfu*. Orientalia Lovaniensia Analecta 78. Leuven: Peeters, 1997, 286.

[62]  T. DuQuesne, "Seth and the Jackals," 616 fig. 3.

[63]  E. Teeter, *The Presentation of Maat: Ritual and Legitimacy in Ancient Egypt*. Studies in Ancient Oriental Civilizations 57. Chicago: The Oriental Institute, 1997, 15 n. 68.

referred to by an ideogram ($\overset{\frown}{\mathbb{\parallel}\,\ominus}$) that allows for the alternative readings *šw.t* and *m3$^C$.t*. The feather, or more precisely, the "feather of the west", was the symbol of the first crescent of the moon appearing just after sunset over the western horizon.[64] Consequently, the rather conspicuously depicted feather in the hands of the baboon – besides the concepts of the returning eye and Maat – may equally evoke this celestial phenomenon, that is the sighting of the first lunar crescent after sunset.

In sum, the scene on the eastern half of the northern wall records the rising sun on a day when it is in conjunction with the moon, while the scene on the opposite side shows the sun setting below the horizon on a day when the first crescent of the moon appears. Thus the two scenes basically represent two stages of the daily solar cycle. Quite often, the Egyptians conceptualized the daily course of the sun as consisting of three stages: morning, midday, and evening.[65] Indeed, the northern wall in the pillared hall may also allude to this tripartite division, because on the lintel of the doorway leading into the burial chamber, and thus at one of its usual places and between the two larger scenes, the winged solar disc with two urei – a symbol of the sun at the height of its power – is depicted.[66] That such an allusion may be intentional is supported by the representations on the western wall of the pillared hall which show Benaty adoring three manifestations of the sun god, Re-Harakhty, Atum, and Khepri, together with their female consorts and two other divinities.[67] Notwithstanding the subtle hint at the three forms of the sun on the northern wall, the eastern and western scenes obviously form a meaningful unit on their own. On top of that, they clearly represent situations that – according to the later zodiacs – were key moments in the astral birth of Horus (see concordance of the scenes in fig. 3). Though explicit references to the equinoxes are lacking, it seems to be a fair assumption that – in harmony with the overall Osirian ambience of the tomb – the scene in the east evokes the conception of Horus at the conjunction of the sun and the moon after the autumnal equinox, whereas the scene in the west refers to the birth of Horus itself on the day when the waxing crescent of the moon first appears after the vernal equinox.

## Conclusion

The similarities between the astral depictions in Benaty's tomb and the details of the zodiacs showing the conception and birth of Horus are quite obvious and strongly suggest that the ideas about Horus' heavenly rebirth were current

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[64]  H. Goedicke, "Coffin Text Spell 6," *Bulletin de la Société d'Égyptologie de Genève* 13 (1989), 57–64, 61; H. Willems, "The Feather of the West," *Revue d'Égyptologie* 56 (2005), 208–213.

[65]  J Assmann, *Ägypten. Theologie und Frömmigkeit*, 129.

[66]  A. Fakhry, *The Egyptian Deserts*, 74; A. Fakhry, *The Oases of Egypt* II, 143 fig. 71.

[67]  A. Fakhry, *The Egyptian Deserts*, 78–81; A. Fakhry, *The Oases of Egypt* II, 146.

at least as early as the Saite Period, well before the 1st century BCE, the creation of the first Dendera zodiac. The analysis has shown that while the visual representations of the conception of Horus – a child inscribed into the rising solar disc – are quite akin in Benaty's tomb and the Dendera zodiacs, when we look at the overall picture, the astral scenes on the northern wall of the pillared hall display the closest similarities with the zodiac of Petosiris, because the depictions of the birth of Horus employ the same motifs (sun sailing in a boat in the liminal zone of the netherworld, representation of the lunar crescent), and also both sources offer a concise version of the myth, leaving out references to the winter solstice. In the tomb of Petosiris another scene does allude to the winter solstice through mentioning the festival of Sokar,[68] but such a reference is apparently lacking in the tomb of Benaty. The absence of help provided by the zodiacal signs, or other decipherable written or visual clues, underlines the difficulties that the interpretation of earlier Egyptian astral scenes may involve. Hopefully, however, more evidence will come to light in the future about the possible connections between the zodiacs and previous Egyptian iconographic traditions, which will also put the astral scenes in the tomb of Benaty into further perspective.[69]

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[68] J. Osing *et al., Denkmäler der Oase Dachla*, 93–94; G. Priskin, "The Dendera Zodiacs," 178–179.

[69] Since the initial inception of this paper, I have presented evidence that the images of certain decans in the later Graeco-Roman zodiacs were the descendants of the depiction of the ancient Egyptian constellation of the boat as it appears on the astronomical ceiling of the Ramesseum (13th century BCE), suggesting that the ideas about the Osirian astral rebirth cycle were already known in the New Kingdom, see G. Priskin, "The Astral Myth of Osiris: The Decans of Taurus and Libra," *Égypte Nilotique et Méditerranéenne* 9 (2016), 79–111.
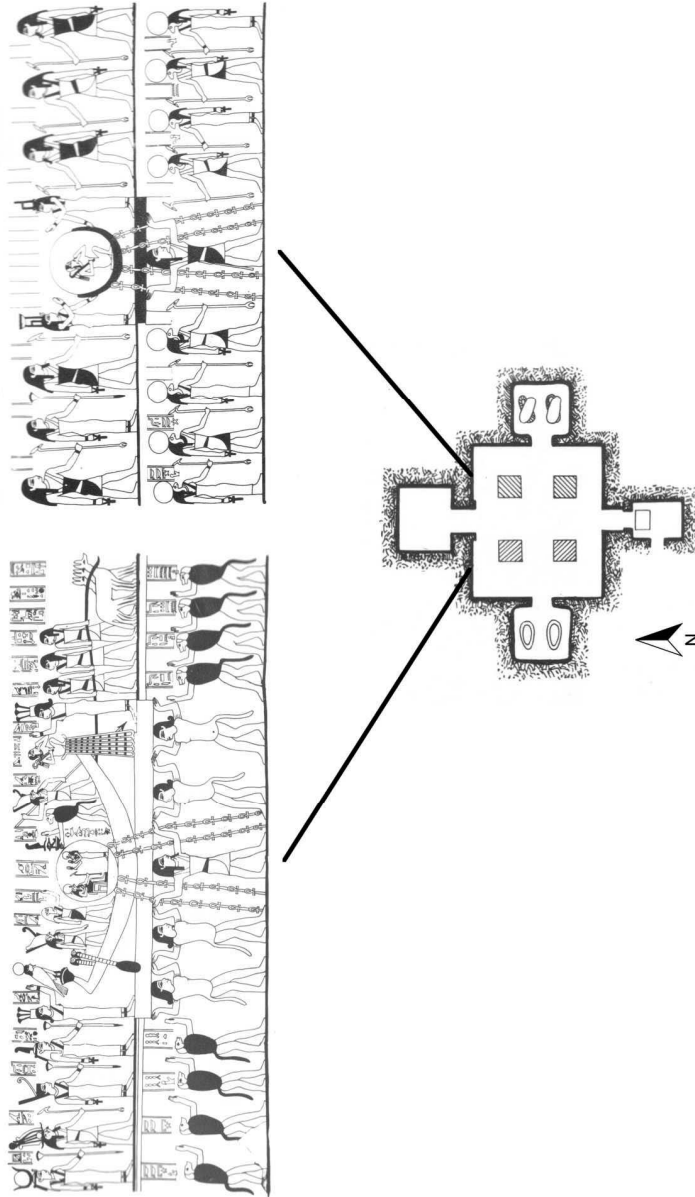
Figure 1. Astral scenes in Benaty's tomb (after A. Fakhry, The Oases of Egypt II, 142 fig. 70, 145 fig. 72, 147 fig. 73; © The American University in Cairo Press).

Figure 2. Inner frame of the zodiac of Petosiris (adapted from J. Osing et al., Denkmäler der Oase Dachla, pl. 41; © Deutsches Archäologisches Institut, Kairo).
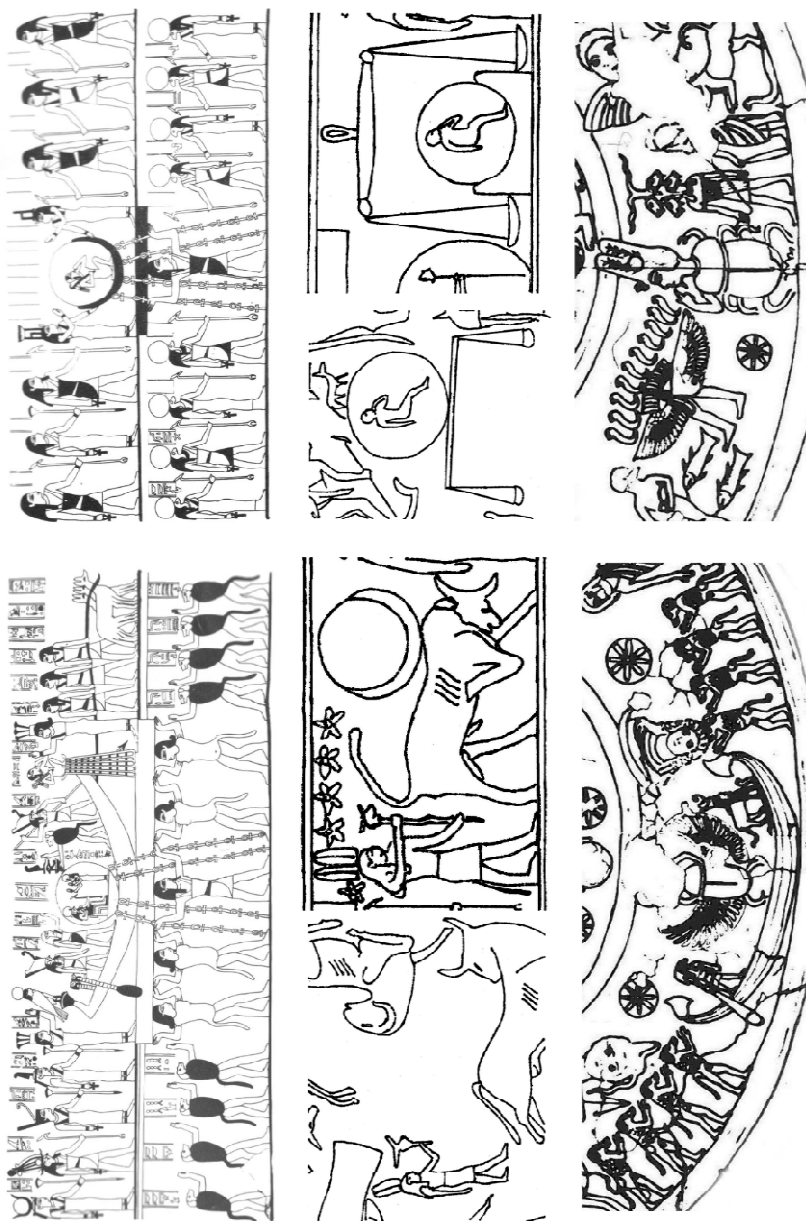
Figure 3. Concordance of the astral motifs in Benaty's tomb (top row), the Dendera zodiacs (middle row), and the zodiac of Petosiris (lower row) (© The American University in Cairo Press, author, and Deutsches Archäologisches Institut, Kairo).

# Towards a More Realistic History of Plough Cultivation in Early India

## Gyula Wojtilla

Agriculture has been the main occupation in India several millennia.[1] In agriculture, plough cultivation has always played the most significant role.[2] The aim of this study is to revisit some commonly accepted theses on ploughing technique and the plough in scholarly literature, to analyse the different plough types as they appear in Sanskrit texts and archaeological evidence and take an unbiased standpoint on the question whether there were substantial changes in this technique or not. My investigations broadly cover the long period which is generally called early India.[3]

It goes without saying that almost all leading historians of the independent India touched upon the role of the plough in Indian economic history. As they conceived it, this surplus is due to the widespread use of a sophisticated type of the plough and a series of innovations in agricultural practices.

The pioneer of this line of research is D. D. Kosambi, a man of genius[4] and a dedicated Marxist, and to whom "his familiarity with the Maharashtrian countryside gave an insight into the readings of early texts."[5] As he puts it, "early cities after the ruin of Harappā and Mohenjo-dāro implied heavier stress upon

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[1]  Gy. Wojtilla, „Kṛṣiparāśara" in *Wissenschaftliche Zeitschrift der Humboldt-Universität zu Berlin,* 3 (1976), 377.

[2]  Cf. Gyula Wojtilla, „The Plough as Described in the Kṛṣiparāśara," in *Altorientalische Forschungen* 5 (1977), 246.; Laping, Johannes, *Die landwirtschaftliche Produktion in Indien. Ackerbau-Technologie und traditionale Agrargesellschaft dargestellt nach dem Arthaśāstra und Dharmaśāstra,* Beiträge zur Südasien-Forschung, Südasien-Institut Universität Heidelberg 62, Wiesbaden 1982, v.

[3]  Cf. Romila Thapar, *The Penguin history of early India from the origins to AD 1300.* London 2003, 30-32.

[4]  Beside being a professor of mathematics at the most famous Indian and American universities, he published excellent books on Indian history, on prehistoric art and prepared critical editions from Sanskrit poetry.

[5]  Thapar, *The Penguin history*, 22.

agriculture than in pastoral economy. Already the Yajurveda speaks of ploughs drawn by twelve-ox teams; such ploughs are in use to this day, indispensable for driving deep furrows and turning over heavy soil which otherwise will not yield well or retain its fertility. The strong plough could be made of wood trimmed down by bronze tools, but the ploughshare in east Punjab, particularly on stony soil near watershed, had to be of iron."[6]

This statement is all right as far as it goes. Nevertheless, I think that we have to regard it as a snapshot of the real value of which can only be estimated if we turn back to its antecedents.

As a matter of fact, plough cultivation is markedly present in the age of the Ṛgveda and the Atharvaveda. Although the agricultural vocabulary of the Ṛgveda is meagre, it contains two names of the plough: *lāṅgala* (4, 57, 4) and *sīra* (4, 57, 8; 10, 101, 3 and 4) and the name of the ploughshare: *phāla* (4, 57, 8; 10,117,7). Together with other words referring to agricultural tools and operations they are sufficient to postulate an established position of agriculture mostly based on grain producing. Nevertheless, agriculture was still of less importance than pastoral economy.[7] A cursory glance at the contents of the Atharvaveda corpus is sufficient to see the increasing importance of agriculture in everyday life.[8] As Romila Thapar aptly says, "the plough became an icon of power and fertility." Its name is *lāṅgala* ( 2, 8, 4) and *sīra* (6, 30, 1; 6, 91, 1; 8, 9, 16) as in the Ṛgveda, however, the number of its constituent parts is higher, i.e. it is a more sophisticated type than that of the latter. The Atharvaveda lists beside the ploughshare (*phāla* 10, 6, 6 etc., moreover *suphāla* "a good plough-share") a handle (*tsaru* 3, 17, 3)[9], a pole (*īṣā* 2,8,4) yoke (*yuga* 2,8, 4) and a lance-shaped (*pavīravat* 3, 17, 3) ploughshare (*phāla*).[10] The interpretation of the term *pavīravat* is still a highly intricate matter. Some scholars think of a metal share,[11] however, it has seriously been challenged by Rau. He is rather inclined to the meaning "lance-shaped" proposed by Whitney, i.e., the term refers to the shape of this part of the plough and not to its material.[12] This idea has also been

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6   D. D. Kosambi, *The culture & civilisation of ancient India in historical outline*. New Delhi 1970, 88-89. First published: London, 1965.

7   Gyula Wojtilla, "What can the Ṛgveda tell us on agriculture?" *Acta Orientalia Academiae Scientiarum Hungaricae* 56:1 (2003), 44-45.

8   Gyula Wojtilla, "Agricultural knowledge as it is reflected in the Śaunakīya Atharvaveda," in *Saṃskṛtavimarśaḥ* 6. World Sanskrit Conference Special, New Delhi 2012, 41.

9   It is a problematic word. On the basis of the commentaries, Whitney renders it as "handle." Cf. *Atharva-Veda-Saṃhitā* translated into English by W. D. Whitney. Delhi-Varanasi-Patna 1971, vol. I, 115-16.

10  *Atharva-Veda,* I, 115-16.

11  H. Zimmer, *Altindische Leben.* Berlin 1879, 236; A. A. Macdonell and A. B. Keith, *Vedic index of names and subjects.* London 1912 Vol. I, 509; K. Mylius, "Die gesell-schaftliche Entwicklung in jungvedischer Zeit nach den Sanskritquellen I. Der Entwicklungstand der Produktivkräfte," in *Ethnographische-Archäologische Zeitung* 12 (1971), 174.

12  W. Rau, *Staat und Gesellschaft im alten Indien.* Wiesbaden 1957, 25.

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accepted by Ruben.[13] Such a plough could effectively work in the light soil of the upper Ganges plain.[14]

The next puzzling question is the use of iron to make ploughshares in the Vedic period. It is a hard fact that the earliest known specimen of iron plough-share comes from Ganwaria in District Gorakhpur, Uttar Pradesh and dates from ca. 700 BC.[15] In the other hand, Witzel dates the Śaunakīya Atharvaveda on the basis of the phrase *śyāma ayas* (11, 3, 7) — he takes it as iron — from c. 1200 BC. According to him, the place of genesis of the text in the land of the Pañcālas (eastern Uttar Pradesh, up to Kauśāmbī/ Allahābād/ Kāśī).[16] But his assumption is not compelling. As opposed to this, recent work on the archaeo-logical evidence of iron industry in India reveals that there are levels yielding iron objects at Kauśāmbī datable from 1100–1000 BC.[17]

It is generally held that the text of the Atharvaveda may be contemporary of the latest parts of the Ṛgveda, traditionally dated from c. 1200–1000.[18] More-over *śyāma ayas* rather means *"graues Nutzmetall"* (approx. "grey industrial metal").[19] It means that the text can tentatively be dated from ca. 1000 BC, which timely coincides with the appearance of iron. Here we must also keep in mind Erdosy's opinion that the full use of iron for quite different purposes appears in the Ganges Plain only after the 6th century BC.[20] So it is reasonable to assume that the use of iron in the earliest period might have been restricted to weapons or smaller household implements.[21] In the light of the above con-

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[13] W. Ruben, *Die gesellschaftliche Entwicklung im alten Indien I. Die Entwicklung der Pro-duktionsverhältnisse.* Berlin 1967, 67 and 92, n.96.

[14] R. S. Sharma, *Ancient India.* New Delhi 1980, 54.

[15] Vibha Tripathi, "The early Indian agrarian society and technology adaptation," in *History of agriculture in India up to c. 1200 AD* edited by L. Gopal and V. C. Srivastava, History of science, philosophy and culture in Indian civilization vol. V, New Delhi 2008, 372.

[16] M. Witzel, "Early Sanskritization. Origins and development of the Kuru state," in *Electronic Journal of Vedic Studies* 1-4 (1995), 4.

[17] Vibha Tripathi, *History of iron technology in India (from beginning to pre-modern times).* New Delhi 2008, 42.

[18] K. Mylius, *Geschichte der altindischen Literatur.* 2., überarbeitete und ergänzte Auf-lage. Wiesbaden 2003, 17-18.

[19] W. Rau, *Metalle und Metallgeräte im vedischen Indien.* Akademie der Wissenschaften und der Literatur Mainz. Abhandlungen der Geistes- und sozialwissenschaftlichen Klasse, Jahrgang 1973, Nr 8., Mainz 1974, 21.

[20] G. Erdosy, "The prelude to urbanization: ethnicity and the rise of Late Vedic chiefdoms," in *The archaeology of early historic South Asia. The emergence of cities and states* ed. by F and F. R. Allchin. Cambridge 1995, 84.

[21] Cf. R. S. Sharma, "Die Entwicklung der Produktivkräfte und ihre sozialen Folgen in Indien im 1. Jahrtausend v.u. Z. (unter besonderer Berücksichtigung von Bud-dhas Zeit," in *Produktivkräfte und Gesellschaftsformationen in vorkapitalistischer Zeit* herausgegeben von J. Herrmann und Irmgard Sellnow. Berlin 1982, 210.

sideration it would be safer to think that the plough and its ploughshare described in the Śaunakīya Atharvaveda were made of wood.[22]

Against the existence of iron ploughshare in the time of the Yajurveda speak other texts which are somehow later. The Śatapathabrāhmaṇa 7, 2, 2, 3 definitely says that is made of *udumbara* (Ficus racemosa Wall) wood and the Jaiminīyabrāhmaṇa (2, 84) mentions a primitive type of plough, i.e. *vakraṃ dāru* "a curved piece of wood," simply a branch of a tree.[23]

As to the use of bronze for agricultural tools there are few findings are reported from Israel, Egypt, Babylon and the Roman Empire. Therefore some scholars reckon with widespread use of bronze for this purpose before the introduction of iron. A plough with a bronze ploughshare is reported from Burma from the beginning of the twentieth century. In this question we follow Iván Balassa, the outstanding expert at plough research, who does not share the above opinion and considers the account of the Burmese plough inadequately checked.[24] In short, the widespread use of bronze ploughshares in India in the age of the Yajurveda can be ruled out.

M. S. Randhawa, an outstanding scientist, who was closely associated with the modern India's agricultural research, is the author of the hitherto best comprehensive history of Indian agriculture. In this book, he takes it for granted that "iron ploughshares and sickles of iron made farming more efficient in the Buddhist period."[25] Among the acknowledgements for various helps during the writing his book he expressly thanks Sharma whom he calls, "the first scholar in India to provide an interpretation of the history of the country in the context of its material culture."[26]

The next scholar I have to mention is R. S. Sharma. As a man of profound knowledge of rural life and of extraordinary erudition and an admirer of Kosambi he has written epoch-making studies concerning agricultural production and agricultural society. In his numerous writings on a high plane, he was able to combine the text-based exploration of things with an up-to-date knowledge of the archaeological evidence and to interpret them in a progressive way. What I call progressive in his thinking that came from the Marxism represented by leading intellectuals in the 1950s in London and his love for the Indian peasants. It is not by accident that he prepared his ground-breaking Ph.D. thesis, called *Śūdras in ancient India* under the supervision of the legendary A. L. Basham.[27] Like Kosambi, he had an eye on the survivals of the ancient ma-

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22  Wojtilla, "Agricultural," 47.

23  Cf. Rau, *Staat,* 25; Gy. Wojtilla, "The Sanskrit terminology of the plough," in *Acta Orientalia Academiae Scientiarum Hungaricae* 42: 2-3 (1988), 327 and n. 10.

24  Iván Balassa, *Az eke és a szántás története Magyarországon.* [The history of the plough and the ploughing in Hungary.] Budapest 1973, 72.

25  M. S. Randhawa, *A history of agriculture in India.* Volume I. *Beginning to 12th century.* New Delhi 1980, 338.

26  Randhawa, *A history,* XI.

27  R. S. Sharma, *Śūdras in ancient India. A social history of the lower order down to circa A.D. 600.* Delhi 1958. Several reprints.

terial culture in modern India and was a constant source of inspiration for generations of Indian scholars and also for me.

He has gained distinction with mapping the traces of early plough culture in northern India in the first millennium BC. [28] All this served as an introduction to his theory on iron-based agriculture which he regarded as a base of urbanisation in the Ganges plain. He assigns the age of the Buddha, which he dates from around 500 BC, for the time of full-fledged iron-based agriculture.[29] Being a son of the Patna are in Bihar, he convincingly argues that the typical soil in that area requires the use of iron ploughs. Not sweeping the lack of such objects from eastern Uttar Pradesh and Bihar under the carpet, he tries to explain it with the devastating effect of the acid, humid and warm soil. [30] He does not forget to say that iron tools occur in a considerable number at sites where the soil conditions are more favourable, for instance in Madhya Pradesh and Punjab. In this connection he referred to so far unpublished information on the finding of an iron ploughshare from Ropar, District Ambala.[31] Beside the innovations in ploughing technique he thinks that the transplantation of paddy seedlings, an innovation in the same period, was the main source of sudden increase in agricultural production.[32] These assumptions have been met with both approval and refusal.

The chief opponent of Sharma's views is R. Gombrich, a leading western authority on the social history of early Buddhism, who has challenged both his basic theses. He thinks that, even acknowledging the devastating power of natural conditions, the presence of good quality iron is questionable. Moreover, urbanization "can occur without any iron."[33] The appearance of transplantation he holds to be a guess. He is convinced that similar techniques "may have been use much earlier than the Buddha."[34] In order to form a balanced view of their discussion one has to keep in mind that the underlying ideology in Gombrich's attitude ultimately comes from that of Karl Popper who totally rejects the Marxist theory which holds that history progresses.[35]

Romila Thapar, unquestionably the greatest living Indian historian of our days and also a pupil of Basham in London, who is accused with leftism and Marxism by Hindu nationalists, formed a more nuance view of the same issues. Not denying the high importance of the use of iron ploughs confirmed also by Buddhist texts, she explains the rare occurrence of iron shares with the soil types other than that in the Ganges Plain, i.e., on vast territories wooden share suffices. She seems to put more emphasize on slash and burn technique

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[28]  Sharma, "Die Entwicklung," 209-212.
[29]  Sharma, "Die Entwicklung," 212.
[30]  Sharma, "Die Entwicklung," 215-216.
[31]  Sharma, "Die Entwicklung," 216.
[32]  Sharma, "Die Entwicklung," 218.
[33]  R. Gombrich, *Theravāda Buddhism. A social history from ancient Benares to modern Colombo.* London and New York 1994, 51.
[34]  Gombrich, *Theravāda Buddhism,* 52.
[35]  Cf. Gombrich, *Theravāda Buddhism,* 12.

in clearing forest for agriculture that the use of iron axes and "the qualitative improvement in the making of items from bone, glass, ivory, beads of semi-precious stones and shell, and stone objects as compared to earlier Chalcolithic levels." She means that "agricultural expansion and the use of iron are in themselves necessary but not sufficient factors in the creation of a surplus to bring about urbanization and state systems."[36]

The same issue was also touched upon by Irfan Habib, a dedicated Marxist, the greatest authority on economic history of Muslim India[37] in his presidential address delivered on the plenary session of the Indian History Congress at Kurukshetra in 1982. In his rather ambitious lecture entitled *The peasant in Indian history* he expressly connects the genesis of the "universalization of peasant farming" and the birth of "a caste-divided peasantry with the iron tools" and "the growing multiplicity of crops." In his analysis he heavily draws on Kosambi, Sharma and the famous Marxist archaeologist, Gordon Childe. As to the effect of the wider use of iron he invokes Gordon Childe's "perceptive observation" that "cheap iron democratized agriculture" through which peasants could "afford an iron axe to clear fresh land for himself and iron ploughshares wherewith to break stony grounds."[38] As now is held Childe's opinion represents an oversimplification of matters. In spite of all this Habib's paper has been reprinted more than once since its first publication.[39]

As to the alleged progress in agricultural technique beside the time of the Buddha the period called early medieval time arrested especially the attention of the above mentioned scholars and their followers in Europe. This latter issue is closely with the problem of the question of Indian feudalism.[40]

Marlene Njammasch is of the opinion that the evolution of tools, the rotation of crops, the use of manure, the use of ploughs furnished with heavy iron share, the growth in the cultivation of cotton, sugarcane, oil-seeds, and spices as well as the progress in irrigation technique by using wells are the main symptoms of progress in agricultural production.[41] But the greatest part of the ruling class became altogether separated from the soil (*Boden*) and had no more interest in the improvement of agricultural technique. They were satisfied with

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[36] Thapar, *The Penguin history,* 144.

[37] For instance, he is the author of *The agrarian system of Mughal India 1556-1707* first published in Bombay 1963 or the co-editor of *The Cambridge economic history of India vol.I. c, 1200-1750.* Cambridge 1982.

[38] I. Habib, "The peasant in Indian history," *Social Scientist* 11:3 (March 1983), 30-31.

[39] Cf. I. Habib, *Essays in Indian History: Towards a Marxist perception with the economic history of medieval India.* Anthem Press, London 2002, 109-160. Indian edition: New Delhi 2005.

[40] The hitherto classical work upon this subject is R. S. Sharma: *Indian feudalism: c. 300-1200.* Calcutta 1966 and its several enlerged and revised editions.

[41] Marlene Njammasch, "Die Entwicklung feudaler Verhältnisse in Indien (3.-12. Jh.)," in *Allgemeine Geschichte des Mittelalters,* Berlin 1985, 169.

extorting the surplus from the farmers and this proved to be a great obstacle to the further economic development and to the development of the cities.[42]

Sharma summarizes the changes thus: a kind of big plough (*bṛhadhala*) is recorded in a tenth-century inscription from the Ajmer area; a pounder has been found in the territory of the late Pāla kingdom; progress in irrigational technique, rice transplantation; use of fertilizers; observance of weather conditions; precise knowledge of cereals.[43]

Unlike to Kosambi, Sharma, Habib or even Romila Thapar[44] and Marlene Njammasch, Lallanji Gopal remained fully untouched by the Marxist interpretation of history. Also being a pupil of Basham he has taken an open-minded approach to economical history, but he remained an adherent of classical English economics. Instead of constant seeking for progress and its consequences in economy and society he presented a real snapshot of the agricultural technique in early medieval India. The focal points of his study were irrigation and rains[45]; soil, manure, seed and, sowing;[46] agricultural implements, especially the plough;[47] ploughing and draught animals employed in it;[48] harrowing, weeding, protection of crops, harvesting, and storing of grain.[49] His study abounds in fine remarks on details and excels in a prompt analysis of the plough as it is depicted in the Kṛṣiparāśara. His exemplary approach to the source material and the personal advices I received from him at the Banaras Hindu University in the academic year 1973-1974 substantially helped me to enlarge the scope of my interest in the history of agriculture in India.

During my years in Delhi in the early 1980s I had the chance to enjoy the friendship of R. S. Sharma. He encouraged me to combine, as he used to say, my "bookish" knowledge with the archaeological evidence and the cultural survivals to be seen everywhere in India. Having a strong faith in economical and social progress and highly appreciating his and Kosambi's scholarship, I devoted a paper to a reassessment of the main points made by Njammasch and Sharma on agricultural development in the early medieval times.[50] In my work I had to rely almost exclusively upon the textual data this purpose because the

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[42]  Marlene Njammasch, *Untersuchung zur Genesis des Feudalismus in Indien.* Schriften zur Geschichte und Kultur des alten Orients 17, Berlin 1984, 151.

[43]  R. S. Sharma, *Urban decay in* India (c.300-c. 1000). New Delhi 1987, 173-174.

[44]  RomilaThapar says, "A paradigm shift in the understanding of historical change in India was introduced by Marxist interpretations that began as historical debates from the 1950s onwards. The historical writings of D.D. Kosambi, in particular, encapsulated this shift." Cf. Thapar, *The Penguin history*, 22.

[45]  Lallanji Gopal, "Technique of agriculture in early medieval India (C. 700-1200 A.D.)," in *University of Allahabad Studies* 1963-64 *Ancient History Section,* 1-18.

[46]  Gopal, "Technique," 18-27.

[47]  Gopal, "Technique," 27-29.

[48]  Gopal, "Technique," 29-33.

[49]  Gopal, "Technique," 33-37.

[50]  Gyula Wojtilla, "Rural expansion in early medieval India. A linguistic assessment," *Altorientalische Forschungen* 18 (1991), 163.

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archaeological evidence exclusively by plastic arts yielded is very meagre. The results of my study corroborated their theses with regard to the fertilising, irrigation, the transplantation of paddy seedlings, the increase of number of plants produced and the more precise knowledge of cereals, especially of the rice. Although the rotation of crops is recorded in an eleventh century text, because their want in the Kṛṣiparāśara nor the Kāśyapīyakṛṣisūkti, the two most important agricultural treatise of the age, it cannot be taken as a general practice.

The great variety of sources allowed me to find different kinds of the plough. While the Amarakośa, the most famous traditional Sanskrit lexicon, describes a plough consisting of four parts, the Kāśyapīyakṛṣisūkti speaks of the parts only collectively and mentions separately only the ropes used to harness the plough and the pole, which is made of hard wood. The descriptions in the sacred books of the *Vaikhānasas* record five parts of the plough used in ritual ploughing. The Kṛṣiparāśara informs us a plough fit together from eight parts. The Bṛhatparāśarasmṛti, a juridical compendium dated to the period between 1100–1400 AD, speaks of a plough having nine parts including the iron ploughshare (*lohaphāla*) and says that the depth of the furrows can be regulated by means of ropes. The Mānasāra, a text on architecture from the centuries before 1100 shows a plough put together from five parts where the iron ploughshare is fitted into the sole by an iron peg. There is a beautiful relief from Kavi (South Gujarat) where the body and the sole of the plough make an obtuse angle, it has a tail-formed stilt and a long beam, the beam seems to be fitted into the body with a brace-rider. The increase of the popularity of the agricultural deity Balarāma whose main attribute is the plough and his appearance in numerous reliefs is also a remarkable symptom.[51]

My conclusion was that agricultural production stood in strong feet in early medieval India and the sources allow us to recognise some traits of technical development. However, the general standard of life was uneven in the period.[52] I have uncritically taken over Sharma's and Njammasch' conception of the high importance of the big plough (*bṛhadhala*). Now I see that this term has yet to be assessed to the degree it clearly deserves. I think that it is a synonym of the name *mahadhala* "a big plough" which has been mentioned in Tale 23 of the fifteenth century Bharaṭakadvātṛṃśikā. The text says that a husbandman, having put the big plough (*mahadhala*) on his head, went to the field. Later overcome by the excessive burden (*atibhārākrānta*) he removed the big plough (from his head) and threw it to the ground. This description is rather controversial. An on the head portable plough cannot be too heavy or of too big size. On the other hand, the word *atibhāra* "excessive burden" seems to contradict to this supposition. From a brief survey a considerable number of wooden ploughs from the second part of the twentieth century it appears that their

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51  Wojtilla, "Rural," 166-167.
52  Wojtilla, "Rural," 168.

weight ranges between 9-12 kg.[53] A normal plough is easily portable on the shoulder by an average cultivator.[54]

There are other references to the alleged presence of "the big plough" in early India. Agrawala seems to know that *hali* and its synonym *jitya* mean "a large plough" in the Aṣṭādhyāyī of Pāṇini (3, 1, 117) and they were used "to break the hardest ground and to reclaim waste land."[55] But Apte takes it as "an instrument for levelling or smoothing ploughed ground (Marāthī *kuṭṭav*)," while *hali* as "a large plough"[56]. At the same time the word in the compound Śatahali lit. "one who has one hundred ploughs" which is the name of a great landlord (Daśakumāracarita p. 120)[57] simply means "a plough." A problem that remains is that these data are insufficient for imagining such a tool and the way it works. These words are merely names without specified contents.

Having revisited Sharma's arguing with the term *bṛhadhala*, I recognised that he had uncritically quoted the relevant passage from B. P. Mazumdar's paper. Majumdar states that "the big plough, already known in the time of Pāṇini (*Hali* and *Jitya* 3. 1. 117), seem to be identical with *bṛhaddhāla* [sic!], mentioned in the Harṣa stone inscription of Cahamāna Vigraharāja, dated VS 1080/A.D. 937."[58] But a perusal shows that Mazumdar's interpretation of *bṛhadhala* in this inscription is wrong. From the context it is quite clear that the term stands in connection with land donation and the term refers to the size of the land donated to somebody. *Bṛhadhala* simply means here "a big plough of land"[59] and not a big plough. It should be dropped together with the preconceived theory of progress in ploughing technique previously maintained by Sharma, Njammasch, myself and many others.

## *An outline of the history of ploughing technique and the plough*

Ploughing cultivation has two essential prerequisites: the plough and the draught animals to move it. They were probably not absent from the Harappan culture. The excavations at Kalibangan, a site 350 km west of Delhi, yielded ard

[53] Cf. *Indigenous agricultural tools and equipment of Bangladesh.* Agricultural Engineering Division, Bangladesh Agricultural Research Council, Dacca 1982.
[54] Kosambi, *The culture,* Fig. 33.
[55] V. S. Agrawala, *India as known to Pāṇini. [A study of the cultural material in the Aṣṭādhyāyī].* Second edition revised and enlarged, Varanasi 1963, 198. Cf. M. Monier-Williams, *A Sanskrit-English dictionary.* Oxford, 1960, 420 and 1293.
[56] V. S. Apte, *The practical Sanskrit-English dictionary.* Revised and enlarged. Ed. by P. K. Gode and C. G. Karve, Poona 1979, 738 and 1751.
[57] *The Daśakumāracarita of Daṇḍin.* With various readings, a literal English translation etc. by M. R. Kāle. Delhi-Varanasi-Patna, 1966⁴.
[58] B. P. Mazumdar, "Industries and international trade in early medieval North India," *Journal of Bihar Research Society* 45-46 (1979-1980), 231. For procuring a copy of this journal in London my special thanks are due to my colleague and friend, Gergely Hidas.
[59] Cf. *Epigraphia Indica* vol. II (1894), 125. and F. Kielhorn's translation, *ibid.*, 130.

furrows which can be dated from 2900–2700 BC. The narrow furrows were sown with horse-grams, and the mode widely space ones grew mustard plants.[60] But where is the plough by which the work has been carried out? As a matter of fact not any plough or its parts have come down to us from this period. Randhawa rightly thinks that because ploughs were made of wood, a perishable material there is no possibility of finding an actual wooden plough from this age.[61] All that we have is a terracotta model of an ard-plough from Mohenjo-daro, c. 2300 BC and a seeder-ard-like object on a seal from Lothal.[62] A clay model from Banwali, a site 120 km northeast from Kalibangan, allows us to form a clearer idea of the plough in the Indus culture. It is a combined form of the beam and the sole. The beam is curved like an inverted "S" with a hole at the front end. The tip of the sole is sharply pointed. Its extended rear is pierced by a vertical hole to receive a curved or vertical stilt. An implement like this might have been used to loosen the soil rather than to make deep furrows.[63]

From around the last centuries of the second millennium BC there is textual evidence for the existence of various types of the plough. The term *sīra* in the Ṛgveda may refer to a seeder-ard which the ancestors of the Vedic Sanskrit speakers might have adopted somewhere on their way to India. Later the same word might have been used for the same type of instruments already known in India. An antler piece made into an artefact has been excavated — a seed-drill — from the site of Walki.[64] The term *lāṅgala* is a loanword in Sanskrit from some Austro-Asiatic language and together with the closely related form *lāṅgula* has a broad semantic field including the meaning "penis", "an ard-plough" and "tail". It is not quite impossible that the word originally denoted a digging stick or even a simple curved branch of a tree (see *vakraṃ dāru*).

Sanskrit sources from the first centuries of the first millennium BC speak of ard-ploughs fitted together from different accessory parts. In spite of the found of remains of an iron ploughshare from Ganwaria (ca. 700 BC) and a similar found from District Etah, western Uttar Pradesh from around 500 BC and the numerous allusions to iron ploughshare in the Buddhist literature the employment of iron for manufacturing iron ploughshares is rare and exceptional.[65] The absolute majority of ploughs was made of wood in the first millennium. I do not deny that the plough consisting of more accessory parts represents a more sophisticated type than for example the *vakraṃ dāru*. Notwithstanding, now I regard the assumption of a revolutionary development of

[60] A. Steensberg, *Hard grains, irrigation, numerals and script in the rise of civilisations.* Copenhagen 1989, 68-73.
[61] Randhawa, *A history,* 156.
[62] Randhawa, *A history,* 156 and Fig 78 and 157 and Fig. 79.
[63] Gy. Wojtilla, *The ard-plough* 95 and 96 and Fig.3; cf. *Indian Archaeology* 1983-4, 26 and Fig. 21.
[64] V. Shinde, *Two unique*, 210 and 213-215.
[65] Sharma, *Die Entwicklung,* 216-217.

ploughing technique in the time of the Buddha maintained formerly by Kosambi, Sharma and me[66] far-fetched.

The illustrations of ploughing on reliefs from the period second century BC – second century AD are of some help to imagine the different types of this tool.[67] But neither the exact construction nor the material of the ploughshare can be inferred from them.

Apart from the single found of an iron ploughshare of a paring plough (?) from the second century AD kept at the Sanchi Museum[68] we do not have plough findings up to the end of the period under discussion.

The increase of the number of varieties of the plough after 500 AD is striking, but it is evident from the descriptions that one must count with types of quite different standard. This situation may be due to the various geographical and physical conditions of the agricultural areas. It cannot go unmentioned that the authors of these description in Sanskrit texts were brahmins who — as Kosambi puts it — "acted as pioneers in undeveloped localities; they first brought plough agriculture to replace slash-and-burn cultivation or food-gathering."[69] They role becomes visible in the coining of Sanskritised terms of agriculture, supplying theoretical knowledge of astronomy, botany, economy and law and codifying popular wisdom deposited, for example, in the collections of sayings in vernaculars.[70]

There is no proof of the employment of special big or heavy ploughs. Wooden ploughs remain prevalent, although some parts of them are from time to time made of iron. The greater number of constituent parts, in the description of the Kṛṣiparāśara, does not necessarily mean that it goes on a more sophisticated type of the plough. Just in this case I have grave doubt of the expertise of the compiler, a learned Brahmin, who rendered various maxims in vernacular tongues into Sanskrit without editing them. The Mānasāra shows an ard-plough may have been made of one piece of wood. Signs of sophistication appear in the descriptions of Bṛhatparāśarasmṛti and the Śukasaptati, a piece of Sanskrit narrative literature, dated to the time before the thirteenth century AD. In the former there is a practical instruction on how to make deeper furrows, in the later there is an additional accessory part, the prop, which serves for fixing the ard-share. The position of this prop can be regulated with the help of a strong rope made of leather straps.[71]

For the time being this is all I can say about plough cultivation and the plough in early India. This record bears rather the testimony of long continuity than of big jumps in the history of the plough. The employment of the iron in plough technique was and remained optional and depended on the physical

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[66] Cf. Wojtilla, *The ard-plough,* 98.

[67] Cf. Wojtilla, *The ard-plough,* 98

[68] Randhawa, *A history,* Fig. 189.

[69] Kosambi, *The culture,* 172.

[70] Gy. Wojtilla, *History of Kṛṣiśāstra. A history of Indian literature on traditional agriculture.* Wiesbaden 2006, 15.

[71] Wojtilla, *The ard-plough*, 104-105.

quality of the arable land. In this connection let me turn back once again to Kosambi who had a unique sense for cultural survivals. In his above cited book he puts two photos on one page. The above one shows a modern plough derived from the Kushāna type, in use near the Ganeṣa Lenā Buddhist caves at Junnar, Maharashtra state, the below one figures a Kushāna plough kept at the Lahore Museum (Pakistan) from ca. 200 AD.[72]

All this is very edifying. Instead of hunting for big qualitative changes in the long history of the ploughing technique and the plough and attributing fundamentally economical and social changes to them, I would rather speak of quantitative changes in plough cultivation. The first really great achievement was the bringing under cultivation of more and more land in the Ganges Plain and adjoined areas around the middle of the first millennium BC. A real social change in the early medieval times was what Romila Thapar calls, "the expansion of agriculture through the transformation of non-sedentary peoples into peasants, a change that occurred largely in peripheral areas" after 800 AD.[73]

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[72]  Kosambi, *The culture,* Figs. 14 and 15.
[73]  Thapar, *The Penguin history*, 445.

# Die Frauen im frühen Buddhismus

KATALIN LAKOS

Ein Unterschied zwischen dem Buddhismus und vielen anderen Religionen ist, dass seine zentralen Lehren nicht zur Rechtfertigung der Privilegierung eines Geschlechtes herangezogen werden können. Dies bedeutet aber nicht, dass er völlig unbeeinflusst wäre von dem patriarchalischen Charakter der Gesellschaften, in denen er entstand und in denen er sich ausbreitete.

Gautama Buddha hatte die Absicht, den Menschen einen Weg heraus aus dem Leiden zu zeigen, aber er äußerte nie die Absicht, die soziale Stellung der Frau zu verbessern. Das bedeutet jedoch nicht, dass ihm das Elend der Frauen vollkommen gleichgültig gewesen wäre, sondern nur, dass er sich bemühte, ihnen auf der Basis des bestehenden Systems zu helfen. Das zeigt sich jedenfalls in den Lehrreden, die der Buddha vor den Familien von Haushältern hielt und in denen er die Pflichten von Ehefrau und Ehemann darlegte.

Nach seinen Worten[1] soll eine Frau den Haushalt gut führen, die Bekannten und Verwandten des Mannes gut bewirten, treu sein, die vom Ehemann erwirtschafteten Güter klug verwalten, mit den Dienerinnen und Dienern zur Zufriedenheit aller umgehen und bei jeder Arbeit geschickt und eifrig sein. Der Ehemann wiederum soll seiner Frau gegenüber höflich sein, sie nicht verachten, ihr treu sein, ihr die Oberaufsicht über das Haus überlassen und sie mit Schmuck versorgen. Es gibt aber kein Wort darüber, dass er ihr persönliche Freiheiten zu gewähren hätte.

In einem anderen Beispiel,[2] als König Pasenadi dem Buddha sein Leid darüber klagte, dass ihm seine Frau gerade eine Tochter und nicht einen Sohn geboren hatte, wies ihn der Buddha darauf hin, dass sich ein weiblicher Nachkomme manchmal besser als ein männlicher herausstellen könne. Seiner Argumentation nach konnte eine Tochter zum "Musterbild einer Frau" heranwachsen; weise, edel, tugendhaft sein und später eine respektvolle Schwiegertochter sowie gute Mutter eines Sohnes sein, der sehr geeignet für die Führung

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[1] Siṅgāla Sutta. K. E. Neumann, *Die Reden Gotamo Buddhos aus der Längeren Sammlung (Dīgha Nikāya) 3. Aufl.,* Zürich 1957, 116-117.

[2] Dhītā Sutta. Saṃyutta Nikāya (SN) 3.16.

eines Landes würde. Der Buddha spricht also bei der Unterhaltung mit König Pasenadi den Frauen als positiv angesehene Eigenschaften zu, die mit dem Gebären und Aufziehen von Söhnen und dem Erfüllen von Pflichten gegenüber dem Mann und dessen Familie zusammenhängen. Erfüllt also eine Frau ihre Rollen und Aufgaben als Ehefrau, wird sie dank ihrem guten *karma* in einem besseren Leben wiedergeboren.

In der Predikt an *Sujātā*,[3] der Gattin von Anāthapiṇḍika beschrieb der Buddha die sieben Arten der Ehefrauen. Die erste ist die Ehefrau-Zerstörerin. Diese Art von Ehefrau ist kalt und herzlos, und ihr Verstand ist vom Hass ergriffen. Sie begehrt andere Männer, aber verachtet ihren eigenen Ehemann und sie wünscht sich den zu töten, der sie in sein Haus gebracht hat. Die zweite ist die Ehefrau-Diebin, die von dem Reichtum ihres Ehemannes, den er mit Handwek, Handel oder Arbeit auf dem Feld angesammelt hat, ein Stück für sich abknapsen will. Die dritte Art der Ehefrau ist die Ehefrau-Tyrannin. Sie ist faul, gefräßig, neigt zu Untätigkeit, ist aufbrausend, hitzig in der Rede und bringt den eigenen Erhalter um. Die Ehefrauen, die einer Mörderin, Diebin und Tyrannin gleichen, gelangen mit dem Zerfall des Körpers in die Hölle. Die vierte ist die Ehefrau-Mutter, die immer fürsorglich und lieb ist, die sich um ihren Mann sorgt wie die Mutter um ihren Sohn und seinen erworbenen Reichtum behütet. Die fünfte ist die Ehefrau-Schwester. Diese Frau ehrt ihren Mann so, wie die Schwester den älteren Bruder und folgt gehorsam seinem Willen. Die sechste Art von Ehefrau ist die Ehefrau-Freundin, die sich beim Erblicken des Ehemannes freut, die ihn begrüßt wie einen netten Freund, die gut erzogen, tugendhaft und treu ist. Die letzte ist die Ehefrau-Dienerin. Sie ist frei von Wut und fürchtet sich vor einer Bestrafung. Sie ist geduldig und gibt sich mit dem Verhalten des Ehemannes zufrieden. Die Ehefrauen, die der Mutter, Schwester, Freundin und Dienerin gleichen, standhaft in ihrer Tugend sind, die sich gebändigt haben, gelangen mit dem Zerfall des Körpers in den Götterhimmel. Am Ende der Geschichte fühlte sich Sujātā tief berührt von den Worten Buddhas und antwortete, dass sie in der Zukunft versucht, für ihren Ehemann eine Ehefrau-Dienerin zu sein.

Auch im *Dhaniya Sutta*[4] spricht der Buddha über eine gehorsame Art der Ehefrau, die immer nett und freundlich ist und ihrem Mann gegenüber nie etwas Böses tut. Diese Beispiele machen deutlich, dass der Buddha sich für die Frauen einsetzt, indem er doch das bestehende System unterstützt.

Die Haltung des Buddha und des Buddhismus gegenüber Frauen ist sehr oft widersprüchlich wahrgenommen worden. Es wird behauptet, dass es in einigen Passagen des Pali-Kanons ausdrücklich sexistische Äußerungen gegenüber Frauen geben soll. Frauen seien leichtfertig, von Emotionen abhängig, dumm, falsch, neidisch und intrigant. Es wird so getan, als wären Frauen weit-

[3] Sujāta Jātaka. 269. Jātaka. E. B. Cowell, *The Jātaka or Stories of the Buddha's Former Births, Vol. II.* London 1957, 241-242.

[4] Dhaniya Sutta. Sutta Nipāta (Sn) 1.2 F. Fausböll, *The Sutta-Nipāta. A Collection of Discourses being one of the Canonical Books of the Buddhists,* Oxford 1881, 10-12.

gehend Schuld am Leiden der Männer, als wären sie unrein, mit unheilsamem karma belastet, voll böser Begierden und nur darauf aus, die Mönche zu verführen.

Im *Bahudhātaka Sutta*[5] steht, dass es unmöglich sei, dass eine Frau einen arahat als vollkommen Erwachten oder einen cakkavattin darstellen oder, dass sie Herrschaft über den Himmel und die Hölle erlangen könne. In der Konsequenz bedeutet diese Behauptung, dass Frauen auf dem buddhistischen Weg große Realisationen erreichen können, jedoch nicht die allerhöchste.

Es stellt sich die Frage, inwieweit solche frauenfeindlichen Äußerungen von Gautama Buddha selbst stammten oder später von den mit der Entsagung kämpfenden Mönchsgemeinschaften verbreitet wurden. Es gibt die kanonische Aussage des Buddha. Er wurde von Ānanda gefragt, ob Frauen ebenso Befreiung erlangen könnten, genauso wie Männer? Und der Buddha sagte, natürlich können sie das. Also, das ist die autoritative Aussage. Frauen können genauso erwachen wie die Männer, sie haben das gleiche Erleuchtungspotential und es zieht sich durch alle Schulen hindurch.[6]

Die sexistischen Äußerungen im Pali-Kanon waren eher an den männlichen Praktizierenden gerichtet und sollten ihnen die Vorteile der Enthaltsamkeit zu verdeutlichen. Sie können nicht einfach undifferenziert als Ausdruck von Frauenfeindlichkeit gesehen werden. Sie verdeutlichen die Schwierigkeiten, die Mönche mit der Entsagung hatten und die einige von ihnen dazu brachten, ihre Angst vor Frauen in Hass gegen Frauen zu wandeln. Es ist also wahscheinlich, dass solche Äußerungen und Behauptungen im Pali-Kanon Zusätze von den Nachfolgern Buddhas sind, die in erster Linie die Mönche ansprachen, die über kein Wissen und keine Weisheit eines Buddha verfügten.

Aus der Sicht der buddhistischen Lehre spielt das Geschlecht keine Rolle, jeder kann und darf dem Pfad von dem Buddha folgen und jeder ist vor dem dhamma gleich.[7]

Die Geschichte der Zulassung des ersten buddhistischen Nonnenordens zeigt jedoch, dass der Buddha den Frauen gegenüber zwiespältig war. Mahāpajāpatī, die jüngere Schwester seiner Mutter Māyā und Nebenfrau seines Vaters Suddhodana, die mit Māyās Tod zu seiner Hauptfrau aufgestiegen war und der die Erziehung des Kindes der Schwester so wichtig war, dass sie dafür sogar ihre eigenen Kinder vernachlässigte, wollte nach Suddhodanas Tod zusammmen mit ihren Dienerinnen Nonne werden. Als sie den Buddha um die Ordinierung bat, lehnte er es ab. Da folgte sie ihm mit ihren Dienerinnen, alle kahl geschoren und mit Nonnengewändern bekleidet hundertfünfzig Meilen zu Fuß. Ānanda, der Cousin und Lieblingsjünger des Buddha, nahm sich der Frauen an und versprach zu helfen. Er fragte den Buddha, ob auch Frauen

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[5]   Majjhima Nikāya (MN) 115. Sutta.

[6]   SN I.5.6. Alan Sponberg, "Attitudes Towards Women and the Feminine in Early Buddhism," in J. I. Cabezon, ed., *Buddhism, Sexuality, and Gender*, New York 1992, 9.

[7]   I. B. Horner, *Woman under Primitive Buddhism*, London 1930, 104.

das nibbāna erreichen können. Der Buddha gab dies zu und erklärte sich bereit, einen Nonnenorden zuzulassen. Dies geschah jedoch äußerst widerwillig und der Buddha prophezeite auch, dass nach der Zulassung des Nonnenordens seine Lehre schon nach fünfhundert Jahren und nicht erst, wie ohne die Zulassung, nach tausend Jahren verschwinden würde.[8] Außerdem verfügte er, dass die Nonnen acht Vorschriften, genannt gurudhammās, einzuhalten hätten, die sie klar den Mönchen unterordneten. Davon ist die erste Regel, dass eine bhikkhunī immer einem bhikkhu Ehrerbietung erweisen muss, selbst wenn sie schon länger ordiniert oder älter ist.

Die Nonnen waren in dem frühen Buddhismus angesehen. Gautama Buddha hat einzelne Nonnen auch als Lehrende sehr geschätzt, wie z. B. Khemā[9] und Dhammadinnā.[10] Die beiden waren reiche und gebildete Frauen, die als Nonnen große Weisheit erlangten und schließlich das nibbāna verwirklichten.

Die Gründe warum die Frauen in den Nonnenorden eintreten wollten, waren unterschiedlich. In einigen Fällen spielten die schlechten Lebensbedingungen und die familiären und persönlichen Tragödien sicherlich eine wichtige Rolle. In solchen Fällen wurde das Dasein als Nonne trotz aller Benachteiligungen als Befreiung von den Zwängen, denen Ehefrauen und Mütter unterlagen, aufgefasst. Als Beispiel sei die Nonne Muttā[11] erwähnt:

"Ich bin erlöst, wohl abgelöst,
Von drei der Bürden bin ich frei: Von Mörserlast und Kolbenlast,
Vom Gatten bucklig missbegabt;
Bin graberlöst, geburterlöst,
Die Daseinsader ist verdorrt."

In den meisten Fällen scheint es allerdings so, dass das persönliche Interesse an dem dhamma und am Leben als eine bhikkhunī die entscheidenden Ursachen für einen Eintritt in den Nonnenorden waren.

Viele Buddhismus-Gelehrte sehen die acht Regeln und das Zögern der Gründung der Ordensgemeinschaft der Frauen kritisch und diskriminierend den Frauen gegenüber. Wir dürfen nicht vergessen, dass der Buddhismus die erste Religion der Welt war, die eine Gemeinschaft ordinierter Frauen gegründet hat. Das war ein Akt, der viele Einwände der Männer, einschliesslich der bhikkhus hervorrief. Sie waren und sind zum Teil noch verfangen in ihrem patriarchalen Denk- und Verhaltensmuster. Bei der Gründung der unabhängigen Ordensgemeinschaft der Frauen war dem Buddha sehr wohl bewusst, dass es zum Meinungsstreit kommen würde. Deswegen hatte er erst gezögert, die Ordination für Frauen zu geben. Dieses Zögern wurde oft von Männern und

[8] Horner, *Woman under Primitive Buddhism,* 103-105.
[9] Ihr Name bedeutet: ruhig, friedlich. Sie war eine schöne Frau, die Gattin des Königs *Bimbisāra* von Magadha. Später ist sie mit der Erlaubnis des Königs in den Nonnenorden eingetreten.
[10] Pascale Engelmajer, *Women in Pāli Buddhism. Walking the spiritual paths in mutual dependence*, London 2015, 104.
[11] K. E. Neumann, *Die Lieder der Mönche und Nonnen Gotamo Buddhos, 2. Aufl.* 1923 München. 361-362.

Mönchen dazu benutzt, um sie so auszulegen, wie es ihnen passte. Der Buddha stellte den unabhängigen Frauenorden unter den Schutz des Männerordens, wie eine Schwester dem Bruder. Man könnte also diese Regeln jedoch auch als Schutzmassnahmen für den Orden und nicht als Unterdrückung der Frauen deuten. Als damals notwendige Maßnahmen, um die gesellschaftlichen Widerstände zu begegnen, um überhaupt das Tor für Frauen öffnen zu können.

Die Zulassung und Gründung des ersten buddhistischen Nonnenordens gleichen einer Revolution in der Religionswissenschaft Indiens. Das Phänomen, dass Frauen – in erster Linie aus höheren Gesellschaftsschichten und gebildete, gehobene Kurtisanen – sich verwirklichen durften, lässt sich durch die einzigartigen gesellschaftlichen Verhältnisse in Buddhas Zeit erklären. Viele der gut situierten Frauen waren auch die ersten Laienanhängerinnen, die den Buddha und die buddhistische Gemeinschaft auch materiell unterstützten.

Die Rolle und Wichtigkeit der Mutterschaft, anders als die einer Ehefrau, sind in den Pali-Texten nicht ausdrücklich konzipiert. Die Beschreibungen von Eltern, die Metaphern und Vergleiche zusammen mit den Erzählungen über Mütter geben jedoch ein klares Bild über die Bedeutung und Wichtigkeit der Mutterschaft.

Die Rolle der Mütter ähnelt der Rolle der Laienanhängerinnen, indem sie den saṅgha materiell unterstützen, wie die Mütter ihren Nachwuchs auf dem geistigen Pfad unterstützen. Die beiden, Mütter und Laienanhängerinnen, sorgen für Nahrung und erfüllen wesentliche Lebensbedürfnisse der Kinder und der buddhistischen Gemeinschaft. Das Mönchswesen und das Wissen zur Erleuchtung stehen einerseits an der Spitze der spirirtuellen Entwicklung des Buddhismus, andererseits ist die Existenz des saṅgha von der Unterstützung und Spendegabe der Laienanhänger abhängig. Die Suttas weisen auf diese symbiotische Beziehung zwischen dem saṅgha und den Laienanhängern auf.[12]

Gemäß den Umständen der damaligen sozialen, kulturellen und gesellschaflichen Normen waren die Frauen, nachdem sie ihre Rollen als Ehefrau und Mutter erfüllt haben, in erster Linie als Laienanhängerinnen am meisten geschätzt und akzeptiert. So ist es auch verständlich, warum die meisten Frauen erst nach dem Gebären und Aufziehen von Kindern in den Orden eingetreten sind, also in der letzten Phase ihres Lebens.

Der Buddhismus ist durch ein hohes Maß an Rationalität und kritischem Denken gekennzeichnet. Die Haltung gegenüber Frauen, die als widersprüchlich wahrgenommen werden, sind in der Realität ein Spiegelbild der sozialen Stellung und Möglichkeiten der Frauen in der damaligen Zeit. Die Texte beschreiben die Gesellschaft so wie sie war, zusammen mit ihren Konflikten und Widersprüchen. Die Missachtung der niedrigeren gesellschaftlichen Stellung der Frauen im Kontext würde glechzeitig auch die Missachtung der damaligen sozialen, kulturellen und gesellschaflichen Normen bedeuten und dadurch auch die Untergrabung der angegebenen soteriologischen Wege.

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[12] Engelmajer, *Women in Pāli Buddhism*, 113-119.

Die Lehre des Buddha hat den Weg aus jeglichem Leiden heraus aufgezeigt. Der Weg steht Männern wie Frauen offen; er führt beide Geschlechter zur Erkenntnis der Wirklichkeit, zur Einsicht in ihre geistigen Strukturen, zur Beherrschung ihres Geistes, zum Mut und zu der Kraft, ihrer Erkenntnis gemäß zu leben. Der Buddhismus dient der Emanzipation von Männern wie Frauen. Folgt man dem Edlen Achtfachen Pfad, so befreit man sich erst einmal von inneren emotionalen und intellektuellen Zwängen, dann aber auch von äußeren Zwängen. Das Potential dazu besitzen Frauen wie Männer. Das kommt auch im Pali-Kanon z.B. in einer Passage zum Ausdruck,[13] in der die Nonne Somā dem buddhistischen Teufel Māra entgegenhält, dass eine Frau genauso Einsicht in das Wesen der Wirklichkeit erlangen kann, wie ein Mann, wenn sie dieses Ziel im Auge behält:

"Was bedeutet das Naturell einer Frau, wenn ihr Bewusstsein angespannt und fest (auf das Ziel gerichtet) ist,

Wenn sie immer mehr Wissen gewinnt, und durch Einsicht die Lehre richtig versteht?

Derjenige, der sich fragt:

Bin ich, was das betrifft, eine Frau, oder

Bin ich ein Mann, oder was bin ich denn?

Derjenige ist der rechte Gesprächspartner für Māra."

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[13] Aus dem Pāli übersetzt von T. W. Rhys Davids, *Saṃyutta-nikāya*, London 1950, 162.

# Tabula Cebetis and Christianity

Miklós Janzsó

The Cebes' Tablet ("Tabula") is deemed a not widely scrutinized text among the remaining works of ancient philosophy. This dialogue demonstrates an ethical teaching for finding happiness by describing a painting that is claimed to be the allegory of human life. The artwork is interpreted to young men by an old *exegetes*. This work was given a high reputation and popularity from the first printed edition[1] to the publishing of the critical edition,[2] but in the 20th century the interest of scholars decreased. Modern scholarship attempted to determine the date of creation by analysing possible influences of philosophical ideas that could be identified in the text of the Tabula. Nevertheless, there is no accordance in this question, but at the same time most of the scholars accept that there is a lot of influence from Socratic philosophy in the Tabula Cebetis. The thematic element that eminently underlines the evocation is the discussion about life and death, health and richness.[3]

Although the thoughts of Platonism[4] and Pythagoreanism[5] are noticeable, the Stoic influence is the most important point. It is beyond dispute that the Tabula incorporated the most influential preceding ancient philosophical ideas, yet modern scholarship seldom focuses on the probable inspiration of early Christian tradition. In this study it is assumed that revealing the correspondent elements between the Tabula and early Christian tradition could enable not only to specify more accurately the date, but also to give a deeper and more detailed interpretation of the work. The aim of this paper is to take into account

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[1]  The dating of the editio princeps is uncertain, cf. Schweighäuser, Johann: *Epicteti Manuale et Cebetis Tabula Graece et Latine. Graeca ad fidem veterum librorum denuo recensuit, et collata omni lectionis varietate vindicavit illustravitque; Latinam versionem, Enchiridii praesertim, ad Graeci exempli praescriptum diligenter recognovit et emendavit.* Lipsiae 1798, 130-132.

[2]  Prächter, Karl: *Κέβητος πίναξ. Cebetis Tabula.* Lipsiae 1893.

[3]  *Tab. Ceb.* 36-41.

[4]  Sinko, Th.: "De lineamentis platonicis in Cebetis Tabula," *Eos* 45:1 (1951), 3-31.

[5]  Joly, R.: *Le tableau de Cebes et la philosophie religieuse.* Bruxelles 1963.

and analyse motifs, which had not been discussed yet provide new aspects on the Christian explanation of the work.

First, the Christian theological interpretation of humanist commentaries will be presented. The hypothesis that the Tabula had been influenced by the early Christian tradition is not a recent issue. The scholars of the Renaissance had proposed it for the first time. At the end of the 15th century the Greek opus had been reinvented. Due to its translation into Latin made by Ludovicus Odaxius,[6] in the middle of the 16th century the Tabula became widely known and popular across Europe and commentaries were published. The first one was written by the rhetorician Huldrichus Fabri[7] with a slight pursuit to interpret the Tabula in the light of Christian ideas.

The most remarkable author of the Christian interpretation was Joannes Camers, a minorite monk and theologist.[8] His commentary,[9] published in 1524 in Cracow, is probably the best example how to interpret an ancient philosophical work in the aspects of Christianity. In the summary of the commentary he mentioned that the content of the Tabula i.e. such description of human life comes not only from the anonymous author, but also the Sacra Scriptura (Holy Bible): *In universum, hac tabula Cebes, humanae naturae cursum mira quadam insinuatione adamussim (quod dicitur) exprimit ferme totum. Sunt qui tradant hunc humanae naturae cursum, non primum a Cebete excogitatum, sed eum ex sacris litteris desumpsisse.*[10] Although Camers does not clarify explicitly that the Tabula is tightly bound to Christianity, he never misses a chance to interpret the work with regard to this view. He draws a parallel between many points of the Tabula and the Holy Bible, and the thoughts of the Church Fathers. By the analysis of the motif of penitence, he emphasises the influence of Lactantius[11] who claims that it is an important moment in human life as the mercy of God

Ancient philosophical and literary parallels were involved in the interpretation of many places where it seemed plausible in order to achieve a deeper and more accurate explanation. As it can be detected from the large amount of the cited authors, his awareness about Greco-Roman philosophy was outstanding.

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[6] H.-G. Nesselrath, „Von Kebes zu Pseudo-Kebes." in R.-H. Luidpold, Hrsg. *Die Bildtafel des Kebes*: *Allegorie des Lebens*. Darmstadt 2005, 49-50.

[7] *Cebetis Thebani Philosophi Excellentissimi Tabula, in qua breviter totius vitae humanae ratio, hoc est ingressus, medium et exitus, nec non alia quaedam haud minus iucunda, luculenter, ut pictura indicat describuntur, Cum scholiis per Huldrichum Fabri non inepte marginibus adeictis.* Viennae 1519.

[8] L. Wadding, *Scriptores Ordinis Minorum quibus accessit syllabus illorum qui ex eodem ordine pro fide Christi fortiter occubuerunt.* Romae 1906, 150.

[9] I used the 1558, Basel-edition: *Commentaria in C. Iulii Solini Polyhistora, et Lucii Flori De Romanorum rebus gestis, libros, ac Tabulam Cebetis, omnibus et res ecclesiasticas et civiles administrantibus, sive lucem, sive rerum varietatem doctrinamque spectes, utilissima, Ioanne Camerte autore viro in omni literarum genere praestanti.* Basileae 1558, 425-477.

[10] Camers, *Commentaria*, 426.

[11] Camers, *Commentaria*, 444-445.

Nevertheless, the most important and peculiar point of his commentary is the emphasis on the elemental influence of Christianity on the work. In my judgement Camers claims correctly that the Tabula must be interpreted allegorically, therefore his interpretation focuses on the metaphoric aspects of some phrases. After all, the most significant methodical failure of his commentary is that the analysis had not been based on the original Greek text, but on Odaxius' Latin translation. Thus, not every conclusion is deemed sound and utterly acceptable.

Let us take into account the following examples. The painting described in the Tabula symbolizes the path of human life as an allegory composed from metaphors. This way consists of three different stages separated by walls in the picture. In the first section there is a crowd of women symbolizing sins and wicked pleasures. Camers claims that sins had arisen from the female principium. This idea can be retraceable to the book of Genesis.[12]

In Camers' commentary the second remarkable item among that sort of elements is ignorance (ἀφροσύνη), which is deemed a serious threat in life. It could only be compared to the riddle of the Sphinx.[13] Ignorance not only poses a one-time threat, but poisons the mind continuously. Thus, no one is able to make right decisions living ethically bad. If it became recognizable which things are wrong or right and bad and good in human life, ignorance would pass away and the possibility of blissful life would be provided. Ignorance appears in the commentary as one of the greatest dangers. In order to prove this explanation, he cited Cicero, Seneca and Socrates concluding his point by the following statement: to deny the existence of God is the peculiarity of ignorant people.[14] Thus, the way of interpretation had turned to theological explanation.

Before one comes to Paideia, Pseudopaideia seduces him. The followers of Pseudopaideia are teachers of liberal arts and adherents of some philosophical school, such as hedonists, Peripatetics.[15] Even Camers despises these sciences

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[12] *Per multitudinem mulierum, quae intra ambitum visebatur morum corruptelam debemus accipere. Constat enim a femina initium sumpsisse peccatum. Genesis cap. 3.* Camers, *Commentaria,* 429.

[13] *Tab. Ceb.* 3, 2-4. ἔστι γὰρ ἡ ἐξήγησις ἐοικυῖα τῷ τῆςΣφιγγὸς αἰνίγματι, ὃ ἐκείνη προεβάλλετο τοῖς ἀνθρώποις. εἰ μὲν οὖν αὐτὸ συνίει τις, ἐσώζετο, εἰ δὲ μήσυνίει, ἀπώλετο ὑπὸ τῆς Σφιγγός. ὡσαύτως δὲ καὶ ἐπὶ τῆς ἐξηγήσεως ἔχει ταύτης. **ἡ γὰρ ἀφροσύνη τοῖς ἀνθρώποις Σφίγξ ἐστιν**. αἰνίττεται δὲ τάδε, τί ἀγαθόν, τί κακόν, τί οὔτε ἀγαθὸν οὔτε κακόν ἐστιν ἐν τῷ βίῳ. ταῦτ' οὖν ἐὰν μέν τις μὴ συνιῇ, ἀπόλλυται ὑπ' αὐτῆς, οὐκ εἰσάπαξ, ὥσπερ ὁ ὑπὸ τῆς Σφιγγὸς καταβρωθεὶς ἀπέθνησκεν, ἀλλὰ κατὰ μικρὸν ἐν ὅλῳ τῷ βίῳ καταφθείρεται καθάπερ οἱ ἐπὶ τιμωρίᾳ παραδιδόμενοι. ἐὰν δέ τις γνῷ, ἀνάπαλιν ἡ μὲν ἀφροσύνη ἀπόλλυται, αὐτὸς δὲ σώζεται καὶ μακάριος καὶ εὐδαίμων γίνεται ἐν παντὶ τῷ βίῳ.

[14] *Solius insipientis est, negare Deum esse.* Camers, *Commentaria,* 431.

[15] *Tab. Ceb.* 13, 1-2. Οἱ τῆς Ψευδοπαιδείας, ἔφη, ἐρασταὶ ἠπατημένοι καὶ οἰόμενοι μετὰ τῆς ἀληθινῆς Παιδείας συνομιλεῖν. Τίνες οὖν καλοῦνται οὗτοι; Οἱ μὲν ποιηταί, ἔφη, οἱ δὲ ῥήτορες, οἱ δὲ διαλεκτικοί, οἱ δὲ μουσικοί, οἱ δὲ ἀριθμητικοί, οἱ δὲ γεωμέτραι, οἱ δὲ

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stating that these do not serve ethical education, but only flatter people. According to Camers the sciences from the circle of Pseudopaideia can be derived from Stoic sources and are deemed insufficient for intellectual development.[16]

As it can be observed in a note related to the role of virtues, the theological explanation overweighs the importance of ancient literary and philosophical tradition. He disapproved of virtues as goddesses who derived from Zeus. He revised that ancient theory by a citation of Saint Augustin claiming that virtues are not divine beings, but donations of God for mankind.[17] Although the commentary of Camers does not meet entirely the requirement of modern scholarship in every case, it has inspired my survey to reveal more correspondent points between Christianity and the Tabula.

As it was mentioned above, the popularity of the Tabula was constant from the 16th to the 18th century among the Christian churches and it was deemed an intermediary between so-called pagan philosophy and the Christian ethic. This point is demonstrated most eloquently by Imre Mészárovics in the introduction of his translation: … *si quaedam fabulosa, quae interdum inspergantur, et nonnullas Ethnicas loquendi formulas demas, doctrinam Christianam putes*.[18]

Consequently, the Cristian interpretation had given the possibility for determining the date of the Tabula more accurately. According to Prächter's survey[19] on the phrases it is to be assessed that the Tabula had been allegedly composed in the 1st century AD. Prächter revealed that the words, phrases, grammatical structures used in the Tabula can be found mostly in the works of the 1st century AD. He composed a vocabulary containing the list of words and phrases that proves the first century dating.

On the basis of Prächter's literary analysis I have expanded the scope of the survey. Thus, it can be concluded that phrases with the same semantic content can be paralleled with the context of the Novum Testamentum and early Christian literature.

First, I have scrutinized the phrase of πολὺς ὄχλος occurring frequently in the Tabula, so that it is deemed a thematic motif. It occurs 13 times in the New Testament. As a consequence, it was widely used in the works of the Church Fathers. In the Gospels the crowd surrounding Jesus was described by this phrase. There is also a reference alluding to the crowd of disciples. In the Tabula two crowds are named by this phrase. The first is standing in front of

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ἀστρολόγοι, οἱ δὲ κριτικοί, οἱ δὲ ἡδονικοί,οἱ δὲ περιπατητικοὶ καὶ ὅσοι ἄλλοι τούτοις εἰσὶ παραπλήσιοι.

[16] Camers, *Commentaria,* 446-447.

[17] *Sunt qui tradiderunt ex parente Iove virtutes omnes olim fuisse progenitas. Sicque germanas inter se, cunctas esse virtutes. Hinc natus gentilitatis error qui virtutes esse deas quasdam putaverint. Verius Augustinus quarto de Civitate Dei libro scribit, non Deas esse virtutes, sed Dei dona potius.* Camers, *Commentaria, 450.*

[18] I. Mészárovich, *Somnium Philosophi Repraesentans Tabulam Cebetis Philosophi Platonici, et Enchiridion Epicteti Philosophi Stoici.* Nagyszombat 1707, 2.

[19] K. Prächter, *Cebetis tabula quanam aetate conscripta esse videatur.* Marburg 1885.

the gate where they want to enter Life.[20] The second is the crowd of *inconsulti*, who surround Tyche to partake of her givings.[21]

Moving on, the interpretation of σῳζόμενοι provides a more evident parallelism between the Tabula and Christianity. Several different forms of the verb σῴζω can be found in the Tabula strengthening the possibility of the redemption-centric interpretation. According to Robert Joly's theory the Tabula describes a Pythagorean initiation rite by which the initiated persons acquire peculiar, nowhere else obtainable knowledge in order to reach happiness. Although Joly's interpretation gives a useful viewpoint, it is not sufficient for the deeper understanding of the Tabula because he selected the phrases arbitrarily to support his argumentation.[22] According to Prächter's dating it is obvious that in the prominent use of the verb σῴζω the Christian tradition is reflected. Therefore, it should be interpreted as "be saved" in its semantic content. This point is in perfect accordance with the goal of the Tabula to show the way to Happiness.

Next, I turn to the analysis of Metanoia (Repentance) that is deemed the crucial motif of the Tabula. According to my judgement this is the most important evidence for the Christian influence: εἶτα ἐνταῦθα πάλιν εἰς τὸν ἕτερον οἶκον ῥίπτεται, εἰς τὴν Κακοδαιμονίαν, καὶ ὧδε τὸν λοιπὸν βίον καταστρέφει ἐν πάσῃ κακοδαιμονίᾳ, **ἂν μὴ ἡ <u>Μετάνοια</u> αὐτῷ ἐπιτύχῃ ἐκ προαιρέσεως συναντήσασα**.[23] Metanoia helps to dismiss all sorts of misfortune and agony. The acceptance of Metanoia's help is a human decision and beginning of purification and journey to a happier life. The appearance of the word is significant in the Novum Testamentum because it occurs 22 times. Moreover, it should be mentioned that the word refers not only to repentance, but also to conversion. Therefore, the cited sentence can be interpreted as a paraphrase for the sacrament of baptism that abolishes sins. In the Biblical occurrences this sentence points out the similarity: ἐγένετο Ἰωάννης [ὁ] βαπτίζων ἐν τῇ ἐρήμῳ καὶ κηρύσσων βάπτισμα μετανοίας εἰς ἄφεσιν ἁμαρτιῶν.[24] The motif-structure can be traced back to the context of the cited sentence proving the Christian influence on the Tabula. In the Gospel John baptized with water, but Jesus, who comes after him, baptized with the Holy Spirit. Similarly, in the Tabula the purifying strength of Eudaimonia is more significant than Metanoia to find real Happiness. Anyway, it should be mentioned that the former value (Repentance) is a prerequisite for the realization of Happiness.

Be that as it may, at the turning point of life depicted in the Tabula, Metanoia stands and liberates from the former sinful life, but it is enough for complete salvation. The *metanoia* is important in scriptural passages, because it

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20 *Tab. Ceb.* 4, 2.
21 *Tab. Ceb.* 4, 2.
22 Albrecht, Michael von, "*Recension von Robert Joly: Le Tableau de Cébes et la philosophie religieuse*," Gnomon 36 (1964), 755-759.
23 *Tab. Ceb.* 10, 4
24 Mc. 1, 4

ensures admission to Christian community. Regarding the presented thematical and conceptual concordances it is to be concluded that there would have been closer correspondence between the Tabula and early Christian tradition.

The allegory of narrow and broad roads demonstrates evidently the Christian inspiration which is also an ancient philosophical *topos* (common place) coming from the Prodicus-myth.[25] Heracles standing at the crossroads had to choose between Worthlessness calling herself happiness, and Virtue. According to this allegory the way to virtue is claimed harder and rougher than the other, yet it offers fair and valuable prospects. In the Tabula we can see the hardness of the way leading to Paideia: Οὐκοῦν καὶ θύραν τινὰ μικρὰν καὶ ὁδόν τινα πρὸ τῆς θύρας, ἥτις οὐ πολὺ ὀχλεῖται, ἀλλ' ὀλίγοι πάνυ πορεύονται ὥσπερ δι' ἀνοδίας τινὸς καὶ τραχείας καὶ πετρώδους εἶναι δοκούσης; Αὕτη τοίνυν ἐστὶν ἡ ὁδός, ἔφη, ἡ ἄγουσα πρὸς τὴν ἀληθινὴν Παιδείαν.[26] However, the Tabula describes just one way, which is narrow and tight and can barely be passed through with a small door at its end. It demonstrates that because of its toughness only a few people choose this path to reach Happiness. Thus, the Tabula clarifies obviously that only one way leads to Happiness. The content seems to be similar to the parable in the seventh verse of the Gospel according to Matthew: Εἰσέλθατε διὰ τῆς στενῆς πύλης· ὅτι πλατεῖα ἡ πύλη καὶ εὐρύχωρος ἡ ὁδὸς ἡ ἀπάγουσα εἰς τὴν ἀπώλειαν, καὶ πολλοί εἰσιν οἱ εἰσερχόμενοι δι' αὐτῆς· τί στενὴ ἡ πύλη καὶ τεθλιμμένη ἡ ὁδὸς ἡ ἀπάγουσα εἰς τὴν ζωήν, καὶ ὀλίγοι εἰσὶν οἱ εὑρίσκοντες αὐτήν.[27] These similar thematic elements with regard to the motifs in the second half of the work emphasize the presence of Christianity.

According to the ideas of the Tabula, ignorance is the worst thing, because people are not able to decide properly whether certain things have a good or bad nature. Ignorance is instilled into man by Ἀπάτη (Deceit) at the moment of birth. As a consequence, the perfect Good remains hidden from them.[28] Paul the Apostle names ignorance as the cause of the sinful way of life: ἐσκοτωμένοι τῇ διανοίᾳ ὄντες, ἀπηλλοτριωμένοι τῆς ζωῆς τοῦ θεοῦ, διὰ τὴν ἄγνοιαν τὴν οὖσαν ἐν αὐτοῖς, διὰ τὴν πώρωσιν τῆς καρδίας αὐτῶν, οἵτινες ἀπηλγηκότες ἑαυτοὺς παρέδωκαν τῇ ἀσελγείᾳ εἰς ἐργασίαν ἀκαθαρσίας πάσης ἐν πλεονεξίᾳ.[29] In the letter to Titus Paul claims that all of us follow sinful desires before the experience of God's mercy: Ἦμεν γάρ ποτε καὶ ἡμεῖς ἀνόητοι, ἀπειθεῖς, πλανώμενοι, δουλεύοντες ἐπιθυμίαις καὶ ἡδοναῖς ποικίλαις, ἐν κακίᾳ καὶ φθόνῳ διάγοντες, στυγητοί, μισοῦντες ἀλλήλους.[30]

The way leading to happiness is presented as a competition in the Tabula. Happiness crowns the winner with a wreath that has power to make someone happy (εὐδαιμονικὴ δύναμις). Then one can live in the state of constant and perfect happiness, which depends on him not on others. In the first letter to the

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[25]   Xenophon, *Memorabilia* 2, 1, 21-34.
[26]   *Tab. Ceb.* 15, 2.
[27]   Mt. 7, 13-14.
[28]   *Tab. Ceb.* 6, 3.
[29]   Eph. 4, 18-19.
[30]   Tit. 3, 3.

Korinthians Paul attributes a similar role to the wreath as a metaphorical personification of virtue:

Οὐκ οἴδατε ὅτι οἱ ἐν σταδίῳ τρέχοντες πάντες μὲν τρέχουσιν, εἷς δὲ λαμβάνει τὸ βραβεῖον; οὕτως τρέχετε ἵνα καταλάβητε. πᾶς δὲ ὁ ἀγωνιζόμενος πάντα ἐγκρατεύεται, ἐκεῖνοι μὲν οὖν ἵνα φθαρτὸν στέφανον λάβωσιν, ἡμεῖς δὲ ἄφθαρτον.[31] Therefore, the wreath symbolizes in both cases the prospective and ideal happiness. There is only one different element between the Tabula and the scriptural tradition. In the Tabula Happiness gives the wreath, whereas it is to be gained from God in the Sacra Scriptura.

Following the crowning scene Virtues take men back to the location of earlier sinful life and demonstrate how badly they were living under the slavery of sins. The Tabula names four of them: incontinence, pretentiousness, avarice, vanity. The phrase κενοδοξία i. e. vain glory had been applied mostly by the Church Fathers according to Saint Paul's prohibition: μηδὲν κατ' ἐριθείαν μηδὲ κατὰ κενοδοξίαν…,[32] μὴ γινώμεθα κενόδοξοι, ἀλλήλους προκαλούμενοι, ἀλλήλοις φθονοῦντες.[33]

To sum up, it can evidently be concluded that the Tabula is an eclectic work containing most of the contemporary philosophical ideas and trends. The importance of the Tabula is that it had built a bridge between the philosophical tradition of antiquity and Christianity. The next step of my survey will be to demonstrate this linking function between two worlds: classical antiquity and Christianity.

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[31]  1Cor 9, 24-25.
[32]  Phil 2, 3.
[33]  Gal 5, 26.

# Some Remarks on the Common Model of the Flavian Municipal Charters

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Armando Ruiz Torrent in his paper,[1] which was published in his monograph,[2] too, re-examines the supposed common model of the Flavian charters, and argues that the texts of the different charters cannot be originated from a single common model (*modelo único*). However, Torrent takes up the term common model as a *stricto iure* general law only,[3] because after denying the existence of a hypothetical Caesarean or Augustean universal *lex Iulia municipalis* and the likewise hypothetical *lex Flavia municipalis* of Domitian or Vespasian,[4] he con-

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[1]   A. Torrent, "De lege Irnitana: ¿Modelo único en las leyes municipales flavias?" *Revista Internacional de Derecho Romano.* Abril (2010), 88-157. (www.ridrom.uclm.es/
documentos4/torrent_imp.pdf, 2010.08.21, 23:23)

[2]   A. Torrent, *Municipium Latinum Flavium Irnitanum. Reflexiones sobre la ocupación militar de Hispania y subsiguiente romanización hasta la Lex Irnitana*, Madrid 2010, 101-133, it is the slightly altered version of the previous paper, the main points being the same.

[3]   J. González, "Lex Villonensis," *Habis* 23 (1992), 116. used the term *modelo único* in the same meaning, but in the opposite direction: "Las coincidencias textuales nos permiten saber que todas ellas (sc. leyes municipales flavias) siguen un modelo único: la lex Flavia municipalis, texto reformado de la lex Iulia municipalis."

[4]   The essence of the problem is whether a general *lex municipalis* of similar scope ever existed. If it did, whether it was the result of Caesar's or Augustus' legal activity, and what is the relationship between this *lex Iulia municipalis* and the *lex Flavia municipalis* serving as a basis for the Flavian charters. I will not examine here whether Torrent's refutation of the existence of these *stricto iure* laws is right or not because of the very controversial nature of this question. However, it must be emphasized that the scholars denying the existence of such *leges municipales generales* accept the existence of textual common models, e.g. H. Galsterer, "La loi municipale des Romains: chimère ou réalité?" *Revue Historique de Droit français et étranger* 65 (1987), 184-185. Hereafter in this paper I will try to prove the existence of a text-

cludes that there was no common model.[5] However, he faces the problem that the similarity among the fragments of the Flavian charters is undeniable. To explain this fact – after denying any common model – he argues that the Flavian charters are the results of the consecutive chain ("*secuencia histórica"*) of the Roman municipal charters developed in different times and of the related decrees of the Flavian emperors. Therefore, the similarity among the charters can be explained by a uniform legal tradition (the earlier municipal charters) applied in a similar legal environment (the Flavian decrees concerning the Spanish towns) accordingly to the local particularities of the towns of Spain.[6] He rightly emphasizes that the similarity can be due to the similar topics in part: the charters concerning the administration of the cities must regulate similar issues, and they can do this in a similar way;[7] and he also rightly refers to the Roman practice that the drafters of a new charter/law often copied parts of earlier charters/laws word for word.[8]

However, Torrent's argument has a serious methodological mistake. He tries to draw conclusions from the problem of the general *lex Iulia municipalis/lex Flavia municipalis* (that is extremely controversial and lacking adequate sources) for the textual model. But the opposite direction is much more viable: following Julián González'[9] and Xavier d'Ors'[10] method,[11] the existence of a

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ual common model, and I will not examine the legal nature of this model (*stricto iure* law or unofficial draft etc.).

[5]   See e.g. Torrent, *Municipium Flavium Irnitanum,* 102, 129-130. There is a gap in Torrent's logic, because for his conclusion (that is, there were no such general laws, therefore there was no common model at all) he should have proven previously that any supposed common model must have been a *stricto iure* general law. For the scholarly opinions on the legal nature of the model, see note 12.

[6]   Torrent, *Municipium Flavium Irnitanum,* 121, 128, 131. It must be emphasized now that Torrent attaches greater than real significance to the local particularities and the differences among the Flavian charters, because he has not examined the text – and the differences – of the single charters articulately. If he had examined the charters properly, he would know that the *lex Villonensis* and the *lex Basiliponensis* are the same charter (Torrent, *Municipium Flavium Irnitanum* 12 and 102, for the identity of these fragments see below); that the *fragmenta Lauracensia* are not Flavian and Spanish, but Severan and from Austria (Torrent, *Municipium Flavium Irnitanum,* 123); that the *lex Salpensana* and *lex Malacitana* do not supplement the lost 1st, 2nd, 4th and 6th tablets of the *lex Irnitana* (Torrent, *Municipium Flavium Irnitanum,* 104), but the *lex Malacitana* supplements tablet 6 only.

[7]   Torrent, *Municipium Flavium Irnitanum,* 103.

[8]   Torrent, *Municipium Flavium Irnitanum,* 125, for this practice in the field of municipal charters see J. G. Wolf, "Imitatio exempli in den römischen Stadtrechten Spaniens," *Iura* 56 (2006-2007), 1-54 and M. W. Frederiksen, "The Republican Municipal Laws: Errors and Drafts," *The Journal of Roman Studies* 55, (1965), 183-198. However, this method affects some chapters of a charter, and not the whole charter, and in the same charter borrowed chapters from different earlier charters can be found.

[9]   González, "Lex Villonensis."

textual model must be clarified, because it *can* be clarified due to the extant fragments and the parallel texts of the charters. And *if* the existence of such a textual common model is to be denied – as Torrent argues –, the existence of a general *lex Flavia municipalis* must be refused, because this general model is the *raison d'être* to suppose a general Flavian municipal law.[12] Of course, following these two scholars would be inconvenient for Torrent, because both of them accept the existence of a common model.[13] Because a bluffing variety about the

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[10] X. d'Ors, "Algunas consideraciones sobre 'variantes' y errores en las distintas copias de la lex Flavia municipalis," in Linares, J. L. (ed.): *Liber amicorum, Juan Miquel: estudios romanísticos con motivo de su emeritazgo.* Universitat Pompeu Fabra 2006, 749-804.

[11] Both authors examine the differences and similarities among the parallel places of the charters with philological methods and draw conclusions concerning the common model. González, "Lex Villonensis," 117-119. establishes that the differences among the texts of the *lex Irnitana*, *Malacitana* and *Villonensis* are orthographical ones or due to the different usage of the abbreviations, and there are some common errors that prove a common model. D'Ors examines the general tendencies of the individual charters, that is, the general usage of the abbreviations, the orthographical characteristics etc., and from these features infers the state of the different levels of the common model. For these questions see below. (I know that the *errores coniunctivi* are usually used to prove a common model, but in the case of the municipal charters the effect of some independent chapters cannot be excluded: e.g. see *a(b) iusto* below or d'Ors' opinion about the possibly independent error of *abeat/habeat* at chapter 29, d'Ors, "Algunas consideraciones," 796-797. note 209. Thus, the *errores coniunctivi* are deliberately not used in this paper.)

[12] The opposite is not necessarily true, that is, if there was a textual common model, it does not prove the existence of a general law, for the common model could be e.g. a draft for internal use of the governor – or the responsible member of his staff – (D. Mantovani, "Il iudicium pecuniae communis. Per l'interpretazione dei capitoli 67-71 della lex Irnitana," in L. Capogrossi Colognesi – E. Gabba (ed.), *Gli statuti municipali.* Pavia 2006, 262. note 1); or the text of the individual charter issued for the first concerned community that became a model for the other communities (J. Paricio, "La 'lex Aebutia', la 'lex Iulia de iudiciis privatis' y la supuesta 'lex Iulia municipalis,'" *Labeo* 49 (2003), 136. note 35); or an imperial decree, but not a regular *lex* (W. Simshäuser, "Review: Julián González: The lex Irnitana: a new Flavian municipal law (sic!); Alvaro d'Ors: La ley Flavia municipal; Alvaro d'Ors – Xavier d'Ors: Lex Irnitana," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Romanistische Abteilung* 107 (1990), 543) etc. Torrent does not disprove these opinions, although, disproving them would be necessary for his conclusion (that is, there was no general law, therefore there was no common model). A distinction must be made between the hypothesis that the first individual charter was the common model for the later ones and Torrent's later discussed opinion that some Flavian charters together with other laws and decrees offered a model for the lex Irnitana. That the currently available charters were not copied from each other, see below.

[13] The majority of the scholars accept the existence of a common model because of the similarity of the charters. Although, e.g. F. Lamberti, *Tabulae Irnitanae, municipalità e ius Romanorum.* Napoli 1993, 235-238 denies the existence of a common model, and she argues that each *lex municipii* was composed in Rome *ex novo* ac-

similarity of the different Flavian charters can be read in the literature,[14] the question must be examined in detail, because to determine the measure of the differences is the prerequisite to make correct statements on the common model.

Before the examination of the differences and similarities it is useful to summarize the most important data about the Roman municipal charters, especially the Flavian ones.

## Municipal charters of the Republic

The municipal charters or municipal laws (*lex municipii* or *lex municipalis*)[15] are regulations concerning the administration of communities: the duties and rights of the magistrates, city council and popular assembly; the elections; the jurisdiction; the religious matters; the public monies etc. Probably not all the communities had their own charters, but presumably all the bigger ones (especially the *municipia* and *coloniae*) had them. These regulations were engraved on bronze tablets fixed on the wall of a public building. We do not have a complete text of any municipal charter yet; the majority of the fragments contain only some syllables or words. The fragments were found largely in the ancient province *Baetica* (cca. today Andalucía) and South-Italy. To draft these charters the Romans often borrowed chapters from different, earlier laws with slight alterations.[16]

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cording to the particularities of the town in question (e.g. the population), but the chancellery would have had an up-to-date dossier with the regulations concerning the local, municipal administration. Therefore, it should have rather been a uniform system, and not a sole common model. The problem with Lamberti's opinion is very similar to Torrent's one: she does not make a difference between the textual common model and the general law. If all the fragments agree with each other word for word, this supposed dossier of the chancellery did not contain different regulations, decrees etc., the drafter of the municipal charters could select from, but it must have been the textual model, which of course was not a *stricto iure* law.

[14] The scope goes from the word for word accordance (e.g. Wolf, "Imitatio," 6) to only a structural similarity (Lamberti, *Tabulae Irnitanae,* 238.), often according not to the facts, but to the authors' own opinions or hypothesis.

[15] Although, neither the modern nor the ancient usage of these terms is fully coherent, it seems that the municipal charter/*lex municipii* refers to the text of a given town, while the municipal law/*lex municipalis* is rather a general regulation concerning more towns or areas. (Of course, the exact meaning depends on the authors' opinion on the existence of a model law etc.)

[16] See Frederiksen, "The Republican Municipal Laws," and most recently see Wolf, "Imitatio."

The first extant fragment is the *lex Osca Tabulae Bantinae* written in the Oscan language from the beginning of the 1st century BC – perhaps before the Social War – and contains regulations about the jurisdiction.[17]

The charter of Tarentum, the *lex Tarentina*[18] is usually dated between 89-62 BC; however, this date is brought into challenge.[19] The fragment of this charter contains the first column of tablet 9 intact, where the improper handling of the public moneys; the security given by the magistrates and candidates; the property qualification for decurions; the demolition of buildings; the public roads and canals, and the departure from the city are regulated. These topics appear in the later charters in a more or less alternated form.

The *tabula Heracleensis*[20] of the middle of the 1st century BC has some very interesting features. On the one hand, this fragment has been identified as Caesar's supposed *lex Iulia municipalis* regulating the administration of the *municipia* of Italy uniformly.[21] On the other hand, the structure and topics are curious: the first part refers to Rome as the city in question by name coherently, and not Heraclea, while the second part regulates the administration of different types (*municipium, colonia, praefectura, forum* and *conciliabulum*) of Italian cities. It is probable that different earlier charters were used to draft this text without proper interworking, that is, the name of Rome was not replaced by the name of Heraclea etc. The main topics are: some kind of professions; repairing and using of roads and public buildings in "Rome"; regulations for municipal government (magistrates and decurions), for local *census* and *municipia fundana*.

The *lex Ursonensis* or *lex Coloniae Genetivae Iuliae*, the charter of the Spanish town *Urso* is much longer than the previous ones.[22] The colony was

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[17] For text, English translation and commentary see M. H. Crawford (ed.), *Roman Statutes I-II.* London 1996, 271-292.

[18] See Crawford, *Roman Statutes,* 301-312.

[19] U. Laffi, "Osservazioni sulla lex municipii Tarentini," *Rendiconti dell'Accademia Nazionale dei Lincei. Classe di Scienze morali, storiche e filologiche* 15 (2004), 636-637.

[20] See Crawford, *Roman Statutes,* 355-391.

[21] In the wider literature this seems to be the *communis opinio*, but it is forced back increasingly by the specialists on the basis that similar general laws did not exist (e.g. Galsterer, "La loi municipale"), or that the *lex Iulia municipalis* must be attributed to Augustus, not Caesar, and this Augustean *lex Iulia municipalis* must have been the model for the so-called *lex Flavia municipalis* (this theory was elaborated by T. Giménez-Candela, "La 'Lex Irnitana'. Une nouvelle loi municipale de la Bétique," *Revue internationale des droits de l'antiquité* 30 (1983), 125-140 and A. d'Ors, "La nueva copia irnitana de la 'lex Flavia municipalis,'" *Anuario de Historia del Derecho Español* 53 (1983), 5-15 – following Wlassak and using the new information gained from the *lex Irnitana*). For a fresh summary see M. das G. Pinto de Britto, *Los municipios de Italia y de España: le general y ley modelo, Madrid 2014* (it is not totally up-to-date, e.g. Torrent's and Andreu Pintado's theories are missing; it is rather an extended bibliography).

[22] See Crawford, *Roman Statutes,* 393-460, for the new fragments A. Caballos Rufino (ed.), *El nuevo bronce de Osuna y la política colonizadora romana*, Sevilla 2006.

(re)founded in a place of an earlier Pompeian town by Caesar cca. 45 BC, and the charter was issued at the end of 44 or the beginning of 43 BC. The fragments were found at different times: 1870-71, 1925, and the most recent ones were published in 2006, so chapters 13-19.; 61-106. and 123-134. of the original text can be read with little hiatus. Although, the structure of the text is not so coherent as the structure of the Flavian ones, the charters can be divided into more or less thematic blocks. The text was slightly altered later (e.g. there is a reference to *Baetica*, which did not exist in Caesar's age), and the extant text was engraved in the Flavian age.[23]

The so-called *fragmenta Lauriacensia* are not republican, but worthy of note here. They contain different pieces of a bronze tablet that probably were collected to be reused. There are some fragments of the Severan age among them, but it is controversial whether they belong to the same city, and this city was Lauriacum or not.[24]

## The Flavian municipal charters from Spain

The Flavian fragments are the most numerous, and among them can be found the longest municipal charter (the *lex Irnitana* completed by the *lex Malacitana*). Because this paper examines the relations of these fragments, a more detailed presentation is necessary.

The first two fragments, two tablets of *the lex Salpensana* and the *lex Malacitana* were found by potters exploiting clay near Málaga in 1851. Since the tablets were originally covered with cloth – pieces of which were found, too – and some bricks were used to sustain the tablets, it is highly probable that the tablets were buried intentionally to be preserved.[25] It is not known when and why the charter of *Salpensa* was carried to *Malaca,* neither the date and reason of hiding the tablets are apparent. Right after finding the tablets it was clear that the charters were engraved under the reign of Domitian (81-96), for he is the last, reigning emperor in the emperor-lists. The *lex Salpensana* refers to *civitas Romana per honorem consecuta*, therefore it must have been issued due to

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[23]   According to Caballos Rufino, *El nuevo bronce*, 402-411. the text was engraved between 20 BC and 24 AD.

[24]   For the fragments see M. H. Crawford Appendix 2 (in J. González, "The Lex Irnitana: a New Copy of the Flavian Municipal Law," *The Journal of Roman Studies* 76 (1986), 241-243), recently see e.g. H. Grassl, "Neue Beiträge zu den Stadtrechtsfragmenten aus Lauriacum," *Tyche* 18 (2003), 1-4. (one charter of Lauriacum).

[25]   See M. Rodríguez de Berlanga, *Estudios sobre los dos bronces encontrados en Malaga, á fines de octubre de 1851*, Málaga, 1853; Th. Mommsen, "Die Stadtrechte der Latinischen Gemeinden Salpensa und Malaca in der Provinz Baetica," in idem: *Gesammelte Schriften I.,* Berlin, 1905, 263-382; J. González, *Bronces jurídicos romanos de Andalucía*, Sevilla 1990, 101-123; Th. Spitzl, *Lex municipii Malacitani*, München 1984 (a commentary on the *lex Malacitana*) and A. U. Stylow, "La lex Malacitana, descripción y texto," *Mainake* 23 (2001), 39-50 (new edition of the *lex Malacitana*).

Vespasian's grant of *ius Latii* to Spain at the beginning of the 70s. Consequently, it was widely accepted that the issuing of the two charters was the result of the same process; therefore, chapters 21-29 of the *lex Salpensana* and the chapters 51-69 of the *lex Malacitana* could have been the copies of a common model.[26]

This hypothesis was supported by the discovery (1981) and publication (1986) of the *lex Irnitana,* the most extensive municipal charter.[27] From the ten original tablets the 3rd, 5th and 7th-10th are extant. Since the text of tablet 3 is almost identical with the one of the *lex Salpensana*, and the text of tablet 7 with the one of the *lex Malacitana*, scholars obviously inferred that a model text[28] must have existed on which the charters of the communities converted into *municipia* by Vespasian's edict granting Latin right were based. Although the chapters of the *lex Irnitana* are not numbered, based on the overlapping chapters of the *lex Malacitana* and *Salpensana* tablet 3 contains the chapters 19-31, tablets 7-10 contain the chapters 59-97, and the two thirds of the lost 6th tablet can be made up with the help of chapters 51-59 of the *lex Malacitana*. Tablet 5 does not have a parallel text, therefore its chapters cannot be numbered, so for these chapters the letters A-L are used.[29] Due to the complementation with the *lex Malacitana* cca. the 70% of the original text is legible: the first 18 chapters, the chapters of tablet 4 – chapters 30 to A – and one or two chapters on tablet 6 are missing.

The provenience of the so-called *lex Italicensis* found in 1904 is controversial, it can be Itálica or Cortegana. Although, some scholars date the fragment to the

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[26] Already A. d'Ors, "Miscelánea epigráfica. Un nuevo fragmeno de Ley Municipal," *Emerita* 32 (1964), 106 developed this opinion based on the superfluous repetition *per quem steterit…* on two different fragments.

[27] The text has several editions, and the most accurate one is F. Fernández Gómez – M. del Amo y de la Hera, *La lex Irnitana y su contexto arqueológico,* Sevilla 1990 with colour photos, epigraphic and palaeographic analysis, but without any emendation. The most useful one is J. González, "La lex Flavia municipalis," in idem (ed.) *Epigrafía Jurídica de la Bética,* Roma 2008, 11-124 (the revised edition of González, "The Lex Irnitana"); it contains the majority of the earlier emendations and textual results; however, the commentary remains the same, thus the concordance of the old commentary with the new text is missing sometimes. The most recent edition (J. G. Wolf [Hrsg.], *Die Lex Irnitana. Ein römisches Stadtrecht aus Spanien*, Darmstadt 2011) has serious problems (see I. Á. Illés, "Die lex Irnitana," *Acta Classica Debr.* 49 (2013), 115-121, review of Wolf's edition).

[28] The existence of this model text is denied by Torrent, while other scholars identify it with the *lex Flavia municipalis* (e.g. Giménez-Candela, "La Lex Irnitana"), a *lex Lati* (W. D. Lebek: "La Lex Lati di Domiziano (Lex Irnitana): le strutture giuridiche dei capitoli 84 e 86," *Zeitschrift für Papyrologie und Epigraphik* 97 (1993), 160-164; A. U. Stylow, "Entre edictum y lex a propósito de una nueva ley municipal del término de Ecija," in J. González (ed.): *Ciudades privilegiadas en el Occidente romano.* Sevilla 1999, 233-234) or a text that was not *stricto iure* law, see note 12.

[29] While these chapters are identified with different numbers by scholars, the letters introduced by González, "The Lex Irnitana" are unambiguous.

2nd-3rd century AD because of the irregular form of the letters, the Flavian date is usually accepted. The fragment contains the bottom of the last (?) two columns of a municipal law (chapter 90 and the *Sanctio*),[30] but the "*addenda*" appearing at the end of the *lex Irnitana* are missing; however, it is controversial whether these *addenda* concern all the *municipia*, some of them or Irni only.[31]

Because the fragments of the *lex Irnitana* were found by "treasure-hunters", and not by professional archaeologists, and the greater fragments originally were collected by three different museums, too, the Spanish archaeologists embarked on collecting all its fragments from the collections and depositories. Due to this research, numerous fragments of Flavian charters were identified. The first fragment of the *lex Villonensis* – now known through cca. twenty fragments – was found at the end of the 19th century,[32] then it was augmented with a new fragment by A. d'Ors in 1964,[33] and with another four fragments by him[34] and J. González[35] at the beginning of the 80s under the name *lex Basiliponensis* from the city of *Basilipo* due to an erroneous –*ilipo*– reading. Finally, F. Fernández Gómez[36] and J. González[37] published the text with new fragments under the correct name *lex Villonensis* in 1991 and 1992.[38] These fragments mainly contain some words or syllables only; however, by the help of the *lex*

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[30] González, *Bronces jurídicos,* 125-129; for the problem of the provenience see A. M. Canto: "A propos de la loi municipale de Corticata (Cortegana, Huelva, Espagne)," *Zeitschrift für Papyrologie und Epigraphik* 63 (1986), 217-220 and J. González, "More on the Italica Fragment of Lex Municipalis," *Zeitschrift für Papyrologie und Epigraphik* 70 (1987), 217-221.

[31] For this question see e.g. J.-L. Mourgues, "The So-called Letter of Domitian at the End of the Lex Irnitana," *The Journal of Roman Studies* 77 (1987), 78-87. and F. Martín, "Las instituciones imperiales de Hispania," in J. González Fernández (ed.): *Roma y las provincias. Realidad administrativa e ideologia imperial.* Madrid 1994, 169-188.

[32] C. G. Bruns (ed.), *Fontes Iuris Romani Antiqui*, Tubingae 1909[7], 157. (nr. 31.)

[33] D'Ors, "Miscelánea epigráfica."

[34] A. d'Ors, "La ley municipal de Basilipo," *Emerita* 53 (1985), 31-41.

[35] J. González, "La 'lex municipii Flavii Basiliponensis'. (Nuevos fragmentos de ley municipal)," *Studia Documenta Historiae et Iuris* 49 (1983), 395-399.

[36] F. Fernández Gómez, "Nuevos fragmentos de leyes municipales y otros bronces epigráficos de la Bética en el Museo Arqueológico de Sevilla," *Zeitschrift für Papyrologie und Epigraphik* 86 (1991), 121-125.

[37] González, "Lex Villonensis." Unfortunately, both editions have some errors, thus the pictures in González, "Lex Villonensis," and the revised, new edition in J. González, "La lex Villonensis," in idem (ed.): *Epigrafía Jurídica de la Bética,* Roma 2008, 145-158 should be checked for the correct text.

[38] The wrong name *lex Basiliponensis* appears in later works, too, e.g. Torrent (see above), Pinto de Britto, *Los municipios,* e.g. 131 and 136 (however, sometimes she makes a clear difference between the earlier wrong name and the real one).

*Irnitana* and the *lex Malacitana* the text can be reconstructed,[39] thus the fragments belong to chapters 64-71.

In a paper of 1991 F. Fernández Gómez published the so-called *ley modelo*,[40] too, that contains fragments of chapters 67-68 and 71.[41] This text has two special features: on the one hand, the lines are much longer than the lines in the other charters,[42] for it seems the text was not divided into columns. On the other hand, the places of the different numbers are left in blank. [43] It is not reasonable to infer from this fact that it must have been a prefabricated bronze tablet and the unfilled places could have been filled later according to the data of the city in question, because this method cannot be noticed in any other fragment. The individual data (the name of the city, some different numbers) were written by the same "hand(s)" in the charters. It is more probable – as the Spanish name suggests, too – that this text was a copy of a model text posted up in a major, frequently visited city,[44] so the commissioners of the communities could copy it into a wax-tablet or papyrus and fill the blank places with their own data. Lamberti rejected this interpretation of the *ley modelo* arguing that the engravers (*lapicidi*) copied the text from a papyrus and such a supposed metal blueprint would not have been economical and practical.[45] However, Fernández in his article was not talking about engravers (*grabadores*), but copyists (*copistas*),[46] that is, the *ley modelo* was not the model for the engravers who engraved bronze tablets, but was the model for the commissioners who copied the text into papyrus or wax-tablet, and this copy was used later by the engravers in the city. The practice that the Romans copied official texts from bronze tablets posted up in buildings is abundantly attested by the regular phrase *descriptum et recognitum ex tabula aenea, quae est fixa/proposita in…*[47] and by similar ones.

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[39] For the methodology of identifying the small fragments see A. Caballos Rufino, "Un nuevo municipio flavio en el conventus Astigitanus," *Chiron* 23 (1993), 157-162.

[40] *Ley modelo* means model law, I use the Spanish expression to make it clear that here this is the individual charter, and not the model law supposed e.g. by d'Ors.

[41] Fernández, "Nuevos fragmentos," 125-127.

[42] In case of fragments with only some letters or syllables, the length of the lines can be estimated based on the reconstruction with the help of the extant charters and the number of letters between the fragmentary words under each other.

[43] Certain numbers could differ among the charters, e.g. the amount in dispute is 500 *sestertius* in chapter 69 of the *lex Irnitana*, but 1000 *sestertius* in the *lex Malacitana*.

[44] For this method in Spain see *SC de Gn. Pisone patre* 170-172: *item hoc s(enatus) c(onsultum) {hic} in cuiusque provinciae celeberruma{e} / urbe eiusque i<n> urbis ipsius celeberrimo loco in aere incisum figere/tur, itemq(ue) hoc s(enatus) c(onsultum) in hibernis cuiusq(ue) legionis at signa figeretur* or *Tabula Siarensis* IIb23-27.

[45] Lamberti, *Tabulae Irnitanae,* 206.

[46] Fernández, "Nuevos fragmentos," 126. "Creemos, por tanto, más probable, que se trate de un modelo para ser utilizado por los *copistas*." (accentuation by IÁI).

[47] E.g. FIRA I 424-427. nr. 76.: *…testatus est se* descriptum et recognitum *fecisse ex tabula aenea, quae est fixa in Caesareo Magno, escendentium scalas secundas sub porticum*

The *lex Ostipponensis* published in 1983 contains chapters 62-63 and does not have any special features.[48]

The most recent fragment is the so-called *tabula corregida*. Its two pieces were published in 2005 and contained some parts of chapters 27 and 31.[49] In this fragment chapter 27 followed chapter 30 (following the numeration of the other charters). According to Caballos Rufino this must be a separate anomaly due to the supposedly unnumbered chapters.[50]

The *Duratón*-fragment published in 1995[51] cannot be completed by the help of the longer charters; d'Ors reconstruction[52] that places this fragment at the end of the lost chapter 17 and the beginning of the lost chapter 18 is baseless and easily refutable,[53] thus the location and the exact reconstruction remains unclear.

In addition to the above mentioned fragments many small fragments are known belonging to Flavian municipal charters based on the letters, the physical characteristics of the bronze pieces, but their exact identification is not possible yet, for they are too small or cannot be fit into the known texts.[54]

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*dexteriorem secus aedem Veneris marmoreae, in pariete, in qua scriptum est et id, quod infra scriptum es[t]…* Cf. Suet. *Cal.* 41.1 *Eius modi vectigalibus indictis neque propositis cum per ignorantiam scripturae multa commissa fierent, sed et minutissimis litteris et angustissimo loco, ut ne cui* describere *liceret*.

[48] González, *Bronces jurídicos,* 133-134.

[49] A. Caballos Rufino – F. Fernández Gómez, "Una ley municipal sobre una tabula aenea corregida y otros bronces epigráficos," *Zeitschrift für Papyrologie und Epigraphik* 152 (2005), 269-276.

[50] Caballos Rufino – Fernández Gómez, "Una ley municipal," 273, the chapters are not numbered e.g. in the *lex Irnitana*. It seems that the chapters of the *lex Ursonensis* were not numbered originally, and here was a correction, too, because the engraver missed chapter 129 and the beginning of 130; after realizing the omission, he erased chapters 128-131 and engraved the correct text in this place with smaller letters, cf. Crawford, *Roman Statutes,* 395. It is possible that the same happened here, too, because the extant text was engraved in the place of an earlier, erased text.

[51] J. del Hoyo, "Duratón, municipio romano. A propósito de un fragmento inédito de ley municipal," *Zeitschrift für Papyrologie und Epigraphik* 108 (1995), 140-144.

[52] A. d'Ors, "Una aproximación al capítulo 'de iure et potestate duumvirorum' de la ley municipal," *Iura* 44 (1993), 149-164.

[53] D'Ors places the fragments into the middle column of the lost second tablet; however, the picture published by Fernández – del Amo, *La lex Irnitana* clearly shows that the fragment belonged to a bottom right corner of a tablet, that is to column 3.

[54] Cf. e.g. Fernández, "Nuevos fragmentos"; J. González, "Nuevos fragmentos de la lex Flavia municipalis pertenecientes a la lex Villonensis y a otros municipios de nombre desconocido," in idem: *Ciudades privilegiadas en el Occidente romano*, Sevilla 1999, 239-245; A. Caballos Rufino – F. Fernández Gómez: "Nuevos testimonios andaluces de la legislación municipal flavia," *Zeitschrift für Papyrologie und Epigraphik* 141 (2002), 261-280; R. S. O. Tomlin, "The Flavian Municipal Law: One or More Copies," *Zeitschrift für Papyrologie und Epigraphik* 141 (2002) 281-284; Caballos Rufino – Fernández Gómez, "Una ley municipal"; J. C. Saquete Chamizo – J. Iñesta

The most important overlaps in the Flavian charters are: chapters 21-29 of the *lex Salpensana* and the *lex Irnitana*; chapters 59-68 of the *lex Malacitana* and the *lex Irnitana*; chapters 64-70 of the *lex Villonensis* and the *lex Irnitana* (till the beginning of chapter 69 with the *lex Malacitana*, too); chapters 67-71 of the *ley modelo* and the *lex Irnitana* (at chapters 67-68 with the *lex Malacitana*, too). The *lex Irnitana*, the longest fragment provides parallel places for all the other fragments except chapters 51-59 of the *lex Malacitana*: its parallel text must have been in the lost sixth tablet of the *lex Irnitana*. For some places of chapters 64-71 we have four parallel texts, too (*Irnitana, Malacitana, Villonensis, ley modelo*).

Because of the almost word for word similarity of these charters the recent *communis opinio* assumes that there must have been a textual model the individual charters were copied from – perhaps through some intermediate levels.[55] However, all the scholars acknowledge that there are some differences among the texts of the charters, some of them due to the different data of the communities in question (e.g. the number of the *ordo decurionum*, the name of the city, the amount of penalties and disputes), some of them due to the usage of abbreviations, the orthography and some lapses of the pen.[56]

Accepting or refusing Torrent's hypothesis denying the existence of a common model depends on whether these differences can be explained even in the case of the existence of a common model, and whether the process itself outlined by Torrent[57] can explain the similarities among the texts. Before a close examination of the texts Torrent's cardinal problems should be examined.

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Mena, "Un fragmento de la ley municipal hallado en la Baeturia Turdulorum (conventus Cordubensis, provincia Baetica)," *Zeitschrift für Papyrologie und Epigraphik* 168 (2009), 293-297. For the interpretation of Stylow's new fragment (A. U. Stylow, "Zu einem neuen Gesetztext aus der Baetica und zur öffentlichen Präsentation von Rechtsordnungen," in R. Haensch – J. Heinsrichs (Hrsg.): Herrschen und Verwalten, Köln 2007, 357-365 with Taf. XXI.) see I. Á. Illés, *Vespasian's Edict and the Flavian Municipal Charters,* Budapest 2016, 61-70.

[55] According to H. Galsterer, "Die römische Stadtgesetze," in L. Capogrossi-Colognesi – E. Gabba (ed.): *Gli statuti municipali*, Pavia 2006, 47. between the model from Rome (*lex Flavia municipalis*) and the text engraved in a bronze tablet there must have been a papyrus-copy, which contained the local data. Yet (for the existence of these intermediate copy or copies, see note 80), according to d'Ors, "Algunas consideraciones," 766 there must have been more intermediate copies between the *lex Flavia municipalis* and the engraved text: a provincial copy in the governor's residence and another copy based on the governor's text, but containing the local data, too.

[56] For the differences see e.g. Caballos Rufino, "Un nuevo municipio," 117-119 and d'Ors, "Algunas consideraciones."

[57] The similarity of the Flavian charters is due to the fact that the texts of the charters were determined by the "*secuencia histórica*" of the earlier laws and the decrees of the Flavian emperors.

## Methodological remarks

In Torrent's opinion, the *lex Malacitana* and the *lex Salpensana* were similar precedents of the *lex Irnitana* like e.g. the *lex Tarentina* or the *lex Ursonensis*. The only difference is that the *lex Malacitana* and the *lex Salpensana* are textually – and temporarily – closer to the *lex Irnitana* than the latter ones.[58] However, the available sources do no support this theory, for the *lex Salpensana*, *Malacitana* and *Irnitana* are on the same level of the "historical sequence." *Scilicet* Torrent made the usual error of scholars:[59] he dated the *lex Malacitana* and the *lex Salpensana* to the 80s - according to the earlier literature[60] –, while the *lex Irnitana* to the 90s.[61] Dating the Flavian charters into the beginning of the 80s seemed to be right before the discovery of the *lex Irnitana*, for Domitian's *Germanicus* title is missing from the text that was used very consistently by Domitian after 83: if the title Augustus appears in an inscription, coin or papyrus, the *Germanicus* appears, too.[62] However, the *lex Irnitana* was engraved after 11 October 91 according to the date of the so-called Domitian's letter, which has the same palaeographic characteristics as the other part of the charter, thus this date is valid for the whole text of the *Irnitana*, too.[63] At the same time the *Germanicus* title is missing from this text, too, therefore the lack of this title cannot be used to date the other charters either. Accordingly, there is no reason to date the *lex Salpensana* and the *lex Malacitana* to the beginning of the 80s.[64] Thus, these charters cannot be dated before the *lex Irnitana* automatically, that is, it cannot be supposed that these charters were among the models of the *lex Irnitana*. In fact we do not have any reason to suppose that any extant Flavian charter was used to

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[58] "Estas afirmaciones permiten afrontar con total claridad la importancia de la secuencia histórica de las leyes municipales desde la lex Tarent. a la Irn., cuyo contenido normativo tiene claros antecedentes, siendo más cercanos las leges Salp. y Mal., pero también encontramos reglas análogas en Tarent. Urs., en los bronces de Veleia y Ateste, …" Torrent, *Municipium Flavium Irnitanum,* 126. "Pensemos que Irn. 29. reproduce Salp. 29., lo que nos permite calibrar la secuencia histórica de la legislación municipal." Torrent, *Municipium Flavium Irnitanum,* 108. note 403.

[59] Cf. e. g. J. Muñiz Coello, "La política municipal de los Flavios en Hispania. El municipium Irnitanum," *Studia Historica. Historia Antigua* 2-3 (1984-1985), 165; Wolf, "Imitatio," 5.

[60] That is, before the publication of the *lex Irnitana*, e.g. Mommsen, "Die Stadtrechte," 284.

[61] Torrent, *Municipium Flavium Irnitanum,* 103.

[62] Cf. A. Martin, *La titulature épigraphique de Domitien*, Frankfurt am Main 1987, 182-187.

[63] For the palaeographical characteristics of tablet 10 in general see Fernández – del Amo, *La lex Irnitana*, 65-69.; for the letter especially see González, "The Lex Irnitana," 238. and Mourgues, "The So-called Letter of Domitian."

[64] For the details see I. Á. Illés, "Domitianus Germanicus és az ún. lex Flavia municipalis. [Domitianus Germanicus and the So-called lex Flavia municipalis]. *Antik Tanulmányok* 53 (2009, 61-77. (The end of 83 as *terminus ante quem* is valid for the model text, and not the single charters, they can be later too.)

be a model for the other Flavian charters, for the charters do not take over each other's errors, but have the same types of errors, therefore a deliberate emendation should not be supposed.[65] Of course, such copying a charter from another, previous Flavian charter could occur,[66] but this cannot be proven in the case of the extant charters because of the *errores separativi*, therefore the similarities among them must be attributed to a common model, and not to the hypothesis that they were each other's model, as Torrent suggests.[67]

Torrent is right that there are considerable similarities among the different laws/charters – not only the Flavian ones –, but these similarities concern individual chapters mainly, while in the case of the Flavian charters the similarities concern not only the individual chapters – and all of them! –, but the structure of the charters, too.[68] The similarities among single chapters can fit into the earlier tradition, for some examples are known from the 1st century BC, where the text was slightly altered according to some characteristics of the different types of the cities in question or to the advancement of the legal terminology – according to Wolf. However, these earlier tralatician elements are confined to

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[65]  E.g. the wrong *consequantur* (sA5) and *de/tulerant* (sA21/22) of the *Salpensana* are correct in the parallel places of the *Irnitana* (*consequentur* iIIIA46 and *detulerint* iIIIB11). However, it cannot be assumed that the copyist of the *Irnitana* – if he copied the text of the *Salpensana*, as Torrent suggests – emended the errors of the *Salpensana*, for similar mistakes can be found in the *Irnitana*, too, e.g. the *Salpensana* is correct at *consequentur* (sA13) and *proficiscetur* (sA26) while the *Irnitana* is wrong: *consequerentur* (iIIIA55) and *proficisceretur* (iIIIB18). For the discrepancies see below. [Hereafter the reference to the text is the following: i: *Irnitana*, m: *Malacitana*, s: *Salpensana*, v: *Villonensis*, l: *ley modelo*. The Roman numeral designates the table in the case of the *lex Irnitana*, and the fragment in the case of the *Villonensis* (according to González 1993, the photos must be emphatically observed, too), the capital letter designates the column, the Arabic numerals the lines. E.g. mD34 is the line 34 of the column D (=4th) of the *lex Malacitana*; the vII/1 is the line 1 of the fragment 2 of the *Villonensis*; iVIIB27 is the line 27 of the column B (=2nd) of table 7 of the *lex Irnitana*.]

[66]  If the existence of a common model is accepted, it is not probable that there was only one model for the single charters, but it must be assumed that there were more levels of the copying process (cf. note 55). If we had enough fragments, perhaps distinction would be made between the different branches of the "model texts," e.g. the *lex Malacitana* and *Villonensis* have some common errors that are missing from the *lex Irnitana* (e.g. there was one common model [e.g. in Rome], and there are more intermediate levels, and at one of these levels some model texts could have been posted in different cities, and the habitants of *Malaca* and *Villo* used one of them, while *Irni* another one). However, it has to be emphasized that there are too little fragments to prove the existence of these branches. There is no reason to suppose contamination, because it must have been superfluous to use more models for a single charter.

[67]  Even if he was right, the first of the charters would be the common model for the others.

[68]  Except for two, otherwise irregular fragments (*tabula corregida* and *lex Italicensis*, see above).

single chapters, and not to all the chapters and the structure of the whole text.[69] Accordingly, the similarities among some chapters of the earlier charters without any single model cannot be used to prove that the complete identity of the structure and text of the Flavian charters is not due to a common model, but to a common legal tradition from different sources. Nevertheless, a "canon" we do not know about could be formed, for the evolution of more than 120 years is missing,[70] and the impact of the earlier texts is undeniable. In my opinion, too, it is possible that on the basis of the earlier legal tradition ("*secuencia histórica*") considerable similarities could come into being without any certain "model" text. This opinion can be supported by the *edictum perpetuum* – although, Torrent does not use this example –, which was a collection altered year by year, but later it gained a better and better constant content, for the magistrates used their predecessors' *edictum*, and later under Hadrian the content was actually fixed, or the dossier supposed by Lamberti could be conducive to a similar result.[71] Accordingly, the municipal charters could reach a state by the Flavian age as the *edictum perpetuum* by Hadrian's age, thus a considerable similarity of the content of the charters can be explained without any common model, if the drafters of the different charters independently from each other followed the traditional structure and text. However, Torrent rightly considers some Flavian[72] decrees as a source for the Flavian charters, but these Flavian provisions could not have become the standard part of the "tradition" by the Flavian age, therefore the places affected by Flavian decrees must have differed in the text or order of the chapters in question.[73] Nevertheless, this did not occur, and the chapters supposedly affected by the Flavian provisions show the same similarity as the other parts of the charters, therefore a "canon" formed before the Flavian age can be excluded; at the best a "canon" formed under the Flavian age can be supposed.[74] Nevertheless, this hypothetical "canon" formed

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69  See Wolf, "Imitatio." The similar chapters examined by Wolf are*: lex Ursonensis* 104 ~ *lex Mamilia* 54; *lex Ursonensis* 77 ~ *lex Tarentina* 5 ~ *lex Irnitana* 82. Although the similarities are undeniable, it has to be emphasized that Wolf sometimes does not reckon with some philological trifles: e.g. that the text of the *lex Mamilia* cited by Wolf is amended on the basis of the text of the *lex Ursonensis* (in the MS there are *fossae limites* instead of *fossae limitales*, *pecuniaeque* instead of *eiusque pecuniae*), therefore the similarity is not so much complete as Wolf suggests. However, his main points seem to be correct.

70  The Flavian charters appeared from the beginning of the 80/90s AD, while the latest extant charters before the Flavian ones (*lex Ursonensis, tabula Heracleensis*) are from the middle of the 1st century BC.

71  See note 13.

72  Cf. note 6.

73  E.g. the chapters 21-23 in the *Salpensana* and *Irnitana*, which refer to the Roman citizenship and the *ius Latii* granted by the Flavians.

74  There is not enough evidence for the evolution of the text – maybe a canon – of the charters after the Flavians, because in spite of the text of the *fragmenta Lauriacensia* having some parallelism with the previous charters (e.g. chapter 25 of the *Irnitana*, see González, "The Lex Irnitana," 242), it cannot be used to prove that the text be-

under the Flavian age is almost the same as the supposed common model. Finally, the real question is the degree of the similarity, if it is verbatim, this "canon" – if there was any – must have been the common model.

## Discrepancies among the texts of the different charters

The reason that Torrent denies the existence of a common model in spite of the similarities among the texts must be that he attributes greater than real importance to the discrepancies among the different charters, for in his opinion "hoy se va abriendo paso la convicción de la existencia de variantes."[75] He supports his opinion by the article of X. d'Ors,[76] but he totally misunderstands the real meaning and importance of the "variantes", for d'Ors himself accepts the existence of a common model, and he attributes the differences to the different levels of copying, to the different copyists and engravers – doubtless rightly. Moreover, the "hoy" (today) is deceptive, too, for the majority of the earlier scholars admitted discrepancies besides the word for word similarities. The real question is not about the existence or non-existence of the discrepancies, but about correct interpretation of the unquestionably existent discrepancies, that is, whether the types or the degree of the discrepancies can exclude the existence of a common model, or they can be explained by individual orthographical features, errors of the pen of copying, usage of abbreviations etc.

As far as quantity is concerned, there are numerous discrepancies among the parallel texts, e.g. there is at least one discrepancy for each line of the *lex Irnitana* having a parallel text. However, the number itself does not testify against a common model, for there are many discrepancies in legal texts that had an unquestionable common model: e.g. there are more extant samples of the *Senatus Consultum de Gn. Pisone patre* in Spain, and they are the copies of the same *senatus consultum*,[77] thus they have an unquestionable common model. Even so, there are 140 discrepancies among the parallel texts of 125 lines according to the edition of 1996.[78] On the other hand, we can refer to the medieval textual tradition (i.e. "common models" but different readings due to the copying process) of the ancient authors; however, the simile does not work perfectly, because there were much more occasions for the errors during the centuries, but the methodology can help in our field, too, with the typical

came canonical under or before the Flavians, for similarity among single chapters was not rare among the earlier charters.

[75] Torrent Torrent, *Municipium Flavium Irnitanum,* 12. note 3. "Today, the conviction of the existence of discrepancies has gained ground."

[76] D'Ors, "Algunas consideraciones."

[77] For the text and commentary see W. Eck – A. Caballos Rufino – F, Fernández Gómez, (Hrsg.): *Das senatus consultum de Cn. Pisone patre*, München 1996.

[78] Eck – Caballos Rufino – Fernández Gómez, *Das senatus consultum,* 67-70.

errors etc.[79] That is, the task is to evaluate the discrepancies ("variantes") correctly, and not to prove their existence.

If Torrent's opinion was correct – that is, the reason of the discrepancies is the lack of a common model, while the reason of the similarities is the legal tradition –, we would expect that at least in some parts of the discrepancies the grammar and the content are correct, but the phrasing is different. Of course, the wrong grammar and content do not provide any information concerning the common model, for these types of discrepancies can be caused by individual errors or anomalies. Indeed, if we suppose that there was not a common model, there must have been individual models on papyri or wax-tablets that were not the same as the text on the bronze tablet. This is proven e.g. by the wrong resolution of the DDR abbreviation.[80] Because of the considerations above I will not discuss the difference in the usage of abbreviations, for X d'Ors[81] has examined it in detail, and the undeniable existence of these individual models makes these differences meaningless concerning the common model,[82] i.e. this type of differences do not prove that there was not a common model.

There can be three types of discrepancies: *errors*, where the grammar and/or the meaning of the text is wrong. *Orthographical anomalies,* in which

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[79] Cf. M. L. West, *Textual Criticism and Editorial Technique*, Stuttgart 1973.

[80] The expression *dare damnas esto* ("is to be condemned to pay") is abbreviated as DDE in mC69, while in the parallel place of the *Irnitana* (iVIIA45) it is written out as *decreto decurionum esto* ("is to be according to the decree of the decurions"), which is an existing expression in the charters, but does not fit the context here. Therefore, it must be assumed that there was a previous text where the abbreviation DDE occurs, and this abbreviation was written out wrongly later by a copyist, and the engraver had this text to engrave on the bronze tablet. Albeit Lamberti, *Tabulae Irnitanae,* 6 suggests that the engraver resolved the abbreviations during engraving the text, this assumption is highly improbable, for based on the errors and the wrong interpunction the engravers did not know the complex legal Latin language well enough to be able to write out the abbreviations on their own. In addition, Lamberti's two assumptions, that the engraver wrote out the abbreviations, and that he followed the arrangement of the text on the papyrus roll at the same time, do not agree with each other: if he had written out the abbreviations on his own, the lines would have been longer, therefore, he could not follow the original arrangement and columns of the papyrus. Furthermore, the different tables of the *Irnitana* were engraved by different "hands" (probably at the same time, see Fernández – del Amo, *La lex Irnitana*, 32), therefore, it must be assumed that the text to be engraved on the single tablets was determined previously; thus, it could not be allowed to the engravers to write out the abbreviations on their own, because if they write out the abbreviations, the text would be longer, and would not fit the tablet. Even if the engraver had written out the abbreviation, he copied a (papyrus/wax-tablet)text that contained the DDE abbreviation.

[81] D'Ors, "Algunas consideraciones."

[82] Of course, the abbreviations are of great importance to explain the different errors, e.g. an abbreviation can facilitate the confusion in singular and plural, for the very ending is missing, see below.

case the orthography of some words does not fit the "classical" rules, and they belong to a different layer of the language, but they are not erroneous and there is not any difference in the meaning. These two types are not of importance regarding the common model independently of their number, for these "*errors*" could be explained in the case of a common model by the process of copying or engraving in the bronze. After all, the "real" mistakes could not be deliberate, and even the orthographical anomalies could be caused by local custom or pronunciation. Therefore, they cannot be used to deny the existence of a common model, but to draw some conclusions concerning the Latin spoken in Spain, or the Latin knowledge of the copyists or engravers etc.

From the point of Torrent's view, that is, denying the existence of a common model, the *discrepancies in wording or meaning* – that is, the text is grammatically correct, but the meaning and/or the wording is different among the parallel places – (can) have implications only because this type of discrepancies can prove that there was not a common model, but a common, legal tradition only. In the case of the Flavian charters the lack of this type of discrepancies can be explained by the assumption that using the same legal tradition under the same conditions (e.g. the communities in question were *municipia*, therefore, they did not have to change the *municipium* into *colonia* etc.) the result must be the same. Against this assumption, we have to refer to the presumption accepted by Torrent, too, that some parts of the charters refer to Flavian decrees, therefore, if there had been a very solid, almost compulsory legal tradition before the Flavians creating the uniformity of our charters, this uniformity must have been changed where the Flavian decrees are concerned in terms of the exact wording of the chapters or the place of these chapters in the text. If these Flavian decrees are used in the text in the same place and the same manner, there must have been a Flavian model.[83] In summary, I have to state it firmly that if there are discrepancies belonging to the first two groups – even in a great number –, it does not prove Torrent's negative opinion concerning the common model, while if there are more discrepancies belonging to the third group, it supports Torrent's view. After some examples of the discrepancies, I will examine some places cited by Torrent in detail.

The obvious *errors* are: the change of the letters, e.g. PAVCIOAVM (mC24) instead of *pauciorum* (iVIIA11) or LICERIT (mC71) instead of *licebit* (iVIIA46/47). This type can be totally accidental without any comprehensible reason, or can be caused by the similar pronunciation or the similar forms of the letters;[84] sometimes the error produces meaningful Latin words that do not

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[83] Even the names of the Flavian emperors are written in the same way in the parallel places regarding the word order, the titles etc., cf. Illés, *Vespasian's Edict*, 56-59.

[84] E.g. for the I – E confusion (*sententiam* iIIIB47 ~ *sentintiam* sB7) both must be reckoned.

fit in the context – e.g. *hac liberi* (sA1) instead of *ac liberis* (iIIIA41) –, and the confusion of singular and plural is quite frequent;[85] etc.

In many cases, the only difference is *orthographical*: the types of the *eius ~ eiius*,[86] or the *proximus ~ proxumus*[87] are frequent, as the change of the D to T and *vice versa* (e.g. *apud, id, at, quot*).[88] We cannot regard the interchange of the *–que* (and) and *–ue* (or)[89] as obvious errors, for the usage of these particles was not a solid one, as we expect based on our knowledge gained by reading the classical authors.[90] It is possible, too, that the *cui* was used "properly" instead of *qui* and *vice versa* due the similar pronunciation,[91] etc.

*Discrepancies in meaning or wording* can be found, too, but in these cases the results are erroneous, or the difference affects the word order or the change of singular/plural, only.[92] However, in the first case, an error of transmission must be supposed, while the latter two are frequent during copying, too![93] Almost equivalent versions – with correct meaning and grammar – are very rare, and in most cases can be explained by an error of transmission. In addition, for the most cases the "correct" version can be determined, therefore, if we suppose that the drafters of the original text in the imperial or provincial staff[94] knows well the Latin language and the legal expressions, these discrepancies must be of local origin. For example:

*in contione* (iIIIB40/41) ~ *pro contione* (sB1): *in contione* is the regular one,[95] therefore it must be the original; however, *pro* is not wrong either.

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85   E.g. *ue/nerint* iIIIB4/5 ~ *uenerit* sA17; *dicat* iVIIB40 ~ *dicant* mD50; *incolaeue* iVIIIA11 ~ *incolaue* mE68 etc.

86   E.g. *eiius* iIIIB9, iIIIB49, iIIIB51, but *eius* sA20, sB9, sB10, cf. M. Leumann, *Lateinische Laut- und Formenlehre*, München 1977, 127; d'Ors, "Algunas consideraciones," 289-290.

87   E.g. *proximis* iIIIB37, iIIIB39 and iIIIC26, but *proxumis* sA42, sA44 and sB38, cf. Leumann, *Lateinische Laut- und Formenlehre*, 87-89.; d'Ors, "Algunas consideraciones," 787., Quint. 1.7.21, and Adamik 2009. 214-215.

88   E.g. *it* iIIIB18 and iIIIB28, but *id* sA27 and sA35; *aput* iIIIC4, but *apud* sB19; *at* iVIIC23, but *ad* mE17; *quot* iVIIC26, but *quod* mE22/23 and vV4; see d'Ors, "Algunas consideraciones," 788.

89   E.g. *quaeue* iIIIA43 ~ *quaeque* sA3; *conscriptisue* iIIIB21 ~ *conscriptisque* sA29 etc.

90   Cf. Paul. *Dig.* 50.16.53pr.: *Nam cum dicitur apud ueteres "adgnatorum gentiliumque," pro separatione accipitur. At cum dicitur "super pecuniae tutelaeue suae" tutor separatim sine pecunia dari non potest.*

91   E.g. *qui* iIIIB51 ~ *cui* sB10; *quique* iIIIB51 ~ *cuique* sB10. See d'Ors, "Algunas consideraciones," 794. and E. Kalinka, "qui = cui" *Glotta* 30 (1943), 218-225. For the similar pronunciation of *qui* and *cui* see Quint. 1.7.27.

92   See below, at chapter 29.

93   The *anakolouthon*s caused by the confusion of singular and plural are frequent in the other charters containing long sentences with complex legal structures, too, e.g. *uiae erunt* instead of *uia erit* in line 21 of the *tabula Heracleensis*.

94   Even if there had not been a common model, the bronze texts must have had single models, see above at the abbreviation DDE.

95   E.g. iVIIA3, mC13 (at the latter one with wrong accusative: *contionem*).

*esse se redditurum* (iIIIB19) ~ *esse rediturum* (sA27): considering the grammar, *esse se redditurum* and *esse se rediturum* can be correct, too. Based on the *redierit* in iIIIB28, the latter one must be better, but it is missing from the extant texts. However, both of the extant versions can be explained based on a supposed original *esse se rediturum*. In the *Salpensana* the similar ending of the *esse* could give the omission of the reflexive pronoun *se*, while in the *Irnitana redditurum* can be accidental, or it can be a hypercorrection by the copyist/engraver: because of the *Accusativus cum Infinitivo* the word *se* (Acc.) is necessary to designate the subject, but the copyist could have thought that *Accusative* should not be used with an intransitive verb (*redire* ~ *to come back*), therefore he used a transitive verb (*reddere* ~ *to give back, se reddere* ~ *to return)* writing *esse se redditurum* instead of the original *esse se rediturum*.

*facturum* (iIIIB26) ~ *acturum* (sA33): in this case, both solutions can be correct, but *facturum* fits the previous *facturum* and the usual expressions, therefore the version *facturum* must be the correct one. The variant *acturum* can be explained by the omission of the letter F at the beginning.

*postulabitur* (iIIIC23) ~ *postulatum erit* (sB36): see below.

*sufferatur* (iVIIB45/46 and vIII2) ~ *referatur* (mD58): the grammar is correct in both cases, but *sufferatur* is better considering the meaning. Concerning the reading *referatur* González suggests[96] that Mommsen's original reading[97] is wrong, and Stylow[98] writes *sufferatur* in his new edition of the *lex Malacitana*, too. Therefore, this discrepancy does not exist. The discrepancies above do not prove the lack of a common model, rather they are due to the activity of the copyists or engravers.

The differences arising through the adaptation of the legal tradition or the common model to the local particularities (e.g. the number of the council) can be regarded as deliberate ones regarding the wording. However, d'Ors[99] and especially Torrent[100] attach too much importance to this adapting process assuming that the text could be modified greatly in certain places, but this type of

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[96] González, "The Lex Irnitana," 168. and González, *Bronces jurídicos,* 120.

[97] Mommsen, "Die Stadtrechte," 278.

[98] Stylow, "La lex Malacitana," 47.

[99] D'Ors, "Algunas consideraciones," 760-761. thinks the number of the *apparitores* in chapter 73 of the *lex Irnitana* is too little and the regulations are too superficial especially compared with chapter 62 of the *lex Ursonensis*, and proposes the question whether the more considerable cities – e.g. Malaca – have the same low number, or they have bigger number and detailed regulations. In fact, we do not have any cause for assuming such a difference, because there are no similar differences in the extant parallel places. Additionally, the *lex Ursonensis* is a special charter for a single city, while the supposed model for the Flavian charters deliberately contained less specific rules in order to be applicable to different cities with different characteristics. (His father does not exclude some more discrepancies due to the adaptation process, cf. A. d'Ors, "La nueva copia Irnitana de la 'lex Flavia municipalis,'" *Anuario de Historia del Derecho Español* 53 (1983), 7.)

[100] E.g. Torrent, *Municipium Flavium Irnitanum,* 131.

modification is not attested in the extant parts! There are very few examples for deliberate, conscious differences necessitated by the local particularities of the communities in question. For example the numbers can differ; in chapter 69 the amount in dispute is 500 *sestertius* in the *lex Irnitana* and *Villonensis*, 1000 *sestertius* in the *lex Malacitana*, and the place of the exact number is blank in the *ley modelo*. According to these data, it can be assumed that other amounts in dispute could differ among the different communities; however, there are no parallel places to prove it. Chapter 31 of the *lex Irnitana* determines the minimal number of the local council as 63 members, and – although there are no parallel places – the wording of this chapter[101] suggests that this number was different in the various communities.

The reference to the name of the cities is duplex, sometimes the actual name of the city (e.g. *municipium Flavium Irnitanum*) or the convenient form of the *id municipium* is written. However, in the parallel places the text follows the same method, that is, if a charter uses the *id municipium* in a given place, the others will use it in the parallel place, too. If a charter uses the actual name of the city, the actual name will be found in the parallel place, too. Besides these numbers and names, there are not any unequivocally deliberate discrepancies. Therefore, it cannot be proven that the adaptation to local particularities led to a significant alteration of the legal tradition. Moreover, the parallelism of the usage of the actual names of the city, the names of the emperors and the *id municipium* in the charters implies a common model. The different numbers can be perfectly explained e.g. by assuming that in a common model the place of these numbers were left blank.

For the correct understanding and evaluation of the discrepancies, a detailed examination of chapter 29 is necessary, because it has numerous discrepancies, and Torrent refers to it, arguing that this chapter of the *Irnitana* reproduces the same chapter of the *Salpensana*.[102] As a preliminary it has to be emphasized that there is not any reason to suppose that the discrepancies are deliberate, because the meaning of the two chapters is exactly the same, while the deliberate, conscious difference and rephrasing in other charters is usually caused because of the content, e.g. if the original text concerns a *colonia*, but the new one will concern a *municipium*.[103] Additionally, some parts of the discrepancies lead to wrong results.[104] Let me examine all the differences one by one.[105]

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[101] "…which was the number by the law and custom of that *municipium* before the passage of this statute…" (transl. M. H. Crawford)

[102] Torrent, *Municipium Flavium Irnitanum,* 108. n. 403. "Pensemos que *Irn.* 29 reproduce *Salp.* 29., lo que nos permite calibrar la secuencia histórica de la legislación municipal." That this interpretation of the "secuencia histórica" is baseless, see above.

[103] Wolf, "Imitatio."

[104] Although in this chapter the readings of the *Irnitana* are usually better than the ones of the *Salpensana*, it is not reasonable to suppose that the drafter of the *Irni-*

*quoi – cui* (iIIIC16/sB30): *quoi* is the archaic form of *cui*,[106] therefore the meaning is the same. That a similar difference cannot be excluded in the case of a common model is proven by the fragments of the *SC de Gn. Pisone patre* found in Spain, which are the copies of the same *senatus consultum*, but have similar discrepancies: *cuiusq(ue)* A25 ~ *quoiusque* B20; *cuius* A28 ~ *quoius* B22; *cuius* A57 ~ *quoius* B47.

*eaue – ereue* (iIIIC16/sB30): the reason of the difference must be the similarity of the letters A and R,[107] and the interpretation of the R (read instead of A) as the abbreviation of *res* (thing, business),[108] and it is used in ablative case following the *e(x)* preposition: [109] *e reue* that does not fit the context.

*pupillus pupillaue non erit – pupilli pupillaeue non erunt* (iIIIC17/sB31): because in the previous (*cui, is eaue … erit*) and the following (*postulauerit, nominauerit*) sections singular is used, the latter version is wrong. The mistake could be caused by a wrongly resolved abbreviation, for the *pupillus* is written later in an abbreviated form *pupill-*,[110] and if it was used in an abbreviated form here, too, the copyist could resolve it in a plural form, and wrote the predicate in plural, too (*erunt* instead of *erit*, it could be abbreviated in *e*).[111] Additionally,

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*tana* simply corrected the errors of the *Salpensana*, for similar errors occur in the *Irnitana*, too, and sometime the text of the *Salpensana* is better.

[105] The discrepancies concerning abbreviations will not be covered, cf. note 80. The control text is the *Senatus Consultum de Cn. Pisone patre* (henceforth: SC); this text is cca. 50 years earlier than the Flavian charters, and known by Spanish charters. The fragments of its copies contain similar errors as the Flavian charters, but they unequivocally have a common model (the original *senatus consultum*), therefore these types of errors do not deny the existence of a common model of the Flavian charters. For the SC the letters A and B sign the two longest fragments with parallel text according to Eck – Caballos Rufino – Fernández Gómez, *Das senatus consultum.*

[106] Cf. M. Leumann, *Lateinische Laut- und Formenlehre*, 478. and Quint. 1.7.27. (There is *quoi* in lines iVIIIA35 and iVIIIB3, too.)

[107] Cf. Fernández – del Amo, *La lex Irnitana*, 32. Of course, this is the characteristics of the letters engraved on bronze, the ones on papyrus or especially on wax-tablet are different, for the cursive see R. Cagnat, *Cours d'épigraphie latine*, Paris 1890, 7-8. The A – R confusion works in both ways: PAVCIOAVM instead of *pauciorum* (mC24), EAIT instead of *erit* (sB34), ERQUE instead of *eaque* (sA36), LICERIT instead of *licebit* (mC71).

[108] In abbreviated form: iIIIC55-56 *de /e(a) r(e)*; iVIIA18 *de e(a) r(e)* = mC34 *d(e) e(a) r(e)*; iVIIC5 *d(e) e(a) r(e)*; iVIIIA3 *d(e) e(a) r(e)* = mE55 *d(e) e(a) r(e)*; iVIIIA15 *d(e) e(a) r(e)*; iIXB1 *q(ua) d(e) r(e)*; iXB5/48 *de e(a) r(e)*; iXB19 *d(e) e(a) r(e)*; iXB37/44 *d(e) e(a) r(e)*. Written out: iVA1, iVA3, iVA5, mD65 *de ea re*; vX10/vXI4 *de ea re,* iVA10-11: *in / ea re* etc.

[109] Of course, it is not necessary deliberate that ablative is used after the *e(x)* preposition; it can be explained by the fact, that *re* is a very frequent from of *res* in the charters.

[110] Cf. sB36.

[111] E.g. mC67 *e(a) r(es) e(rit).*

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there are parallels for the *pupillaue* ~ *pupillaeue* error,[112] too. The confusion of the singular and plural is not a rare type of error,[113] and the SC has many of them, too: *defenderent* A20 ~ *defenderet* B16; *pareret* A54 ~ *parerent* B44; *debebatur* A61 ~ *debe]bantur* B50; *patitur* A61 ~ *patiuntur* B50 etc.

 *a IIuiro iu/re dicundo eiius municipi* – *ab IIuiris, qui i(ure) d(icundo) p(raeerunt) eius municipi* (iIIIC17-18/sB31): there are many discrepancies in this passage. The *eius* ~ *eiius* is a simple orthographical one, it has many parallels, and its usage is not coherent in the single charters.[114] The usage of *a~ab* pair is not coherent either,[115] according to the classical rules, *a* should be used before a vowel, and *ab* before consonant. Here the situation is a little bit more complicated, because the abbreviation begins with the letter i (it is basically a vowel, but its pronunciation can be consonant and vowel, too, e.g. *iam* and *Idus*), while the pronunciation should have been *duovir* or *duumvir,* therefore the difference can be easily explained. None of the singular *IIuiro* and the plural *IIuiris* is explicitly wrong; however, the singular *IIuiro* fits better the later *a quo postulatum*. Here, the difference can be explained by the fact that the different forms of *IIuir* can be abbreviated as *IIuir*,[116] therefore after an *a(b)* it can be written out in singular or plural ablative, too. At the first glance, the explanation for *p(raeerunt)* in the *Salpensana* seems to be more difficult, but after a detailed examination a definite answer can be gained: for *IIuir*s usually appear in the charters as *IIuir iure dicundo* or *IIuir, qui iure dicundo praesse*, and the difference can be explained by the assumption that the copyist/engraver saw the stereotyped form, but did not pay attention to which one, thus used one of them. Additionally based on the form *eius municipi*, the original, correct phrase can be reconstructed: the charters use the *eius municipi* with the simple *IIuir* or *IIuir iure dicundo*,[117] while with *IIuir, qui iure dicundo praeesse* the phrase *in eo municipio* is the regular one,[118] because in this case *eius municipi* does not fit the sentence properly. Therefore, the correct form is *IIuir iure dicundo eius municipi*, while *p(raeerunt)* is wrong here. Consequently, the copyist/engraver of the *Salpensana* wrongly used the type *IIuir, qui iure dicundo praeesse* based on the original *IIuir iure dicundo*. That is, this difference seemed to have two equivalent forms with the same meaning, but the version of the *Salpensana* is not correct, and the errors can be easily explained.

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[112] E.g. *eaeque* instead of *eaque* (iIIIB29), *obligatae* instead of *obligata* (mD33); *incolaeue* instead of *incolaue* (iVIIA11) etc.

[113] See note 85.

[114] E.g. *eiius* is more frequent in tablet 3 of the *Irnitana* and in the *Malacitana*, while *eius* is more frequent in other tablets of the *Irnitana* and in the *Salpensana,* e.g. *eiius* iIIIB9, 49, 51, 51, 52, *eius* sA20, B9, 9, 10, 21 and iVIIB5, 17, 26.

[115] Cf. the case of *a iusto \ ab iusto*, and the similar difference at *ab decurionibus* iVIIA6 ~ *a decurionibus* mE50.

[116] E.g. *IIuir(o)* sA25, *IIuir(orum)* sA41.

[117] E.g. iIIIB53.

[118] E.g. iXa27; iXC8; iIIIB35, iIXB43.

[- *det, eum* (iIIIC18-sB32): the editors usually emend it as *det, et eum*, therefore – if the emendation is correct – it would be a common omission, but because of *homoeoteleuton* it can be an independent one, too.]

*dari – dare* (iIIIC19-sB32): the active form *dare* is wrong. The error can be caused by the similar form of letters E and I – a dominant perpendicular line, which can get horizontal dashes at the top and the bottom in the case of the letter I, too –,[119] or by the similar pronunciation, and the mistake can be facilitated by the fact that the form *dare* could be more familiar for a non-native speaker than *dari*. Additionally, mixing the letters I-E is frequent in the charters, and in the SC, too: *beneficio* A14 ~ *benificio* B11; *optulissi* A71 ~ *optulisse* B58.

*uelit – uolet* (iIIIC19-sB32):[120] however, both forms can be interpreted, and the *uolet futurum* with a simple relative clause seems to be better than the *uelit coniunctivus*, which expects a result clause, or an oblique question, but in the latter case *eum* is superfluous. No matter which one of them is the original form, the copyist/engraver could easily missed the voice accidentally,[121] especially because mixing the letters E-I is frequent, as we have seen. Similar errors of tense or mode occur in the SC, too: *fuit* A 37 ~ *fuerit* B30; *sint* A49 ~ *sunt* B40; *ausus est* A59 ~ *ausus sit* B49.

*tum – dum* (iIIIC19-sB32): considering the meaning *tum* is the correct one. The error could be facilitated by the standard mixture of letters T and D (vocal and aphonic dentals),[122] and by the fact that *dum* and *tum* are existing words in Latin.

*quo ita postulatum – quo postulatum* (iIIIC19-sB33): it is not known which is the correct version, for similar phrases appear with and without *ita* later. While the omission of *ita* can be more easily explained than the superfluous intercalation, the phrase with *ita* seems to be the original one. Omission of words is one of the most frequent type of error of transmission, e.g. in the SC: *Ti(berius) Caesar Diui Aug(usti) f(ilius)* A4 ~ *Ti(berius) Caesar Aug(usti) f(ilius)* B4; *Cn. Pisonis patris uisa* A6 ~ *Cn. Pisonis uisa* B5; *melior optari non* A14 ~ *melior non* B10; *quo cum manufestissuma* A18 ~ *quod manufestissum* etc.

[*qum – tum*: (iIIIC21-sB34): the reading *qum* appears in Fernández – del Amo[123] only, it is apparently an error, perhaps with an intermediate *cum*.]

*eiius municipi – municipi eius* (iIIIC21-sB34): in this case – beside the "regular" *eius-eiius* alternation – the order of the words simply changes. This is frequent in the SC, too: *nomen On.*[124] *Pisonis patris tolleretur* A82 ~ *p]atris nomen*

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[119] Fernández – del Amo, *La lex Irnitana*, 32, perpendicular lines were even more characteristic in wax-tablets.

[120] The reading was *uolet* in the *lex Irnitana,* too, but see Fernández – del Amo, *La lex Irnitana*, 77 and González "La lex Flavia municipalis," 28.

[121] E.g. *manumittet* iIIIC9 ~ *manumittat* sB24; *est* iIIIC10 ~ *esto* sB25; *fuerunt* iIIIA43 ~ *fuerint* sA3 etc.

[122] See note 88.

[123] Fernández – del Amo, *La lex Irnitana*, 77.

[124] Instead of Cn.

*tolleretur* A67; *ab ea causas sibi* A114 ~ *ab ea sibi causas* B87; *senatum laudare magnopere* A132 ~ *senatum magnopere laudare* B98.

*erit – eait* (iIIIC21-sB34): this is the A-R change examined above, but *e reue* by itself is meaningful, while *eait* is not.

*ciu/ius – cuius* (iIIIC22/23-sB36): it is a regular orthographical difference, like the *eius-eiius*, and it is not coherent in the single charters either.[125]

*postulabitur – postulatum erit* (iIIIC23-sB36): grammatically the latter one (*futurum perfectum*) is correct. It is possible that the copyist/engraver wrote or wrote out from an abbreviation into a partially correct form instead of the correct one (*imperfectum* instead of *perfectum*) due to the missing ending.[126]

*collegam non habebit collegaue – non habebit collegamque* (iIIIC24-sB37): the error in the *Salpensana* can be explained in different ways. The simplest one is to assume that the copyist/engraver interchanged the two forms of the word *collega*,[127] and dropped out one.[128] However, a hypercorrection cannot be excluded either: the copyist deemed the first form of the word *collega* superfluous, and used the accusative form of *collega(q)ue* according to the transitive *habebit*. The *–que~-ue* alteration is not significant either.[129] Therefore, these are not equivalent versions because of the errors of the *lex Salpensana*.

*eiius – eius* (iIIIC25-sB38): see at the notes 86 and 114.

*tum – cum* (iIIIC25-sB38): *tum* is the correct one. The difference could be caused by the similarity of the meaning or the letters.

*proximis – proxumis* (iIIIC26-sB39): it is a regular orthographical difference, see at note 87. Similar difference in the SC: *plurimos* A50 ~ *plurumos* B41.

*a iusto – ab iusto* (iIIIC28-sB41 and iIIIC29-sB42): according to the classical rules, *a iusto* is the correct form; however, it is possible that *ab iusto* is a somewhat regular form in this context.[130] Because there are similar discrepancies in the SC (*a maioribus* A91 ~ *ab maioribus* B73; *a Ti. Caesare* A53 ~ *ab Ti. Caesare*), too, this difference cannot prove against a common model.

*abeat – habeat* (iIIIC28-sB41; *habeat* instead of *abeat* in iIIIC30 and sC42, too): the pronunciation of the H was very weak in Latin, therefore its omission is easily explicable. Since the correct form is *abeat*, it must be rather a hypercorrection. Similar discrepancies in the SC: *his* A54 ~ *is* B44, in the same way A62 and B51; *his* A67 ~ *iis* B55, in the same way A73 and B60.

[*qui – cui* (iIIIC29-sB42): *qui* appears in Fernández – del Amo, only.[131] The dative *cui* is the correct one, for the mixing of *qui-cui,* see at note 91 above]

*proximus – proxumus* (iIIIC31-sB43): regular orthographical difference, see above.

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[125] E.g. iVC12 *cuiius*, but iVIIB43 *cuius*.

[126] For the similar differences concerning the conjugation see at *uelit ~ uolet*.

[127] For the examples, see at *eiius municipi ~ municipi eius*.

[128] For the examples of omitted words see above at *quo ita postulatum – quo postulatum*.

[129] See note 89.

[130] There is *ab* instead of *a* in FIRA III. no. 24 and 25, too.

[131] Fernández – del Amo, *La lex Irnitana*, 77.

In conclusion, in the parallel places of the Spanish municipal charters there are not any discrepancies that are equivalent, alternative and deliberate variations. All the discrepancies without an exception can be explained by "regular" errors of transmission and orthographical anomalies. Therefore, a uniform, written legal "tradition" must be assumed that was compulsory, and determined both the text and structure of the charters literally and the places of minor alterations, too.[132] Since the unity of this compulsory "tradition" does not break in the places affected by the Flavian decrees either, this "tradition" cannot be earlier than the Flavian age. Therefore this "tradition" must actually be a Flavian common model – after all, except for copying errors, orthographical particularities and small alterations in determined places, all the fragments are identical word for word –, and, although this model was based on earlier charters and laws, it acquired its final form under the Flavians only.

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[132] Cf. e.g. the actual name of the *municipium* and the phrase *id municipium*.

# Les doléances d'un soldat de l'Antiquité (P. Tebt. 2.583)

ISTVÁN KOVÁCS

## Brève introduction historique

Un des événements philologiques les plus importants des dernières années a été la «redécouverte» d'un fragment de papyrus déjà connu. Même le grand public a été tenu informé à plusieurs reprises de la «découverte» de la lettre d'un soldat égyptien en service en Pannonie. La presse n'a cependant pas souligné que cette découverte n'en était pas vraiment une trouvaille nouvelle. Le fragment avait déjà été trouvé lors de l'expédition de Grenfell et Hunt à Tebtunis en 1900, mais la transcription détaillée du texte n'avait pas été publiée.[1] Le papyrus fut ensuite placé dans l'entrepôt d'un musée jusqu'en 2012, date à laquelle Grant Adamson a publié tout le texte (*editio princeps*).[2]

Dans cet article qui est un compte-rendu critique, détaillé et fondé sur mes recherches, je résume tout ce que nous savons sur cette lettre. J'y présente le site où le papyrus a été découvert et une histoire brève de la région. J'y présente l'édition révisée du texte avec la traduction française, et j'y analyse les caractéristiques du papyrus. Bien qu'on puisse difficilement arriver sur ce sujet à des nouveautés radicales, j'essaie de changer ou préciser les lectures précédentes et de préciser la date de la lettre.

## Le site

En 1899, Phoebe Apperson Hearst invita Bernard Pyne Grenfell et Arthur Surridge Hunt à effectuer des fouilles sur le bord de l'oasis du Fayoum, à Umm el-Breigât. On commença les travaux le 3 décembre 1899 non loin de l'endroit

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[1]   B. P. Grenfell – A. S. Hunt – E. J. Goodspeed, *The Tebtunis Papyri. Part II.,* Oxford University Press, London 1907, 325.

[2]   G. Adamson, "Letter from a Soldier in Pannonia," *Bulletin of the American Society of Papyrologists* 49 (2012), 79–94.

où le temple se trouvait - comme on s'en rendit compte par la suite. Le mardi 5 décembre, on parvint à identifier l'ancien nom de la ville, puis, après avoir fouillé la zone du temple, on commença à explorer le district romain. Le 3 janvier 1900, ils débutèrent les fouilles de l'ancien cimetière où l'on trouva des cartonnages de momie de l'époque des Ptolémées.[3] D'après le numéro d'identification (T520) lisible au *verso* du papyrus, Adamson relia le papyrus à la ville romaine qui est extérieure au temple de Soknebtounis.[4]

Les ruines de Tebtunis se trouvent dans le désert à la frontière des zones cultivées du Fayoum, à côté du canal, au Sud de Izbat Lamloum Al Basil. Il est difficile de bien délimiter l'aire couverte par la *kômé* antique en raison des niveaux différents, mais les fondements de certains bâtiments sont bien reconnaissables grâce aux vestiges en brique. Les restes des meules granitiques et calcaires et des colonnes calcaires sont également visibles à la surface.

En 1988 lors de la fouille italienne, on a nettoyé le *dromos* (y compris les deux kiosques) et le temple de Soknebtounis. L'espace intérieur au *temenos* du temple est dans un mauvais état, les murs de brique sont détruits ou emportés.[5] Les ruines de la colonie gréco-romaine se situent au Nord-Est du temple lesquels Grenfell et Hunt ont fouillées au début de XXe siècle et d'où vient le papyrus qui comprend la lettre du soldat pannonien.

## *Édition du texte*

Sur le papyrus, on peut lire une lettre qu'un soldat égyptien servant en Pannonie a envoyée à sa famille en Égypte - comme le texte le montre. La feuille de papyrus est de taille 26,6 x 15 cm, selon le format en vigueur du début de l'époque romaine à la seconde moitié du IVe siècle: la longueur des feuilles était plus grand que leur largeur.[6] Le bord droit du papyrus est relativement intact, par contre, le bord gauche et les bords en haut et en bas sont très endommagés. Les déchirures nous permettent de deviner la présence d'au moins deux pliures verticales sur la feuille.

L'écriture suit les fibres même au *recto* et au *verso*: l'écriture sur la face arrière de la feuille se tourne de 90 degrés.[7] Il est difficile de lire l'adresse (le

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[3]  E. R. O'Connell, "Recontextualizing Berkley's Tebtunis Papyri," in J. Frösén, *Proceedings of the XXIVth International Congress of Papyrology*, Helsinki 2007, 807–826.

[4]  G. Adamson, "Letter from a Soldier in Pannonia," 79.

[5]  P. Davoli, *L'archeologia urbana nel Fayyum di età ellenistica e romana*, Napoli 1998, 179.

[6]  R. Luiselli, "Greek Letters on Papyrus, First to Eighth Century: A Survey," in A. Kaplony – E. M. Grob, *Documentary letters from the Middle East: the evidence in Greek, Coptic, South Arabian, Pehlevi, and Arabic (1st–15th c CE). Asiatische Studien*, Bern 2008, 683.

[7]  Cf. http://digitalassets.lib.berkeley.edu/apis/ucb/images/AP00656aA.jpg (01:10, 10. 07. 2017.) et http://digitalassets.lib.berkeley.edu/apis/ucb/images/AP01107aA.jpg (01:10, 10. 07. 2017.)

texte du *verso*) parce qu'il se situe dans la partie le plus endommagée. Dans la marge gauche au *recto*, on trouve encore une ligne de texte.

## La transcription du texte

*recto*

Αὐρήλειο[ς] Πωλείον στρατ[ειώτης λε]γειῶ[νος] β
βοηθοῦ · Ἥρωνει [τ]ῶ ἀδελφ[ῷ κα]ὶ Πλουτου τῆ ἀδελ-
φῆ καὶ μητρεὶ [τῆ] Σεινούφει τῆ ἀρτοπόλει καὶ κύρα
πλεῖστα χαίρειν. εὔχομα[ι ὑ]μᾶς ὑγειαίνειν
νυκτὸς καὶ [ἡ]μ[έρα]ς, κ[α]ὶ τὸ προ[σ]κύνημα ὑμῶν πάντο-  5
τε ποιῶ παρὰ πᾶσι τοῖς θεοῖς. ἐγὼ δὲ γράφων οὐκ ἀνα-
πάωμαι ὑμεῖν. είμεῖς δὲ κατὰ νοῦ με οὐκ ἔχεται.
ἀλλὰ ᾿γὼ τὸ ἐμὸν ποιῶ γράφων είμεῖν πάντοτε,
καὶ οὐκ ἀναπάομαι ὑμᾶς φέρων καὶ [κ]ατὰ ψυχὴν ἔ-
χων εἰμ[ας. ἀλλ᾿] οὐ[δ]έποτέ μοι ἐγράψ[α]τε πε[ρὶ] τῆς ἡ-  10
μετέρας · σωτ[ηρείας π]ῶς ἔχετε. ἐγὼ δ[ὲ] μεριμνῶ πε-
ρὶ ἡμῶν ὅτι λαβόν<τες> ἀ[π᾿] ἐμοῦ γράματα πολλάκεις
οὐδέποτέ μοι ἀντ[ε]γράψατε εἴνα εἰδῶ [.]ες πῶς ἡμᾶς
[. . . . . .]π[ . . . ]ρ[ . . . ] ἀπὼν τὰς ἐν τῆ Παννωνεία
ἔπεμψα πρὸς ἡμᾶς. είμεῖ[ς] δὲ οὕτως με ἔχετε  15
ὡς ξένον ἀφ᾿ ὑ[μ]ῶν ἐξηλθότα, καὶ χαίρετε ὅ-
τι ε[ . . ]ειας τ[ . . ]ς την στρατείαν. ἐγὼ δὲ είμεῖν (sc. εἶπον)
τρ[έπ]ειν οὐκ ἑκὸν [. . .]πειατεις εἰς [τ]ὴν στρατείαν,
ἀλλὰ μετενό[ησ]α τῶν . ου ἐξῆλθα ἀφ᾿ ὑμῶν.
ἐγὼ δὲ ἐπειστολ[ὰς] είμεῖν ἔγραψα ἕξ · ἡ δὲ ὑμεῖς  20
με κατὰ νοῦ μ[ὴ ἔχοι]τε, λήψωμαι κομείατον πα-
[ρὰ] τοῦ ὑπατεικοῦ, καὶ ἐλεύσομαι πρὸς ὑμας εἵνα εἰδῆ-
τε ἐμὲ εἶναι ἀδελφὸν ἡμῶν. ἐγὼ γὰρ οὐδὲν
{οὐδὲν} ἀφ᾿ ἡμῶ[ν ἀπ]είτησα εἰς τὴν στρατείαν. ἀλ-
λ[α λ]ογειζομα[ι ὑ]μεῖν ὅτει ἐμοῦ είμεῖν γ[ρ]άφοντ-  25
τος ἡμεῖ οὐδεὶς [. . . . . .]ν λόγον ἔχει. εἰ δὲ γείτων
η[ . ]ην ὑμῶν ἐμ[ὲ ἀδ]ελφὸν ἡμεῖ. καὶ ἡμεῖς μοι ἀν-
[τ]εεγράφατε [ . . . . . . . . ]ης μοι γράψαι τεις ηαν
ἡμεῖν τὴν ἐπε[ . . . . . . . ]εις αὐτοῦ μοι πένψατε.
ἄσπαισαι τὸν π[   ca. 8   ] Ἀφροδείσειν καὶ Ἀτήσιων  30
[ . ]ουτειον [   ca. 11   ]ειν τὴν θυγατέρα αὐτοῦ
[ . . ]ε[   ca. 15   ] καὶ τὸν ἄνδρα αὐτῆς
κ[α]ὶ Ὀρσινο[υφειν κ]αὶ τοὺς ὑγειοὺς τῆς ἀδελφῆς
τῆς μητρὸ[ς αὐτοῦ Ξ]ενοφῶνε καὶ Ουηνοφε
[τ]ὸν καὶ προ[   ca. 16   ]του Αὐρηλείους  35
[   ca. 26   ]φειν την φει-
[   ca. 29   ]δ[ ca. 5 ]

Le texte de la marge gauche au *recto*:
[- - -]υ[- - -]ε[ . . . . ] τὴν [ἐ]πιστολὴ[ν . . . . ] δοτ[ . . ]  38

*verso*

αγ [ . . . ]ειν τεπτυν[ . . . . . ] τοῖς ὑγειοῖς [καὶ] Σεινυφει τῇ ἀρτοφωλείσα [ . . ]
συνγωνε[- - -]                                                                                                          39
τοπο[ . . . . . . ] Πολείονος στρατειότου λεγειῶνος β βοηθο[ῦ . . . . . . ][- - -]40
[        ca. 26        ] υ [ . . . . ] ει [            ca. 24            ][- - -]        41
[        ca. 22        ] ψ [        ca. 17        ] θ [ . . . . . ][- - -]        42
[ . . τ]ῆς Παννονείας τῆς κάτω [        ca. 17        ] η [        ca. 14        ][- - -]        43
[ἀπ]όδος Ἀκουτονε Λεων [ο]ὐτρανῷ λειγει[ῶ]ν[ος - - -]                                44
Αὐρηλείο Πολείονος · στρατειότη λεγεῶνος β βοηθοῦ εἵνα πέμψη εἰ<ς> πατρείδ[α - - -
]                                                                                                                      45


## Les différences orthographiques – la transcription attique

1 Αὐρήλιος Πωλίων στρατιώτης λεγιῶνος ‖ 2 Ἥρωνι τῷ ⁞ τῇ ἀδελφῇ ‖ 3 μητρὶ ⁞ τῇ
ἀρτοπώλιδι ⁞ κυρίᾳ ‖ 4 ὑγιαίνειν ‖ 6 ἀνα|παύομαι ‖ 7 ὑμῖν ⁞ ὑμεῖς ⁞ νοῦν ⁞ οὐκ corr. ex
οὐχ, ἔχετε ‖ 8 ὑμῖν ‖ 9 ἀναπαύομαι ‖ 10 ὑμᾶς ‖ 10 ὑμετέρας σωτηρίας ‖ 12 ὑμῶν ⁞
γράμματα πολλάκις ‖ 13 ἵνα ⁞ ὑμᾶς ‖ 14 λόγῳ ⁞ τῇ Παννονίᾳ ‖ 15 ὑμᾶς ⁞ ὑμεῖς ‖ 16
ἐξελθόντα ‖ 17 στρατίαν ⁞ ὑμῖν ‖ 18 ἑκὼν ⁞ στρατίαν ‖ 20 ἐπιστολὰς ⁞ ὑμῖν ⁞ εἰ ‖ 21 νοῦν
⁞ λήψομαι ⁞ κομίατον ‖ 22 ὑπατικοῦ ⁞ ἵνα ‖ 23 ὑμῶν ‖ 24 ὑμῶν ⁞ στρατίαν ‖ 25 λογίζομαι
ὑμῖν ὅτι ⁞ ὑμῖν ‖ 26 ὑμῖν ‖ 27 ὑμῖν ⁞ ὑμεῖς ‖ 27 ἀν|τιγράψατε ‖ 28 τις ἐὰν ‖ 29 ὑμῖν ⁞
πέμψατε ‖ 30 ἄσπασαι ⁞ Ἀφροδίσιον ⁞ Ἀτήσιον ‖ 33 υἱούς ‖ 34 Ξενοφῶντα ‖ 35
Αὐρηλίους ‖ 39 υἱοῖς ⁞ τῇ ἀρτοπωλίσσᾳ ‖ 40 Πωλίωνος στρατιώτου λεγιῶνος ‖ 43
Παννονίας ‖ 44 οὐετρανῷ λεγιῶνος ‖ 45 Αὐρηλίου Πωλίωνος στρατιώτου λεγιῶνος ⁞
ἵνα πέμψη ⁞ πατρίδα


## Traduction française

Aurelius Polion, le soldat de la Légion II Adiutrix. De nombreux saluts à mon
frère Héron et à ma soeur Ploutou et à ma mère Sinouphis la boulangère et
dame. Je prie pour votre santé toute la nuit et tout le jour, et je fais toujours
l'adoration des tous dieux pour vous.

Moi, je vous écris sans cesse, mais vous ne pensez pas à moi. Toutefois, moi,
je fais ma part en vous écrivant toujours et je ne m'arrête pas de vous porter et
vous avoir à l'esprit. Mais vous ne m'avez jamais écrit pour me dire si vous
êtes en bonne santé ou non. Moi, je suis inquiet pour vous parce que, alors que
vous recevez souvent des lettres de moi, vous ne me répondez jamais afin que
je sache comment (vous allez) … Bien que je sois loin en Pannonie, je vous les
ai envoyées. Mais vous me considérez comme un étranger depuis je suis parti
loin de vous et vous êtes heureux que … Mais je vous ai dit que je n'ai pas
rejoint l'armée volontairement, et je suis à regret de partir loin de vous. Moi, je
vous ai écrit six lettres. Et si vous ne pensez pas à moi, je demanderai une
permission auprès du consulaire et j'irai chez vous afin de vous rappeler que je
suis votre frère. Car je n'ai rien demandé par vous pour l'armée. Mais je
compte pour vous que vous ne me répondez rien tandis que je vous écris. Si le

voisin … de vous que je suis votre frère. Vous aussi répondez-moi … quelqu'un m'écrie … me l'envoie.

Salut à mon père Aphrodisios, et mon oncle Atésios … et sa fille et son époux Orsinouphis, et les fils de la soeur de sa mère Xénophon et Vénophis … Aurelius …

*Adresse*: … à Tebtunis … aux fils et à Sinouphis la boulangère … à part de Polion, le soldat de la légion II Adiutrix … de Pannonie Inférieure.

Donne-le à Akoutonos Léon, le vétéran de la légion … à part d'Aurelius Polion, le soldat de la légion II Adiutrix pour le retourner à la maison …

## Les lectures nouvelles

Pour la transcription du texte, basée sur l'examen du texte original (grâce à la copie digitale publique), je propose les lectures suivantes qui diffèrent les lectures d'Adamson:

Ligne 3: [τῆ]: En grec, il est habituel d'utiliser l'article avant les noms propres.

Ligne 13: εἰδῶ [.]ες: Adamson voit la forme εἰδώ[τ]ες (=εἰδότες), et il relie ce participe pluriel à Polion. Cependant, après ἵνα, il semble plus évident d'utiliser le subjonctif d'οἶδα. Entre ω et ε, il y a une lacune.

Ligne 14: ἀπὼν τάς: Adamson voit la forme ἀπώντας (=ἀπόντας), et il relie ce participe pluriel à Polion, bien que Polion soit le sujet de la phrase à la première personne du singulier. La phrase semble plus cohérente si Polion parle de lui même comme ἀπών (sc. ἐν τῇ Παννονίᾳ) et il a ommis le mot ἐπιστολάς lié à l'article τάς. Le prédicat de la phrase (ἔπεμψα - qui est une forme de première personne singulière et peut avoir τὰς ἐπιστολάς pour complément d'objet) corrobore cette interprétation.

Ligne 16: la forme ἀφ' ὑ[μ]ῶν est évidente si l'on est attentif aux répétitions dans la lettre (il y a une expression similaire dans la ligne 19) et les traces d'encre confortent cette lecture.

Ligne 18: τρ[έπ]ειν οὐκ ἑκόν: au début de la ligne, on trouve un tracé horizontal et à côté de lui, un tracé légèrement en diagonal s'étend sous la ligne. La lecture la plus probable est: τρ. L'existence de l'expression τρέπεσθαι εἴς τι (se diriger vers quelque chose, commencer à faire quelque chose) confirme cette interprétation. Quant à la forme ἑκόν, elle est l'équivalent de ἑκών, ο étant une variante de ω.

Ligne 20: ἠ δέ: ces deux mots sont au début d'une nouvelle phrase, signalé par la particule δέ également, comme auparavant aux lignes 6, 7, 11, 15, 17 et 20. La lettre ἠ est l'équivalent de la conjonction εἰ[8] qui, avec le verbe à l'optatif à la ligne suivante, est la marque du conditionnel.

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[8]   F. T. Gignac, *A Grammar of the Greek Papyri of the Roman and Byzantine Periods. Volume I. Phonology*, Milano 1975, 240.

Ligne 21: νοῦ μ[ὴ ἔχοι]τε, λήψωμαι: Nous pouvons distinguer la partie supérieure droite d'un μ. Les quelques traces laissées par un τε et un λ, ainsi que la tendance générale de la lettre à la répétition confortent cette lecture. Le mode conditionnel exprimé par la forme optative correspond à la forme future (λήψομαι) dans la clause suivante.

Ligne 26: εἰ δέ: Comme à la ligne 20, la particule introduit le mode conditionnel, bien qu'il ne soit pas possible de restaurer le prédicat à la ligne 27.

Ligne 26: ἡμεῖ: Il est probable qu'ὑμῖν est lié à γ[ρ]άφον|τος. Bien qu'il y ait un εἰμεῖν (ὑμῖν) à la ligne précédente, il est probable que Polion l'a répété le mot, comme il l'a fait pour le mot οὐδέν, ligne 24. La disparition de ν à la fin d'un mot n'est pas inhabituelle dans les papyrus, il est probable qu'on ne le prononçait pas, ou très légèrement.[9]

Ligne 29: ἡμεῖν: Comme aux lignes 25 et 26, c'est un datif: ὑμῖν.


*Ponctuation et orthographe*

Nous pouvons voir dans ce document l'influence de la graphie latine sur la ponctuation. Dans les premiers textes latins (y compris les lettres) on a utilisé des points pour marquer l'espace entre les mots, mais plus tard, par imitation de la graphie grecque, on a commencé à écrire les textes latins en *scriptio continua*.[10] Dans le fragment, nous pouvons voir quatre points, dont deux articulent le texte selon le sens. À la ligne 2 (βοηθοῦ · Ἥρωνει), on peut comprendre la ponctuation en se référant à la syntaxe, car le point isole le sujet du reste de la phrase. On peut cependant dire aussi que le point souligne la différence de fonction dans l'échange, en séparant le destinateur des destinataires

Il est clair qu'à la ligne 20 (ἔγραψα ἔξ · ἡ δὲ ὑμεῖς), le point joue un rôle syntaxique, en signalant le début d'une nouvelle phrase. La présence de la particule δέ va dans ce sens.

Le rôle des deux autres points est incertain: le point de la ligne 11 (ἡ|μετέρας · σωτ[ηρείας) n'a pas de fonction claire, car il est situé entre un adjectif et un substantif, là où aucune division ne semble nécessaire. De même, ligne 45 (Πολείονος · στρατειότη), le point est placé au milieu d'une structure grammaticale, sans que nous puissions interpréter cette division en termes de contenu, les deux mots renvoyant l'un au nom de l'expéditeur et l'autre à sa profession.

L'orthographe de la lettre s'écarte à plusieurs reprises des règles classiques. Le système des voyelles a changé à l'époque hellénistique et surtout à l'époque romaine. Rédigeant une lettre non-officielle, l'auteur a prêté moins d'attention à

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[9]   *Idem* 111.
[10]  W. A. Johnson, "The Ancient Book," in R. S. Bagnall, *Oxford Handbook of Papyrology. Oxford University Press*, Oxford 2009, 262.

l'orthographe que s'il s'était adressé à une personne de haut rang. Pétènephôte, qui a travaillé comme cibariatès (cf. *cibaria, -orum*) au deuxième siècle apr. J.-C., a une orthographe relachée dans ses lettres privées, mais s'efforce d'écrire correctement dans une lettre qu'il destine à une personne τιμιώτατος. Même dans ce dernier cas cependant, on relève des erreurs dans la transcription des voyelles.[11] Les voyelles doubles longues (ᾳ, ῃ, ῳ) à l'époque archaïque sonnaient comme voyelles simples longues (α, η, ω) à l'époque Ptolémaïque. Ce phénomène est visible dans la lettre du soldat pannonien, car on n'y trouve pas d'*iota adscriptum*. La longueur des voyelles est moins perceptible: en témoigne la variation de ο et ω. Nous pouvons trouver plusieurs exemples de variation du αι en ε et d'iotacismes (la confusion de ει, η, ι, οι et υ). La fluctuation de l'aspiration est un phénomène connu dès cette époque, mais il semble que l'auteur savait quel mot commençait par une voyelle aspirée. Nous pouvons voir une hésitation dans la graphie ligne 7. Il semble probable qu'il a d'abord écrit οὐχ puis se soit corrigé en le remplaçant par οὐκ (avant ἔχεται). Toutefois, il est difficile de savoir en regardant la copie digitale, si c'est la forme οὐχ ou la forme οὐκ qui a été écrite en premier.[12]

## Datation

Adamson place le *terminus post quem* en 214 apr. J.-C., car ce n'est qu'après cette date qu'une personne de rang ὑπατικός (*consularis*) a pu être gouverneur en Pannonie Inférieure après 214.[13] Toutefois, nous pouvons préciser la date de la lettre d'après des références présentes dans le texte et à l'aide d'autres sources historiques. La Légion II Adiutrix a participé à la campagne de Caracalla contre les Parthes entre 214 et 217[14] et n'était pas en Pannonie pendant cette période, la lettre a donc été écrite certainement après 217. C'est au cours de la seconde moitié du IIe siècle que l'armée romaine a remis la phalange au goût du jour. Caracalla, lors de son séjour en Macédoine, juste avant la guerre contre les Parthes, avait ordonné que seize mille soldats soient recrutés et formés à la tactique de la phalange. Celle-ci était très efficace, surtout contre les chevaliers Parthes. C'est cette considération sans doute qui est à l'origine de la décision de

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[11]  M. Lewio, "Imperatives and Other Directives in the Greek Letters from Mons Claudianus," in T. V. Evans – D. D. Obbink, *The Language of the Papyri*, Oxford University Press, Oxford 2009, 114.

[12]  E. Dickey, "The Greek and Latin Languages in the Papyri," in R. S. Bagnall, *Oxford Handbook of Papyrology*, Oxford University Press, Oxford 2009, 152.

[13]  A. Mócsy, *Pannónia a késői császárkorban [Pannonie sous l'empire tardif romain]*, Akadémiai Kiadó, Budapest 1975, 26.

[14]  B. Lőrincz, "Legio II. Adiutrix," in Y. Le Bohec – C. Wolff, *Les Légions de Rome sous le Haut-Empire*, Lyon 2000, 167.

l'empereur, et non la volonté d'imiter Alexandre.[15] Au cours de la campagne, Caracalla entra à Alexandrie avec son armée, et y ordonna là aussi un recrutement de futurs phalangistes. Selon Hérodien:

ἐπεὶ δὲ τὰ παρὰ τῷ Ἴστρῳ στρατόπεδα διῴκησε, κατῆλθέ τε εἰς Θρᾴκην Μακεδόσι γειτνιῶσαν, εὐθὺς Ἀλέξανδρος ἦν, καὶ τήν τε μνήμην αὐτοῦ παντοίως ἀνενεώσατο, εἰκόνας τε καὶ ἀνδριάντας ἐν πάσαις πόλεσιν ἀναστῆναι ἐκέλευσε, τήν τε Ῥώμην ἐπλήρωσεν ἀνδριάντων καὶ εἰκόνων, ἐν τῷ Καπετωλίῳ καὶ ἐν ἄλλοις ἱεροῖς, τῆς πρὸς Ἀλέξανδρον συναφείας. … ἐπιλεξάμενός τε νεανίας καὶ στρατεύσας Μακεδονικὴν ἐκάλει φάλαγγα, τούς τε ἡγουμένους αὐτῆς φέρειν τὰ τῶν ἐκείνου στρατηγῶν ὀνόματα. … ἐκεῖ τε ὑποδεχθεὶς πολυτελῶς καὶ διατρίψας χρόνου τινὸς ἐπὶ τὴν Ἀλεξάνδρειαν ἐστέλλετο, πρόφασιν μὲν ποιούμενος ποθεῖν τὴν ἐπ' Ἀλεξάνδρῳ κτισθεῖσαν πόλιν, καὶ τῷ θεῷ χρήσασθαι ὃν ἐκεῖνοι σέβουσιν ἐξαιρέτως· δύο γὰρ ταῦτα ὑπερβαλλόντως προσεποιεῖτο, τήν τε τοῦ θεοῦ θρησκείαν καὶ τὴν τοῦ ἥρωος μνήμην. ἑκατόμβας τε οὖν κελεύει παρασκευασθῆναι ἐναγισμούς τε παντοδαπούς. … συμπανηγυρίσας τοίνυν αὐτοῖς καὶ συνεορτάσας, ὡς εἶδε πᾶσαν τὴν πόλιν πλήθους μεγίστου πεπληρωμένην τῶν ἀπὸ πάσης περὶ αὐτὴν χώρας ἐκεῖ συνελθόντων, διὰ προγράμματος πᾶσαν τὴν νεολαίαν ἔς τι πεδίον κελεύει συνελθεῖν, φήσας ἐς τὴν Ἀλεξάνδρου τιμὴν φάλαγγα βούλεσθαι συστήσασθαι, ὥσπερ Μακεδονικὴν καὶ Σπαρτιᾶτιν, οὕτω καὶ τοῦ ἥρωος ἐπωνύμους. κελεύει δὴ στιχηδὸν τοὺς νεανίας πάντας διαστῆναι, ὡς ἂν ἐπελθὼν ἕκαστον ἴδῃ πῶς τε ἡλικίας ἔχοι καὶ μεγέθους σώματος καὶ εὐεξίας ἐς στρατείαν ἐπιτηδείου. ταύταις αὐτοῦ ταῖς ὑποσχέσεσι πιστεύσαντες οἱ νεανίαι πάντες, ἐοικότα τε ἐλπίσαντες διὰ τὴν προϋπάρξασαν παρ' αὐτοῦ ἐς τὴν πόλιν τιμήν, συνῆλθον ἅμα γονεῦσί τε καὶ ἀδελφοῖς συνηδομένοις αὐτῶν ταῖς ἐλπίσιν. ὁ δ' Ἀντωνῖνος διεστῶτας αὐτοὺς ἐπιὼν, ἑκάστου ἐφαπτόμενος καὶ ἄλλου ἄλλο λέγων ἐγκώμιον παρήει, ἔστε αὐτοὺς οὔτε τι ὁρῶντας οὔτε προσδοκῶντας τὸ στρατιωτικὸν πᾶν ἐκυκλώσατο. ὡς δὲ ἐτεκμήρατο ἤδη αὐτοὺς εἶναι ἐντὸς τῶν ὅπλων περιειλημμένους καὶ ὥσπερ ἐν δικτύοις σεσαγηνευμένους, [ἐπελθὼν πάντας] αὐτὸς μὲν ὑπεξέρχεται μεθ' ἧς εἶχε φρουρᾶς περὶ ἑαυτόν, ὑφ' ἑνὶ δὲ σημείῳ προσπεσόντες πανταχόθεν οἱ στρατιῶται τὴν ἐν μέσῳ πᾶσαν νεολαίαν, καὶ εἴ τινες ἄλλως παρῆσαν, παντὶ τρόπῳ φόνων ἀναιροῦσιν, ὡπλισμένοι τε ἀόπλους καὶ πανταχόθεν περιειληφότες.[16]

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16  « Après avoir réorganisé l'armée du Danube, il passa en Thrace, pays voisin de la Macédoine. Dès lors, ce fut un autre Alexandre. Il voulut rajeunir pour ainsi dire, par mille hommages nouveaux, la mémoire de ce conquérant; il fit placer son image et sa statue dans toutes les villes. Rome, le capitole, les temples des dieux, furent peuplés des statues du héros dont il adoptait la gloire. … Il forma un corps de jeunes gens d'élite qu'il nomma la phalange macédonienne, et il donna aux chefs les noms des généraux d'Alexandre. … Il y reçoit le plus brillant accueil, y fait un assez long séjour, et se dirige vers Alexandrie, pour contenter son désir ardent de voir une ville élevée à la mémoire d'Alexandre, et pour consulter le dieu du pays, objet d'une vénération particulière. Il se montre alors passionnément occupé du culte de ce dieu et de la mémoire de son héros. Il donne ordre de préparer des hécatombes et toutes les purifications nécessaires à une cérémonie funèbre. … Après avoir pris part aux réjouissances et aux fêtes publiques, remarquant l'affluence que ces solennités attiraient de toutes parts dans la ville, il saisit cette occasion pour ordonner par un édit à toute la jeunesse de se réunir dans

Dion Cassius relate lui aussi le recrutement des phalangistes et les massacres perpétrés à Alexandrie:

περὶ δὲ τὸν Ἀλέξανδρον οὕτω τι ἐπτόητο ὥστε καὶ ὅπλοις τισὶ καὶ ποτηρίοις ὡς καὶ ἐκείνου γεγονόσι χρῆσθαι, καὶ προσέτι καὶ εἰκόνας αὐτοῦ πολλὰς καὶ ἐν τοῖς στρατοπέδοις καὶ ἐν αὐτῇ τῇ Ῥώμῃ στῆσαι, φάλαγγά τέ τινα ἐκ μόνων τῶν Μακεδόνων ἐς μυρίους καὶ ἑξακισχιλίους συντάξαι, καὶ αὐτὴν Ἀλεξάνδρου τε ἐπονομάσαι καὶ τοῖς ὅπλοις οἷς ποτε ἐπ' ἐκείνου ἐκέχρηντο ὁπλίσαι· ταῦτα δ' ἦν κράνος ὠμοβόειον, θώραξ λινοῦς τρίμιτος, ἀσπὶς χαλκῆ, δόρυ μακρόν, αἰχμὴ βραχεῖα, κρηπῖδες, ξίφος. … ὁ δὲ Ἀντωνῖνος, καίτοι τὸν Ἀλέξανδρον ὑπεραγαπᾶν φάσκων, τοὺς ἐκείνου πολίτας μικροῦ δεῖν πάντας ἄρδην ἀπώλεσεν. ἀκούων γὰρ ὅτι διαβάλλοιτο καὶ σκώπτοιτο παρ' αὐτῶν ἐπί τε τοῖς ἄλλοις καὶ οὐχ ἥκιστα τῇ ἀδελφοκτονίᾳ, ὥρμησεν ἐπὶ τὴν Ἀλεξάνδρειαν, ἐπικρυπτόμενος τὴν ὀργὴν καὶ ποθεῖν αὐτοὺς προσποιούμενος. ἐπεὶ δὲ ἐς τὸ προάστειον ἦλθε, τοὺς μὲν πρώτους αὐτῶν μεθ' ἱερῶν τινων ἀπορρήτων ἐλθόντας δεξιωσάμενος ὡς καὶ συνεστίους ποιῆσαι ἀπέκτεινε, μετὰ δὲ τοῦτο πάντα τὸν στρατὸν ἐξοπλίσας ἐς τὴν πόλιν ἐνέβαλε, πᾶσι μὲν τοῖς τῇδε ἀνθρώποις προπαραγγείλας οἴκοι μένειν, πάσας δὲ τὰς ὁδοὺς καὶ προσέτι καὶ τὰ τέγη προκατασχών.[17]

Comme nous n'avons pas d'autres témoignages de la présence de la légion en Égypte, il est probable que Polion a rejoint l'armée à cette occasion et que la lettre a été écrite dans les années qui suivirent l'an 217.

Une autre lettre (P. Tebt. 2.339) de Tebtunis contient également le nom d'Aurelius Polion.[18] Le texte indique que l'expéditeur était le fourrageur de Tebtunis ([σι]τολ(όγου) κώ(μης) Τεπτύ[ν]εως) et qu'il était contemporain du soldat Pannonien (la lettre du fourrageur est écrite en 220). La question est de savoir si l'expéditeur est la même personne. L'hypothèse selon laquelle Polion aurait dicté les deux lettres ou une seule des deux, pourrait expliquer la

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une plaine, voulant, disait-il, ajouter à ses deux phalanges une cohorte en l'honneur d'Alexandre: tous ces jeunes gens devaient se ranger sur une seule ligne, afin que le prince pût examiner leur âge, leur taille, et juger de leur aptitude au service militaire. Abusés par ces promesses, dont la sincérité semblait garantie par les honneurs dont le prince comblait alors leur ville, ils se réunissent tous au rendez-vous, accompagnés de leurs parents, de leurs frères qui les félicitent. Cependant l'empereur parcourt les rangs, s'approche de chacun des jeunes gens en particulier, distribue à tous des éloges, jusqu'à ce que son armée les ait insensiblement, et à leur insu, investis de toutes parts. Lorsqu'il les vit renfermés dans ce cercle immense de soldats et pris comme dans un vaste filet, il congédia l'assemblée et se retira lui-même avec sa suite. Aussitôt le signal est donné; ses soldats fondent de tous côtés sur la multitude, massacrant au hasard les jeunes gens surpris, désarmés, et la foule des spectateurs. » (Hérodien 4, 8–9 ; trad. par Léon Halevy)

17  « Il avait pour Alexandre une passion telle, qu'il se servait de certaines armes et de certaines coupes comme si elles eussent appartenu à ce prince, et, de plus, lui dressa de nombreuses statues dans le camp et même à Rome ; qu'il composa une phalange d'Alexandre, l'arma des armes en usage dans le temps de ce prince, c'est-à-dire d'un casque en cuir de boeuf cru, d'une cuirasse de lin en triple tissu, d'un bouclier d'airain, d'une longue lance, d'un trait court, de sandales et d'une épée. » (Dion Cassius 77, 7, 1–2 ; 77, 22 ; trad. par E. Gros)

18  B. P. Grenfell – A. S. Hunt – E. J. Goodspeed, *The Tebtunis Papyri. Part II.,* 156.

différence des écritures, mais nous ne pouvons pas démontrer avec certitude qu'il lui était possible de rentrer à Tebtunis après quelques années seulement de service militaire.

## *Conclusion*

La lettre d'Aurelius Polion, soldat de la Légion II. Adiutrix est une source exceptionnelle pour les études de l'histoire de la Pannonie. Les informations présentes dans la lettre nous permettent de reconstituer les moments importants de la vie d'un légionnaire de l'Antiquité: il a rejoint l'armée probablement en 215, il a participé à la guerre de Caracalla contre les Parthes, puis il est retourné en Pannonie avec sa légion. Nous ne savons pas s'il est rentré en Égypte ou a terminé sa vie en Pannonie.

# Theodosius and the Goths

MELINDA SZÉKELY

In his work entitled *Getica,* Jordanes, the 6th-century Goth historian calls the Emperor Theodosius the "lover of peace and the Gothic people," and whose death marks the end of the good relationship of Goths and Romans, as the former raise an army and march to Italy.[1]

To this day, general scholarship and even the most prominent scholars keep on using the permanent modifier "friend of Goths" as an *epitheton ornans* to describe the Emperor. The survival of this *topos* is especially interesting because in 394 Theodosius used his Goth allies as a shield in front of his own army in the greatest battle near river Frigidus, so that the clash ended up causing severe casualties to the Goths.[2] The emperor Theodosius was quite indifferent to learn that 10,000 Goths, or, the half of men-at-arms succumbed there, and he did not want to compensate his allies even after the victory.[3] What is more, contemporary Christian authors were glad to see that the emperor had solved quite well the Barbarian problem. Orosius went as far as claiming that two victories were won at the river Frigidus: one by Theodosius against Eugenius and the other by the Empire over the Barbarians because Goths had suffered considerable losses.[4]

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[1]  Iordanes: Getica (De origine actibusque Getarum) (abbrev: Jord. *get.*) 29, 146. Published by Theodor Mommsen: Monumenta Germaniae Historica. Auctores Antiquissimi (abbrev.: MGH Auct. Ant.) Munich, [2]1982, 1-138.

[2]  A. Demandt, *Die Spätantike,* Munich 1989, 135-136.

[3]  E. P. Gluschanin, "Die politik Theodosius' I. und die Hintergründe des sogenannten Antigermanismus im Oströmischen Reich," *Historia* 38 (1989), 231; H. Wolfram, *Die Goten. Von den Anfängen bis zur Mitte des sechsten Jahrhunderts*, Munich 1990, 144-145.

[4]  Orosius: Historiae adversum paganos libri VII. (abbrev.: Oros.) 7, 35, 19. Cf.: Zosimus (abbrev.: Zos.) 4, 58, 2-3. Rufinus, *HE* 2, 33. Socrates (abbrev.: Soc.) 5, 25. Several scholar have studied the controversial relationship of Orosius towards the Barbarians, a summary of which is H.-W. Goetz, "Orosius und die Barbaren," *Historia* 29 (1980), 356-376.

The age of Theodosius, the second half of the 4th century, was fraught with internal and foreign policy issues. The power of military leaders of Germanic origin had increased dangerously, while the emperors usurping power were, at the same time, fighting for control. They had been reigning over a particular region of the empire for years while creating a rift in the economic and structural unity of the state. It is symptomatic of the controversial nature of the era that emperor Theodosius went to war against the *usurpator*s and their armies using Barbarian troops. The enlarged army had to face impossible problems. Providing food, paying the wages, and replacing troops in the army constituted a constant task all through the late Roman Empire. Old and new religious tensions arose, on the one hand between Christians, gaining strength as a result of state support, and the guardians of the old faith, and, on the other hand, various arguments between Christians themselves also appeared. The government in Rome had to tackle the Barbarian question and the brutal wave of migration, which, by this time, had showed its impact not only beyond the borders of the Empire, but within as well. These difficulties need to be taken into consideration to appreciate the policy of Theodosius towards the Goths in its entirety. The works of contemporary authors also need to be analyzed to find the answer to the development of the modifier "friend of Goths."

## *The Goth – Roman Relationship before Theodosius[5]*

The Goths, an East Germanic tribe, had been attacking the Roman Empire from the 30s of the 3rd century around the Lower Danube area. By the 4th century, Western Goth tribes had become a dominant force along this section of the border so Emperor Constantine agreed to a settlement with them in 322, according to which the Goths took it upon themselves to guard the borders of the Empire and to serve in the imperial military in return for a yearly appanage. In the decades to follow, therefore, a 3000-strong Goth contingent assisted in Roman wars on four occasions.[6] On several points along the border, trade links had formed between the Goths and the Romans but these were weakened by recurring conflicts. During the reign of Emperor Valens from 367 onwards, they were at war for three years which was concluded by a treaty in 369,

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[5]  More on this topic: L. Schmidt, *Geschichte der deutschen Stämme bis zum Ausgang der Völkerwanderung II. Die Ostgermanen*, Münich, 1941.; D. Claude, *Geschichte der Westgoten*, Stuttgart-Berlin, 1970.; E. A. Thompson, *Romans and Barbarians*, Madison, Wisconsin, 1982.; Wolfram, *Die Goten*; P. Heather, *Goths and Romans 332-489*, Oxford, ²1994.; T. S. Burns, *Barbarians Within the Gates of Rome. A Study of Roman Military Policy and the Barbarians, Ca. 375-425 A.D.* Bloomington and Indianopolis, 1994.; H. Wolfram, *The Roman Empire and its Germanic Peoples*, 1997.; P. Heather, Goths and Huns (320-425), 487-515. in *CAH XIII*. Cambridge, 1998.; on the archaeological findings about Germanic people: Malcolm Todd: The Germanic Peoples (337-425). in *CAH XIII*. Cambridge, 1998.

[6]  Three out of these expeditions were led to Persia.

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signed on a galley anchored in the middle of the Danube. This treaty was a lot less favorable towards the Goths than the previous one because there were only two centers left to carry out border trade and the Roman benefits ceased to exist as well. However, the quite stable political situation on the Northern banks of the Danube was completely overturned with the arrival of the Huns. In 376, the leaders of the Western Goths sent ambassadors to Emperor Valens in Antioch requesting asylum. After a long debate in the Eastern Roman State Council, the emperor refused the request of the Visigoths to settle within the borders of the Empire.[7] Because of difficulties in terms of provisions and the corruption of Roman clerks, an uprising broke out among the Goths and they went to battle with the Roman army at Adrianople.

## Theodosius' accession to the throne

The accession of Theodosius to power was tightly connected to the Goth problem. When he was young, he participated in the military campaigns of his father, Theodosius the Elder, then, around 373-374, as the military commander of Moesia Prima, he fought against the Sarmatians. His father was one of the most talented generals of Emperor Valentinianus, who waged battles against the Franks, the Saxons, and the *pictus*, *scottus*, and *attacottus* tribes in Britannia. In 370, he fought the Alamanni and the Burgundians at the Rhine and in the following year, in Africa, he clashed with the Moors.[8] The successful leader got involved in a case of high treason in 375 and was decapitated in Carthage a few months later.[9] As a result of all these, the young Theodosius retired to his homeland, Hispania. On August 9, 378, the Goths defeated the Roman army near Adrianople in a battle taking many lives: the Eastern Roman Emperor, Valens was also killed there. Emperor Gratianus and his advisors, who were responsible for the condemnation of the father, charged Theodosius with responsibilities on the Danube front due to his experience as a qualified soldier and due to his extensive knowledge of the Balkan Peninsula. This decision shows the severity of the crisis in the Empire. He was given the title *magister militum*, then, after his first successes on January 19, 379, he was appointed the *augustus* of the Eastern Provinces in Sirmium.[10]

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[7] The leadership hoped for a strengthened imperial army as the result of employing Goths as Roman mercenaries, while, at the same time, they gave up forced recruiting, so the emperor could start planning to levy new taxes on the class of the Eastern landowners. (Wolfram, *Die Goten*, 125-127.) According to Heather, Emperor Valens did not have any other choice. (Heather, *Goths and Romans*, 165.)

[8] Demandt, *Die Spätantike,* 125.; A. Demandt, "Die Feldzüge des älteren Theodosius," *Hermes* 100 (1972), 81-113.

[9] The execution took place in 376. On some possible causes refer to A. Demandt, "Der Tod des älteren Theodosius," *Historia* 18 (1969), 598-626.

[10] The title *augustus* meant the (ranking) emperor in the late Roman period while the word *caesar* meant the designated heir.

## The Goth policy of Theodosius between 379-382

No sooner had Theodosius been elected an emperor than he started to combat the Goths. The most detailed account of this particular period is given in *Nea Historia* by Zosimus, who fundamentally uses Eunapius' works.[11] The new emperor settled in the city of Thessalonice and his main concern was to replenish the depleted numbers in the Eastern army by 379 as two thirds, several tens of thousands of soldiers of the Roman army had died in the battle of Adrianople.[12] He ordered a round of recruiting, signing up both Roman and Barbarian men, and he fought against defection with force. He moved military corps from Syria and he also mobilized veterans from the East.[13] All these orders prove that Theodosius had been preparing for the battle against the Goths with determination.

If one studies the speeches of Themistius, the eloquent contemporary *rhetor*, changes in the direction of the imperial politics can be uncovered. Themistius was not only an educated orator and philosopher but also an officer in the court of Constantinople and an advisor to emperors. He was able to influence public opinion with his masterful speeches and he became a mouthpiece of the court propaganda.[14] In his speech #14, dated to 379,[15] the tone used by Themistius is belligerent and offensive. He was glad to acknowledge the fact that Theodosius had been elected emperor due to his military prowess as he had already proven his military talents with his victory over the Sarmatians. His appointment also inspired hope for a changing fate in the war. The orator also remarked that the new emperor mobilized peasants to stir up fear among the "Scythians" and he encouraged miners to produce more iron. He was sure that Theodosius was going to inspire the army to defeat the enemy. He also mentioned the *augustus'* grace and love for the people,[16] but, only briefly. Speech

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[11]  The historical work by Eunapius is the sole narrative source referring to the period from 378 to 395. There are only fragments available today of the work but in the 9th century Photios read it and used it.

[12]  Ammianus Marcellinus (abbrev.: Amm. Marc.) 31, 13. Heather, *Goths and Romans*, 142-147; Wolfram, *Die Goten*, 125-127.

[13]  Heather, *Goths and Huns*, 509.

[14]  L. J. Daly, "The Mandarin and the Barbarian: The Response of Themistius to the Gothic Challenge," *Historia* 21 (1972), 351-379.; W. Stegemann, Themistios. *RE* 5 A, 2 (1934), cols. 1642-1680. Theodosius appointed Themistius as the teacher of his son.

[15]  Themistii Orationes, ed. W. Dindorf. Hildesheim, 1961. Themistii Orationes Quae Supersunt, ed. G. Downey. Leipzig, 1965. (In the analysis of the speeches of Themistius, Heather, *Goths and Romans* was used.)

[16]  *Philantropia* received a central role in Themistius' speeches. (Daly, *The Mandarin and the Barbarian*, 354-355.)

#14 describes and praises Theodosius as a military leader, capable of winning the war.[17]

After the victory at Adrianople, the Goths attempted to make the most of their success. Without any further delay, they led an attack against the city of Adrianople because they knew that Valens lost his ranking officers, his imperial insignia and his treasury.[18] The attack happened contrary to Fritigern's intentions and the Goths lost many people in the futile battle. The defeat did not break the pride of the Goths; what is more, they marched to Constantinople and assembled siege engines. The size and defense of the city, however, made them acknowledge reality; they destroyed the engines and retreated without attempting an attack.[19] As they had run out of food, they moved to the West of Thrace, to the area of Upper-Moesia, Dacia and Illyricum. In 380, probably because of food shortage again, the Goths separated into two groups. Alatheus and Saphrax led the *Greuthungi* to northwest, towards Pannonia,[20] while Fritigern proceeded to southwest to confront Theodosius' newly established army which had also been reinforced by eastern troops. Eventually the Goth army of Fritigern scattered the Roman army in a battle, and Theodosius left strategic leadership to his co-emperor in the West, Gratianus, then retreated to Constantinople.[21]

After the Roman defeats, it had become clear that Theodosius was unable to beat the Visigoths with military force, so he tried to divide enemy lines: he sent enormous gifts to "high-ranking and noble born" tribal leaders and he bestowed esteemed decorations on them.[22] He also invited these leaders to his table, he shared his tent with them and he never missed an opportunity to showcase his generosity. It did not take long for a couple of privileged chiefs to react to the special treatment.[23] Theodosius was also keen to welcome Athanaric, the Goth chief who sought asylum in Constantinople, with distinct

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17    Heather, *Goths and Romans*, 166-167.

18    Amm. Marc. 31, 15, 2-15.

19    Amm. Marc. 31, 16, 3-7.

20    According to Ammianus Marcellinus, the two branches of the Goth tribes were the *Greuthungi,* residents of the steppe, in the east, and the *Thervingi*, residents of forests, who lived in the outer parts of southeast Carpathians and Transylvania until 376. (Amm. Marc. 31, 3.) More on the division of Goth tribes: Heather, *Goths and Romans,* 12-18.

21    The illness of Theodosius also contributed to the victory of the Goths. Iord. *get.* 27, 140-141.

22    Eunapius, frag. 59; 60. Cf.: Zos. 4, 56 Theodosius was aware of the important role gift-giving played in Germanic societies. Regaining the trust of the Goths must have surely constituted a major task, especially if one takes into account the events after the settlement in 376, the different Roman abuses of power, especially the mass massacre of young Goth hostages after the battle of Adrianople. More on this: M. P. Speidel, "The Slaughter of Gothic Hostages after Adrianople," *Hermes* 126 (1998), 503-506.

23    Thompson, *Romans and Barbarians,* 107.

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care. When the chief died two weeks later, the emperor gave him a state funeral. This gesture did not go unnoticed by many Goths.[24]

After years of armed conflicts, the power of the Empire was clear in the eyes of the Goths. They were obliged to accept the fact that it was impossible to achieve a sweeping victory since every time they destroyed the imperial troops, new ones sprang into life to replace them. When they defeated and killed Emperor Valens, Theodosius immediately turned up; and when they defeated Theodosius, they had to face the army of Gratianus.[25] The power of circumstances persuaded both the Romans and the Goths to accept the situation in which triumph over the other was only possible at the cost of excessive losses. Therefore, both parties seemed open towards a peaceful agreement. Themistius was in charge of preparing public opinion for the change in imperial policy. In January 381, in speech #15, a stark contrast can be noticed compared to speech #14, written two years earlier. The orator still hopes for Theodosius and Gratianus to force "Scythians" to the North of the Danube but pays little attention to the chronicling of military issues. The main point of the speech is to emphasize that the most important task of the emperor is not one to fight but to govern. Themistius accentuates the philanthropy of the emperor and calls for a victory over the enemy without the use of violence.

In 381 the western army of Gratianus, led by Bauto and Arbogastes, chased the Goth Fritigern from Illyricum towards the east. Even those everyday people who had wanted to keep on fighting and who had been reluctant to accept the start of negotiations were convinced by this defeat of the necessity of peace. On October 3, 382, after months of long negotiations, the contract which assured the status of *foederati* to the Goths was signed.[26]

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24 This event is usually named as the direct cause of the peace treaty even though by this time Athanaric was far from having as large a role as sources claim he had had. Isidore of Seville, Historia Gothorum 11: *Athanaricus cum Theodosio ius amicitiamque disponens mox Constantinopolim pergit ibique quintodecimo die quam fuerat a Theodosio honorabiliter susceptus, interiit. Gothi autem proprio rege defuncto adspicientes benignitatem Theodosi imperatoris inito foedere Romano se imperio tradiderunt.*; Cf.: Zos. 4, 34, 4; Themistius, *Or*. 15, 190; Orosius 7, 34, 7; Iord. *get*. 28, 142-144.

25 Heather, *Goths and Romans*, 178.

26 According to the contract, the Goths were not in a subdued or oppressed but in an allied relationship with the Romans. In return for a yearly appanage and land in the northeast regions of Moesia and Dacia, their tasks included the guarding of the frontier and the manning of auxiliary troops. Their territories were exempt from taxes and they also gained a great level of autonomy. They were assigned their own superior commander in the Roman army. According to Wolfram, it took eighteen months to prepare the contract (Wolfram, *Die Goten,* 138-141). The consensus among scholars is that the peace treaty only included the *Thervingi* and the *Greuthungi* had a separate deal with Gratianus in 380. According to Heather, the contract of 382 included the majority of the *Thervingi* and the majority of the *Greuthungi*, as well (Heather, *Goths and Romans*, 157).

## *Theodosius' policy towards the Goths between 382 and 394*

The contract of 382 could be concluded as a result of Gratianus' and Theodosius' coordinated policy. Gratianus played a role both in the military campaigns on the Balkan Peninsula between 378 and 382, and in the peace treaty negotiations, which, in turn, was appreciated by the court propaganda of the East, as well.[27] In a laudatory speech by Themistius in January 383, he highlights how Theodosius was solely responsible for the solution of the Goth problem and minimizes the role of Gratianus.[28] Heather remarks ironically that the opinion voiced in the speech was published at the end of the war, when Theodosius no longer needed the military support of the *augustus* of the West.[29] The two emperors were said to have a tempestuous relationship.[30] In the winter of 382-383, they were faced with an exceptionally severe situation when Theodosius promoted his six-year-old son, Arcadius, to the rank of *augustus* without the approval of his co-emperor. Affronted by Theodosius' open dynastic aspirations, Gratianus deemed the decision illegal and never recognized Arcadius.[31]

Besides the strained relationship of the co-emperors, the Empire had to face repeated Sarmatian and Germanic, primarily Alamanni, attacks.[32] What made the situation even more difficult was that in 383, in Britannia, Magnus Maximus claimed his right for the throne as an usurper, then crossed over to Gaul with his troops. When Gratianus set out to obstruct his further advances, the usurper had him killed and moved into his imperial palace in Treverorum (today: Trier), for a couple of years.[33]

There were also religious debates in the Western Roman Empire during these years. The adherents of the old religion and the influential Roman senators led by Symmachus petitioned the emperors to re-establish the Victoria altar and to regain the former rights and privileges. Furthermore, the young co-emperor of the West, Valentinianus II, and his mother, Iustina, fought for the

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[27] In his speech #15, Themistius refers to the two *augusti* as co-commanders. In the summer 382, Gratianus was in Viminacium, in Moesia Superior which proves that the role he played in the conclusion of the contract was just as considerable as his co-emperor's.

[28] Themistius *Or*. 16. Even though there is a lack of Western sources in terms of the role Gratianus played in the war, the contradictions between speeches #15 and #16 by Themistius highlight the bias of the orator.

[29] Heather, *Goths and Romans*, 172.

[30] The first sign of this surfaced in a religious issue when Theodosius thwarted Gratianus' plans for an ecumenical council in 380-381, in order to curb Gratianus' influence in the East.

[31] Heather, *Goths and Romans*, 171.

[32] The commander or magister militum of the army, Bauto the Frank was completely absorbed by the Alamanni attacks by the Rhine.

[33] Demandt, *Die Spätantike,* 129. Treviri, or *Augusta Treverorum*, today: Trier. When the *Tetrarchic* system was being set up by Diocletianus in 293, it became one of the four imperial capitals.

possibility to hold a celebration in the court in Mediolanum in the name of the Arians.[34] Theodosius, however, issued decrees that would focus on the total eradication of the old religion, and, as an ardent believer of the Nicene, *Catholic* movement he vehemently supported the *orthodoxia* with the support of Bishop Ambrosius.[35]

During the winter of 384-385, some new Goth troops managed to cross the Danube on the ice near the estuary of the river. In the next year, an unprecedented, multi-ethnic Barbarian attack was launched, led by the Goth Odotheus (*Greuthungus*), who led his army to Thrace, having crossed the Danube on the ice.[36] Theodosius fought them with military force, clearly expressing that the allowances of the contract of 382 were born under strained circumstances and that he was not willing to extend the same *foederati* status to new Germanic tribes.[37]

Apart from the tensions arising in the Western Empire, Theodosius also had to face problems in the East. He levied a special tax to cater for the needs of the army which led to an uprising in Antiochia.[38] In several cities in the East, a pronounced anti-Barbarian feeling was emerging as a result of billeting, the presence of Goth warriors, and the raising of taxes. This feeling was further intensified by the imperial politics along which high ranking military positions were given to Western or Germanic officers.[39]

In such a difficult situation for the Empire, Theodosius needed especially the military support of the Goths. As the objective of the Emperor was complete independence and the gaining of unlimited, absolute power, he was intent on securing the trust of the Goths in such a way that they would be loyal to him, personally. As part of propaganda, Themistius emphasized the goodwill of the Emperor towards the Goths in his speeches and he claimed the privileges of the peace treaty to be the merits of Theodosius solely.[40] More importantly, especially for the Goth chiefs, the dinner invitations and the com-

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[34] Demandt, *Die Spätantike,* 130-131.

[35] More on this: H. Chadwick, *The Early Church*, London ²1993. As a result of Wulfila's evangelization, the Visigoths converted to Arian Christianity. Between 382 and 395, however, this did not yet constitute a problem between the Goths and the Romans.

[36] Wolfram, *Die Goten,* 141.

[37] Promotus, a Roman general, lured the dangerous intruders into a trap with the help of his Goth soldiers. Some were killed, but the majority of them were captured as a result of an imperial order and were later deployed in Phrygia.

[38] Demandt, *Die Spätantike,* 131.

[39] More on this: Gluschanin, *Die politik Theodosius' I.*, 228-230. The most severe uprising broke out in Thessalonice where the Germanic commander, Butheric was lynched by the mob. Theodosius took revenge by massacring 3,000 civil residents. The negative reputation of the Barbarians can also be seen in the works of Synesius of Cyrene (*De Regno* 21), Libanius (*Or.* 19, 16; 20, 14.), Gregorius Naziansus (*Ep.* 136.) and Eunapius.

[40] Them. *Or.* 16. Themistius emphasized that peace was not reached by weapons but by the trust of the Goths vested in the goodwill of Theodosius.

mon meals continued. Eunapius reports on the many magnificent banquets thrown for them and the numerous gifts sent to them by the Emperor.[41] Theodosius' policy to win over the Goths seemed successful and with Goth and Hun auxiliary troops, he defeated Magnus Maximus, the *usurpator* at Siscia and Poetovio in 388.[42]

At the end of summer or autumn in 391, Barbarians struck again. The danger was aggravated by the fact that as a result of Maximus' propaganda, certain Goth tribes deserted from the Roman army and joined the aliens invading the Empire.[43] The head of the Goth military group was Alaric, whose name turned up for the first time in the sources.[44] Since 382, they violated the points set in the *foedus* for the first time. After battles of alternating success, the contract was renewed in 392, so order was restored.

In Gaul, Arbogastes, a *magister militum* of Frank origin, after significant military victories, started to make decisions in lieu of the young Valentinianus II more and more frequently and with more and more determination. He had the Emperor killed or forced him into suicide in 392 because he was likely to show resistance in conflict situations.[45] Because Arbogastes could not become an emperor those years due to his Barbarian origins and his Pagan faith, he nominated a puppet emperor in the person of Eugenius.[46] The believers of the old faith and Italian senators supported Arbogastes' imperial candidate as it was the last chance to fight Theodosius' religious intolerance.

On receiving the news about the *usurpatio*, Theodosius mobilized his Goth allies. After 382, the Goth chiefs divided into two groups: some insisted on an anti-Roman perspective, while others believed that the advantages of the peace treaty concluded with Theodosius were beneficial, therefore, their promise of military support was to be upheld. Fravittas was the leader of the party friendly to Rome. He married a Roman woman, so he also took up the name *Flavius*. The leader of the other group was Eriulf.[47] Theodosius invited all the quarreling Goth chiefs to a great feast but violence ensued as a ferocious fight broke out. Fravittas drew his sword and attacked Eriulf, wounding him fa-

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[41]  Heather, *Goths and Romans*, 187-188.

[42]  Demandt, *Die Spätantike,* 132. The cities of Siscia (today: Sisak) and Poetovio (today: Ptuj). Pacatus describes in his praise what measures were taken to mobilize Barbarians (Goths, Huns, and Alans) for the purposes of the campaign. (*Pan. Lat.* 12 (2), 32, 3-4.)

[43]  Zos. 4,45,3

[44]  Wolfram, *Die Goten*, 143. The anti-Roman fights of the following decades were led by Alaric.

[45]  More on this: B. Croke, "Arbogast and the Death of Valentinian II," *Historia* 25 (1976), 235-244.

[46]  J. Szidat, "Die Usurpation des Eugenius," *Historia* 28 (1979), 487-508.

[47]  Eriulf and his supporters saw no reason for endangering the independence of the Goths by participating in a Roman internal politics argument. According to Eunapius, Eriulf's group had the majority.

tally.[48] The followers of Eriulf attacked Fravittas and the fighting parties could only be separated by imperial soldiers. The fact that the case of the murderous chief was not prosecuted thanks to the Emperor's interference shows his bias.[49] The feast was most probably organized to advance Theodosius' efforts to guarantee the participation of the Goths in the ensuing war.

## *The battle*

By 394 Theodosius reassigned his Eastern troops as well, so, an army of around 100,000 men was at his disposal.[50] Arbogastes and Eugenius gathered soldiers from Gallic and Germanic territories but they were few and were neither well-equipped nor disciplined soldiers.[51] Theodosius' army was advancing in a narrow mountain pass in the Alps. The emperor placed the Goth allies at the head of the march, that is, at the most dangerous section. Arbogastes ordered his troops to the plains in front of the mountain pass, in the valley of the River Frigidus. He had a camp built for them reinforced with a line of piles and wooden towers.[52] On the first day of the fight, on September 5, 394 the army of the usurper attacked the Goth forward guards as they exited the mountain pass. Tens of thousands of soldiers were massacred, and the rest were saved by the darkness of the night. The commanders suggested the idea of retreating to the Emperor in the desperate situation but he refused to follow their advice. An unexpected natural phenomenon helped Theodosius in the following days: the violent wind coming from the mountains started to blow and made the army of Arbogastes retreat. Contemporary authors and soldiers deemed it a divine intervention.[53] The imperial army followed as they tried to get away, they burnt down their camp, they captured Eugenius and they executed him. In

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[48]  The goal of the argument of Fravittas and Eriulf might have been to gain control over the entirety of the Goth people.

[49]  Wolfram, *Die Goten,* 141.; Heather, *Goths and Romans*, 190.; Thompson, *Romans and Barbarians,* 108.

[50]  Theodosius mobilized his soldiers from *Asia provincia* too; Huns invaded this area at that time.

[51]  More on the battle, see: O. Seeck – G. Veith, "Die Schlacht am Frigidus," *Klio* 13 (1913), 451-467.; A. Štekar, "Poskus lociranja bitke pri Frigidu leta 394 na območju med Sanaborjem in Colom [The Try to Locate the Battle of the Frigidus in 394 in the Area Between Sanabor and Col],*" Annales: anali za istrske in mediteranske študije (in Slovenian, English, and Italian).* 23 (1) (2013), 1–14; Paschoud, F.: *Zosime*. Histoire Nouvelle II. 2. Paris, 1979, 474.

[52]  The River Frigidus is called Vipava today in Slovenia, near the Italian border.

[53]  The locals know well the hard-blowing, northeast wind called Bora, which hit the area of the battle ground frequently. Of the sources, from the Christian side Ambrosius (in psalm. 36, 25), while from the Pagan side Claudius Claudianus (de III cons. Hon. 99.) seem to be the most reliable. Augustinus (*de civ. Dei* 5, 26), Rufinus (11, 33), Orosius (7, 35), Eunapius, Socrates (5, 25), Sozomenos (7, 24), and Theodoretos (5, 24, 12) also mentioned the battle.

order to avoid public humiliation, Arbogastes committed suicide. The battle between Theodosius and Eugenius was the last, big battle of Roman Christianity and the old Roman religion. The victory of the emperor meant the end of Paganism and the gaining of absolute power.[54]

## *Summary*

We deem the policy of Theodosius primarily anti-Barbarian, contrary to the traditional idea that it actually was quite friendly to the Goths. In the first years of his reign, between 379 and 381, the Emperor sought to settle the Goth problem with weapons. When this plan failed, he had no choice but to sign the peace treaty in 382. As a good commander he recognized the military power of the Goths and he used it to make up the missing numbers in his troops and to guard the borders against new Barbarian intrusions. Later, until the end of his reign, he set out not to increase the number of his allies. Later, in case of a new Germanic attack, he focused on defeating the tribes, or, if re-settlement was inevitable, he wanted to force them into an oppressed status. As a result of his will for absolute power and the activities of the counter-emperors, he needed his Goth allies, so Themistius, using appropriate rhetorical moves and propaganda, tried to gain their trust and turn them towards the emperor. Emphasizing Theodosius' philanthropy and his friendship towards the Goths was part of a carefully planned policy which proved to be successful contrary to the facts. The Goths played a decisive role in two great military campaigns led by Theodosius: in the success of the battles against Magnus Maximus and Eugenius. However, when the emperor no longer needed Goth soldiers, he deployed them in the most dangerous positions without any scruples. The Goths themselves were convinced that Theodosius sent them to the line of danger deliberately in order to undermine their tribe and they were afraid that all these great losses would jeopardize their independence.[55] So, led by Alaric, they rose up against the Romans already on their way back from the battleground.[56] The uprising broke out in Theodosius' life as a consequence of his actions and was responsible for decades of uneasy relationship between Goths and Romans. The myth of Theodosius being a "friend of the Goths" survived in several

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[54] Autocracy was in effect for only a couple months as the Emperor died on January 17, 395.

[55] O. Seeck, *Geschichte des Untergangs der antiken Welt*. V. Berlin, 1913, 253.; Heather, *Goths and Romans*, 192; 199.

[56] Claude, *Geschichte der Westgoten,* 16. The *Taifali* joined their uprising. (The *Taifali* were a Germanic ethnic group who lived in the Lower Danube area.)

authors; for example Jordanes' bias towards the emperor can also be seen in his works.[57] The historiographer of Goth origin was happy to highlight in his sources the *topos* of the Emperor who favored the Goths and who concluded a peace treaty with them, setting him up as an example for his own emperor, Iustinianus who had been waging a war for decades against the Eastern Goth kingdom in Italia.[58]

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[57] Iord. *get*. 27, 139-146.

[58] The Goth story of Cassiodorus and Ablabius must be highlighted among the sources by Jordanes. Parts of his story can be traced back to Goth oral tradition (Heather, *Goths and Romans*, 5-6). The Byzantian-Eastern Goth war waged between 535 and 553, while Jordanes completed his work around 551. The hope of the historiographer that the Roman – Goth alliance would happen did not come true.

# The Crisis of the Kingdom of the Suebi

## Relations with the Visigoths and the Romans (456–468)

GÁBOR SZÉLL

In 456, not only did the Suebi suffer a crushing defeat from the Visigoth armies of Theoderic at the River Urbicus [Orbigo], but on top of that their king Rechiarius died[1] and as a result, before long, the Suevic Kingdom disintegrated both politically and territorially. Hydatius categorically writes about the collapse and destruction of the Suevic State, as he chronicles the gradual disintegration of royal power and its landing in the hands of several leaders.[2] In the period following 456, attacks against the Romans increased, and momentary respite was only brought amid the plundering for the time of the Suevic leaders' own power clashes, or when some of them struck a peace deal with the Romans.[3] In the period between 456 and 468, we see, therefore, that the leaders of the Suevic Kingdom formed relations – or in other cases fought wars – either with the Visigoths or the Romans in order to strengthen their own positions.

The death of Rechiarius probably meant the extinction of the Suevic royal branch founded by Hermeric, which forecast power struggles. A state of civil war ensued between the various factions of the Suebi, indicating a new era in

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[1]  Széll G., "A hispaniai Szvév Királyság felemelkedése [The Rise of the Kingdom of the Suebi in Hispania] (409–456)," in Székely M. – Illés I. Á., Eds., *Tanulmányok a hetven éves Wojtilla Gyula tiszteletére [Studies in Honour of the 70-Year-Old Gyula Wojtilla]*, AAASzeged Suppl. XIV. Szeged 2015, 122–123.

[2]  Hyd. *chr*. 168; in *Hydatii Lemici continuatio chronicorum Hieronymianorum,* in Th. Mommsen, Ed., MGH AA XI., CM 2, Berlin 1894, 1–36; in *The Chronicle of Hydatius and the Consularia Constantinopolitana,* R. W. Burgess, Ed. and transl., Oxford 1993, 70–123; in "Püspöki tudósítás Hispaniából [Chronicle of a Bishop from Hispania]. Hydatius: Chronica," Széll G., Transl., in Székely M.–Illés I. Á., Eds., *Késő római szöveggyűjtemény,* Szeged 2013, 347–400.

[3]  J. C. Arias, *Identity and Interactions: The Suevi and the Hispano–Romans,* University of Virginia 2007, 64.

Suevic history, since before 456 there is no mention of Suevic clashes between political factions or rebellions breaking out against the royal power.[4] After Rechiarius' death, Theoderic left Gallaecia for Lusitania,[5] but not before he set up a garrison for the defence of the conquered Suevic territories.[6]

According to Hydatius, in 456 one of Theoderic's commanders, Aioulf left the Gothic army headed for Lusitania and was waiting in Gallaecia to become King of the Suebi.[7] In contrast, Jordanes claims that as Theoderic's *cliens*, Aioulf, from the tribe of the Varini, was directly assigned to command the Suebi, but the Suebi themselves might also have supported him to ensure an independent king to Gallaecia.[8] Clear identification of Aioulf is further clouded by the assumption that he could be identical with Censorius' murderer Agiulf, as mentioned by Hydatius.[9] Thompson treats Jordanes as a less reliable source than Hydatius based on the fact that in both time and space Jordanes lived further from the events that took place in Gallaecia, and also because in general his records are less precise.[10] Being biased towards the Goths, Jordanes depicted Aioulf as a treacherous Varinian, and in his view the Suebi themselves were not innocent concerning the betrayal of Theoderic because, according to him, Aioulf had become duplicitous as a result of succumbing to Suevic encouragement.[11] In the end, in June 457 in Portus Cale [Porto] Theoderic captured Aioulf and had him beheaded.[12] According to Jordanes, the Sueves then sent a delegation of priests to Theoderic, who not only remitted the Sueves' punishment but even allowed them to choose their own leader.[13] However, it was not until 465 that Remismund became King of the Suebi. Thompson claims that Jordanes is also mistaken when he writes about the encounter of the

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4    E. A. Thompson, *Romans and Barbarians: The Decline of the Western Empire,* Madison 1982, 165.

5    Hyd. *chr*. 171.

6    W. Reinhart, *Historia General del Reino Hispánico de los Suevos,* Madrid 1952, 48.

7    Hyd. *chr*. 173; 180.

8    Iord. *get*. 233; in *De origine actibusque Getarum,* in Th. Mommsen, Ed., MGH AA V/1., Berlin 1882, 53–138; in *Iordanes: Getica. A gótok eredete és tettei [The Origins and Deeds of the Goths]*, Kiss M. et al., Transl., Pécs 2005, 43–105.

9    Hyd. *chr*. 131; Thompson, *Romans and Barbarians*, 288. Based on the manuscript *(B)* of Burgess, the two figures are not identical, however, manuscript *(F)* unambiguously treats them as one person. In the Suevic incursion Jordanes refers to Aioulf as Agrivulf (Iord. *get*. 233.), thus even he considers them as one and the same person, which casts doubt on the reliability of manuscript *(B)* in this respect. As Jordanes can be linked to the 6th century while Fredegarius, the compiler of *(B)* to the 7th, we can conclude that Jordanes could not have used Fredegarius as a source whereas, conversely, there is no evidence that Fredegarius could have known Jordanes' script; cf. Burgess, *The Chronicle of Hydatius,* 129; D. Claude, "Prosopographie des Spanischen Suebenreiches," *Francia* 6 (1978), 654.

10   Thompson, *Romans and Barbarians*, 168–169.

11   Iord. *get*. 233.

12   Hyd. *chr*. 180.

13   Iord. *get*. 234.

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Suevic high priests and Theoderic since the Visigoth king could not have welcomed the bishops with due respect as in 457 the Sueves were still pagans.

According to Hydatius, a group of the Sueves living in the farthest corner of Gallaecia did not support Aioulf, and that is why in 457 they elected Maldras as king, who was the son of a nobleman named Massilia[14] or Massila.[15] As it was not known whether Maldras was related to Hermeric, many refused to accept even him as the lawful ruler, which led to a split among the Sueves: some of them supported Maldras while the others chose Framtane king in his stead in 457.[16] The two kings acted independently of each other, mainly striving for peace with the Gallaecians, however, they relentlessly pursued their campaigns of plunder. Thompson concludes that the election of Maldras and Framtane points to the fact that after the extinction of the dynasty of Hermeric the Sueves still had certain rights to choose their own ruler.[17] At the end of 457 Maldras attacked the city of Ulixippona [Lisbon], slaughtered and looted the Romans and in 458 plundered along the River Durius [Duero].[18] It is here that we first learn about the *duplicitous nature* of the Sueves:[19] they are known to have often employed the tactic of sending word to the enemy of their intention to make peace, who, in turn in good faith let them into their city, only to be ransacked by them.[20]

After a few months' reign, sometime between Easter and Pentecost in 458 Framtane died therefore the Goths and the Vandals sent envoys to Maldras but the negotiations probably did not yield the expected results because the envoys soon returned.[21] Some scholars find it probable that following Framtane's death the two groups of the Sueves reunited under the rule of Maldras,[22] but even if this was the case it could not have lasted long as in 459 Framtane's followers elected a new leader in the person of Rechimund, who then made peace with Maldras,[23] and united with him to raid the area of Lusitania and Gallaecia.[24]

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14   Hyd. *chr*. 174.

15   Isid. *hist. Goth*. 32; *hist. Suev*. 88; in *Isidori iunioris episcopi Hispalensis historia Gothorum, Wandalorum et Sueborum,* in Th. Mommsen, Ed., MGH AA XI., CM 2., Berlin 1894, 267–303; *Las Historias de los Godos, Vandalos y Suevos de Isidoro de Sevilla,* C. Rodriguez Alonso., Ed. and transl., Leon 1975; *Sevillai Izidor: A gótok, vandálok és szvévek története [A History of the Goths, Vandals and Sueves],* Székely M., Transl., Szeged 2008, 27–66.

16   Hyd. *chr*. 181.

17   Thompson, *Romans and Barbarians*, 167.

18   Hyd. *chr*. 181; 183.

19   Hyd. *chr*. 181: *solito more perfidiae;* Hyd. *chr*. 183: *in solitam perfidiam.*

20   Hyd. *chr*. 196; 215; 225; 236; 237.

21   Hyd. *chr*. 182; 186.

22   Thompson, *Romans and Barbarians*, 167.

23   Isid. *hist. Suev*. 88.

24   Hyd. *chr*. 188. Although most historians refuse to believe that Rechimund and Remismund were the same person (Claude, *Prosopographie*, 667–668.) as there is no explanation to the earlier differences between the two names, according to Bur-

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In 459, Maldras killed his own brother, attacked Portus Cale and had a blood bath among the Roman nobility. Owing to his cruelty, however, the number of his supporters had dwindled and at the end[25] of February 460 he was murdered by his own people.[26] After that the followers of Maldras found themselves under the control of Frumarius, who was perhaps Maldras' brother.[27]

Back in July 458, Theoderic sent military commander (*dux*) Cyrila to Baetica, heading an army of Goths, but he probably did not achieve long lasting results as at the beginning of 459 he was recalled and replaced by Sunieric with a part of the army. The Roman *magister utriusque militiae* Nepotianus and the Gothic *comes* Sunieric sent envoys to Gallaecia in order to spread the news about the peace between the Goths and the Romans after the siege of Arelate [Arles]. Despite this, around Easter 460, in a surprise attack the Sueves killed the Roman governor of Lucus [Lugo] and several noblemen.[28]

The Sueves' attack of 460 is worth a closer look to analyse what impact the surviving Roman power structure had on the development of the Kingdom of the Suebi. According to Díaz Martínez, the incursions of the 5th century started a process in the Roman population of Hispania that for socio-economic reasons led to the irreversible disintegration of central power.[29] Although the strengthening Suevic Kingdom left less and less room for the aspirations of Roman power, the Suevic administrative system was not developed enough to create its own structure,[30] therefore after their conquests the Suebi simply took over the surviving Roman system tailoring it to their own needs.[31] In 460, Hydatius chronicles the murder of the Roman governor of Lucus although it is unlikely that based on earlier custom, this local office could still be gained by the appointment of Rome.[32] Even though the sources do not mention any Suevic laws, most scholars agree that the Suevic legal system had developed as a mix of Roman law and Germanic common law.[33] The Sueves were unable to quickly integrate into the local population not least because the majority of

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gess, based on the diverse courses of their lives and Hydatius' narrative style the two persons must be identical. (Burgess, *The Chronicle of Hydatius,* 130.) Then, however, the Goths' envoy of 463 cannot be identical with the earlier Remismund (Hyd. *chr.* 216.) as even Jordanes names him king (Iord. *get.* 234).

[25] Hyd. *chr*. 190–191; 193.

[26] Isid. *hist. Suev*. 88.

[27] Arias, *Identity and Interactions,* 22.

[28] Hyd. *chr*. 185; 188; 192; 194.

[29] P. C. Díaz Martínez, "City and Territory in Hispania in Late Antiquity," G. P. Brogiolo – N. Gauthier – N. Christie, Eds., *Towns and their Territories between Late Antiquity and the Early Middle Ages,* Leiden 2000, 19.

[30] Arias 2007, 50.

[31] Reinhart, *Historia General*, 64. This practice can be observed regarding the payment of taxes, among other things; cf. Thompson, *Romans and Barbarians*, 164.

[32] Díaz Martínez, *City and Territory*, 17.

[33] Arias, *Identity and Interactions,* 51.

Sueves insisted on Germanic common law while the Roman population still used the provisions of Roman law.[34] Hydatius' chronicle of 460 confirms our belief that the Sueves and the Romans indeed lived in separate communities even within one city.

Following the surprise attack on Lucus, Nepotianus shared his leadership with Sunieric in order to make the Suebi withdraw from their united front[35] as by this time supposedly no Roman military power was positioned in Hispania.[36] As part of the manoeuvre, the Gothic army sacked the Sueves living near Lucus, but three informers from Gallaecia – Dictynius, Spinio and Ascanius –, *adopting the tactic of duplicity*[37] created panic in the army and warned the Sueves of the planned attack of the Goths, who, thus betrayed, had no choice but to retreat. On the advice of the three informers, on 26 July the Suevic Frumarius took the city of Aquae Flaviae [Chaves], captured bishop Hydatius and ransacked the city's monastery including the neighbouring areas. At the same time Rechimund pillaged the area of Auregens [Orense] and Lucus,[38] while Sunieric took the city of Scallabis [Santarém][39] and in 461 returned to Gaul. Frumarius and Rechimund were in rivalry for the throne[40] but as Rechimund's political influence gradually waned, he was probably never able to gain the title of King of the Suebi.

In the months to follow, on several occasions the Romans and the Sueves held brief and just moderately successful peace talks: after an apparent agreement, the envoys sent by Theoderic quickly returned[41] and the envoys of the Suebi, referred to as *duplicitous pagans*,[42] did not linger at the Goths' much longer either. Still, in November, after being a prisoner for three months, contrary to the informers' intentions, Hydatius was released to return to the city of Aquae Flaviae.[43] Although Hydatius does not reveal why the informers wanted him out of the way and were against his release, what is known is that Hydatius had taken a firm stand for Roman interests, therefore in 460 Frumarius imprisoned him for a reason.[44] The activity of the three informers is a

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[34]  P. C. Díaz Martínez, "El Alcance de la Ocupación Sueva de Gallaecia y el Problema de la Germanización," in F. Bouza Álvarez, Ed., *Galicia: da Romanidade á Xermanización, Problemas Históricos e Culturais,* Santiago de Compostela 1993, 219.

[35]  Hyd. *chr*. 196; Isid. *hist. Goth.* 33.

[36]  Thompson, *Romans and Barbarians,* 181.

[37]  Hyd. *chr*. 196: *propriae venena perfidiae.*

[38]  Hyd. *chr*. 197; Isid. *hist. Suev.* 89.

[39]  Hyd. *chr*. 201.

[40]  Hyd. *chr*. 198; Isid. *hist. Suev.* 89.

[41]  Hyd. *chr*. 199–200.

[42]  Hyd. *chr*. 203: *gentis perfide.*

[43]  Hyd. *chr*. 202.

[44]  Some scholars claim that Balconius, bishop of Bracara [Braga] acted as Hydatius' counterpoint in that he took the Sueves' side in his effort to steer Roman-Sueve relations into a more peaceful direction; cf. C. Torres Rodríguez, *El Reino de los Suevos* (*Galicia Sueva*), La Coruña 1977, 93; Arias, *Identity and Interactions,* 53.

good example to show that amid the growing conflict between the Romans and the Sueves, there were still people in Gallaecia who took the Sueves' side.[45]

We next learn of the Sueves only in 463 when the envoys of the Romans and the Goths met those of the Sueves several times. First Theoderic sent the Visigoth Cyrila to them together with Palogorius, a nobleman from Gallaecia, who had met Rechimund's delegation on his way to Theoderic. The envoys were waiting in Lucus for Cyrila to return from Rechimund, but the Sueves, again, *in their duplicitous way broke their promise*[46] and, characteristically, took to ransacking various areas in Gallaecia. Theoderic then dispatched Cyrila along with a few Gothic envoys who had arrived earlier as well as Remismund,[47] who, according to Isidore, was Maldras' son[48] and had married a Visigoth woman and therefore lived in the court of Theodoric for a while. In the end, Cyrila stayed in Gallaecia and Remismund on a few occasions journeyed between Gallaecia and Gaul,[49] but when he returned to the Gothic king, a full-scale rebellion broke out between the Gallaecians and the Suebi.[50]

In 465, following Frumarius' death, on Theoderic's encouragement the Sueves chose Remismund as their ruler, whom some scholars mistakenly identify with Rechimund. It is still a matter of controversy, how significant was Frumarius' death in Remismund's ascent to the throne, since if Frumarius had controlled only part of the Suebi, in the beginning Remismund held sway over another part.[51] Nevertheless, after Frumarius' death Remismund, based on his *sovereignty*,[52] had all the Suebi under his control and renewed the peace that had since become invalid. By putting an end to the internal political rivalry, he had practically reunited the Suevic people, which had been split into rival factions for almost a decade.[53] In recognition of Remismund's power, Theoderic sent him not only weapons and gifts, but even his wife living in the Visigoth court.[54] With all this, the Visigoth leadership clearly recognised Remismund's power over the Suebi, however, most historians are of the opinion that Theoderic, by sending the Visigoth princess, was trying to gain control of the Suevic Kingdom.[55] Jordanes must be exaggerating when he claims that

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[45] Thompson, *Romans and Barbarians*, 171.
[46] Hyd. *chr*. 215: *promissionum suarum fallaces et perfidi.*
[47] Hyd. *chr*. 216.
[48] Isid. *hist. Goth*. 33.
[49] Thompson, *Romans and Barbarians*, 167.
[50] Hyd. *chr*. 216.
[51] Thompson, *Romans and Barbarians*, 167.
[52] Hyd. *chr*. 219; Isid. *hist. Suev*. 90: *regali iure.*
[53] H. Wolfram, *Die Goten. Von den Anfängen bis zur Mitte des Sechsten Jahrhunderts*, München 1990, 186.
[54] Hyd. *chr*. 222; Isid. *hist. Goth*. 33; *hist. Suev*. 90.
[55] Arias, *Identity and Interactions,* 23; M. Á. Diego Núñez–M. B. Béjar Trancón, "Reseña Histórica del Reino Suevo," in *Anuario: Instituto de Estudios Zamoranos Florián de Ocampo,* Zamora 1992, 604; Reinhart, *Historia General*, 51; Torres Rodríguez, *El Reino*, 175.

Theoderic permitted the Sueves to choose their own leader and this is how Remismund rose to power.[56] Following these events, the Sueves, deceitfully, attacked Conimbrica [Coimbra], attacked and robbed the noble Contaber's family, taking the mother and her sons prisoner.[57] Remismund twice dispatched envoys to the Visigoths, who, on their return, brought word about the death of Emperor Severus, which occurred on 14 November 465.[58]

Hydatius also mentions that it was at this time that Ajax, leader of the Gaulish Arians arrived at the Sueves and started spreading this *dangerous poison*,[59] the Arian faith among them. The Arian priest must have been conducting his missionary work with Remismund's approval since his efforts at conversion among the Suevic nobility were successful, what is more, according to Isidore, he infected the whole Suevic people with his teachings. Isidore also remarked that it was down to *Alax* that many later Suevic kings took the Arian faith until Theudimir converted them back to Catholicism and took measures to restore Church discipline in Gallaecia.[60] It is still debated, however, whether Ajax was of Gaulish, Greek or Gallaecian origin. Hydatus names him *Galata*,[61] which is not proven to refer to Gallaecian and Burgess translates it as *Greek* because the Greek authors used this word for the Celts who had settled in Anatolia. Arias also agrees with the assumption of Torres Rodríguez, namely that when Hydatius as a young child was in the East,[62] he could have encountered this form of reference. Ajax then may have been a Celt from Gaul, who may have been sent to the Sueves by Theodoric in order to further strengthen Visigoth influence.[63]

Remismund's steps of foreign policy indicate that Theoderic was unable to gain control of the area of the Suevic Kingdom, shown by the fact that the Sueves often launched attacks in opposition to his will. For instance, when in 465 the Sueves were plundering Aunona, even though Theoderic dispatched envoys to Remismund, they were turned away;[64] in 466 he sent Salla[65] or Sallanes[66] to negotiate with the Sueves, but by the time the envoy returned, Theoderic had been murdered by his brother Euric. The new king of the Visigoths wasted no time to send envoys to the Emperor and the Sueves, however, Remismund sent them back and dispatched his own people to enter into nego-

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56  Iord. *get*. 234.

57  Hyd. *chr*. 225. Judging from the detailed description, the attack could have been launched directly against Contaber and his family perhaps because Contaber had rebelled against Suevic rule; cf. Arias, *Identity and Interactions*, 65.

58  Hyd. *chr*. 226–227.

59  Hyd. *chr*. 228: *pestiferum virus*.

60  Isid. *hist. Suev*. 90–91.

61  Hyd. *chr*. 228: *natione Galata*.

62  Hyd. *chr. praef*. 4.

63  Arias, *Identity and Interactions*, 23; Torres Rodríguez, *El Reino*, 175.

64  Hyd. *chr*. 229.

65  Hyd. *chr*. 233.

66  Isid. *hist. Goth*. 33.

tiations with the Romans, Vandals and Goths,[67] which could be indicative of the deteriorating relations between the Sueves and the Goths. Remismund probably took advantage of the situation to gain greater independence after Theoderic's death.[68]

In 467, after another sacking of Aunona, one of the leaders of the Goths, Opilio, heading a considerable entourage, left Aunona to seek Euric's assistance in the fight against the Suebi. Following the recall of the Suevic envoys, Remismund's troops, characteristically for the purpose of looting went to Lusitania and completely forgetting about the peace agreements, wreaked havoc in Conimbrica: the houses were looted, the walls were demolished, part of the population was killed and the rest taken prisoner, the whole area was left behind without a living soul.[69] If we are to believe Arias' claim that the Sueves' campaign in Conimbrica was possibly a follow-up after the events of 465,[70] then in the two years that had passed the Gallaecians rebelling against the Sueves may have gathered strength as action of this magnitude would only be justified if taken to restore order.

Some of the Goths joined the Sueves in 468 and after the Sueves, as a result of Magistrate Lusidius' treachery, took Ulixippona, the arriving Goths started looting among the Sueves and the Romans.[71] According to Isidore, owing to the earlier peace deal, the city was unprepared for a potential attack, thus the Magistrate surrendered the city without resistance.[72] Supposedly, Lusidius' treachery is another example that some of the Gallaecians took sides with the Sueves. This is further supported by what Hydatius chronicles, namely that the residents of Aunona made peace with the Sueves,[73] which could also be viewed as a closure to a long process. Aunona had indeed been plundered by Remismund since 465, but its residents constantly resisted him and rose up against the conquering intentions of the Sueves with varying degrees of success.[74] The peace deal struck in 468 was one honoured even by the Sueves unlike earlier ones made with the Gallaecians, which they regularly broke.

After this, Remismund plunged himself into looting in the area of Asturica [Astorga] and plundered some parts of Lusitania. The Goths reacted with similar action in the area perhaps with the objective to counterbalance the Suevic campaigns, however, in the sources there is no mention of clashes between Suevic and Visigoth forces. Consequently, the Sueves completely broke off diplomatic ties with the Visigoths while with Emperor Leo they entered into

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[67] Hyd. *chr*. 234.
[68] Arias, *Identity and Interactions,* 23.
[69] Hyd. *chr*. 235–237.
[70] Arias, *Identity and Interactions,* 65.
[71] Hyd. *chr*. 239–240.
[72] Isid. *hist. Suev*. 90.
[73] Hyd. *chr*. 243.
[74] Arias, *Identity and Interactions,* 65.

negotiations mediated by Lusidius.[75] This is the last entry in Hydatius's *Chronica* relating to the Sueves.

One of the main objectives of Remismund's foreign policy may have been to bring the territories lost to Theoderic's attack under Suevic control again. His other campaigns were aimed at the rebellious Gallaecians, who endeavoured to withstand Remismund's growing power.[76]

As Hydatius' records stopped in 468, we do not know exactly what happened to Remismund, but many scholars have come to the conclusion that the leaders of the Gallaecians gradually accepted Suevic rule[77] owing to the fact that with his successful foreign policy Remismund was able to stabilise the Suevic Kingdom after the defeat of 456. It is unlikely that in the dark period after 468 anything significant could have happened since no source relates such developments. If we accept that by the end of Remismund's reign relations between the Suebi and the Gallaecians had settled, in the forthcoming long and uneventful period their relations could even have improved.[78] Although Remismund supported Arian Christianity, apart from this the integration of the Suebi could have increased in the period to come.[79]

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[75] Hyd. *chr*. 243–245.

[76] Arias, *Identity and Interactions,* 66.

[77] Díaz Martínez, *City and Territory*, 21; Diego Núñez–Béjar Trancón, *Reseña Histórica*, 606–607.

[78] Arias, *Identity and Interactions,* 66.

[79] Torres Rodríguez, *El Reino*, 193.

# The Use of Religious Themes in the Satires of Kṣemendra

GYÖRGY ZENTAI

The 11ᵗʰ-century Kashmiri writer-poet-literary critic Kṣemendra (circa 990–after 1066) left an imposingly vast oeuvre to posterity,[1] notable not only for the sheer number of works, but also the diversity of its genres. At the same time, virtually every extant piece of this colourful life work demonstrates an explicit intent to educate, in addition to entertaining its audience, offering help to the reader in everyday matters by guidance and example along the lines of the author's beliefs.

Kṣemendra employs a variety of tools to achieve these results, depending on the subject and genre of the given text. In his poetics (*Aucityavicāracarcā, Kavikaṇṭhābharaṇa, Suvṛttatilaka*) instruction and illustration dominate: in these works he uses examples—from his own poetry and that of others—to illustrate what makes a literary work valuable or worthless, or what values and character traits must be learned on the path to becoming a poet. In these didactic works he gives guidance and useful practical advice to his readers primarily on the themes of *artha* and *dharma*.

The primary instrument of education and guidance in Kṣemendra's most popular works, the one's that have occupied the centre of attention, is satire: the author good humouredly pillories individuals, and ridicules various negative character traits or phenomena. His humour is often not just sharp and mocking, but also takes the form of coarse language, which Kṣemendra is himself conscious of. In his introduction to the *Deśopadeśa* he even notes, as a sort of caution, that his work "is by no means for those who have been sullied, even a little, by the illusory vice of hypocrisy."[2]

One of the identifiers of the free-spirited criticism typical of Kṣemendra is that it frequently plays on a religious theme, levelled indirectly or point blank at certain religious practices, or the either assumed or real religiousness of par-

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[1]  See the complete summary of Kṣemendra's extant and lost works in L. Sternbach, *Unknown Verses Attributed to Kṣemendra,* Lucknow 1979.

[2]  *Deśopadeśa,* 1.3ab.: "*ye dambhamāyāmayadoṣaleśaliptā na me tān prati ko 'pi yatnaḥ*".

ticular individuals. The satirical depiction of religious themes is important, not only because of the information they pass on to us about society and certain religious practices and phenomena in Kashmir at the time of Kṣemendra, but also because of the insight we are given into the author's own religiousness and world view.

Our knowledge about Kṣemendra's religiousness, along with other biographical details are based on his own works, and the introduction written by his son Somendra to the *Avadānakalpalatā*. Kṣemendra was born in a *Śaiva* family—his father, Prakāśendra, was a fervent devotee of God Śiva, erecting statues and generously supporting the priests—and was early reared in this spirit. His famous teacher, Abhinavagupta was also a *Śaiva*. Later however, under the influence of another one of his teachers, Somapāda he became a *Vaiṣṇava*, and called himself Vyāsadāsa, the disciple of Vyāsa in his works. This change plays a fundamental role in the germination of Kṣemendra's final work about the acts of Viṣṇu in his ten *avatars*, the *Daśāvatāracarita*, which he wrote at the end of his life. This work is not only interesting from a *Vaiṣṇava* perspective, but also because this is the earliest known writing in which the Buddha appears as an *avatāra* of Viṣṇu. The *jātaka* collection composed of 108 chapters telling the stories of the former lives of the Buddha, entitled *Avadānakalpalatā*, is a fruit of Kṣemendra's interest in Buddhism.[3] This work, written upon the request of his paternal friend and pupil Sajjānanda, and with the help of a monk called Vīryabhadra, was later also translated into Tibetan, and given as a gift to the abbot of the Sakya order, Sakya Pandita, in 1202. Kṣemendra's interest in Buddhism did not however mean another shift, since his final work, mentioned above, the *Daśāvatāracarita* was plainly written in a *Vaiṣṇava* spirit.

On the basis of biographical data, it can therefore be established that Kṣemendra was also open and curious in the sphere of religion, acceding to the influence of some of his teachers.

In Kṣemendra's satirical works,[4] it is possible to essentially differentiate between three forms he used to present phenomena related to religion in a critical light, which can be described as follows:

1. Zealous religiousness as disguise to cover over sinful, immoral activities.

2. Censure of the immorality of individual gurus and masters.

3. Religion as a tool to deceive others, abuse their ignorance and superstition.

Though there are no distinctive borders between the above categories, in fact they are often found to overlap, a few examples to demonstrate each category are given below.

The first theme is most spectacularly at work in the book, *Narmamālā*. *Narmamālā* pillories the deceitful, immoral nature and customs of the *kāyastha*s—the caste serving as court bureaucrats, officials, scribes—, and through them

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[3] The last chapter is the work of Kṣemendra's son, Somendra.
[4] *Kalāvilāsa, Samayamātṛkā, Narmamālā* and *Deśopadeśa*.

describes the general moral decline of the era. As depicted in Kṣemendra's work, as soon as the *kāyastha* secures a position he uses it solely to further his own economic interests, and so under the "reign" of the *kāyastha*s the kingdom breaks down and disintegrates. Their common feature is that in order to camouflage all these activities they show themselves as zealously religious individuals. Once by virtue of his hypocritical behaviour he rose from the position of village administrator (*grāmaniyoga*) and was appointed *gṛhakṛtyādhipati*,[5] the *kāyastha* surrounded himself with hundreds of servants and hypocritically showed continuous sacrificial offerings to Śiva, reading hymns with teary eyes.[6] The religious camouflage served worldly goals however: the fleecing of subjects, grabbing the wealth, lands, and revenues of the temples at all costs, even if it meant overturning, flouting traditional religious values.

In the introduction to *Narmamālā*, Kṣemendra compares King Ananta (1028–1063) — who ended the reign of corrupt officials — to God Viṣṇu, and the *kāyastha* to Śiva, through a witty play on words.[7] In Baldissera's opinion[8] the author may here be reflecting on his own switch (from *Śaiva* to *Vaiṣṇava*), but this is not imperative. A comparison of the ideal ruler to Viṣṇu seems only natural, and so does that of a *kāyastha* to Śiva, the "destroyer of three cities", especially considering the possibilities to be exploited in the use of *samāsokti* (concise speech) and *śleṣa* (pun, words with double meaning): through the positions they filled they could acquire power that enabled them to ruin the whole country.

The theme of immoral gurus and teachers frequently finds expression in Kṣemendra's satires. In the second part of *Narmamālā* at first (33–36) a *maṭhadaiśika*[9] appears, with designs on the wife of the *kāyastha*, and finds employ as a teacher to his children in order to seduce the woman. Being successful, the woman no longer desires her husband, so when he returns, she pretends to be ill.

For a solution, the *kāyastha* — originally a Buddhist, then a *Vaiṣṇava* and later a *Śaiva* (now a *niyogin*, i.e. official) — turns to his personal master, a guru who also follows the tantric school of *śaivism*, for a sacrifice to be shown for his wife's health. Verses 100–116 give a graphic portrait of the guru. Kṣemendra

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5   A kind of court official, internal minister. See *Rājataraṅgiṇī*, 6.166.

6   *Narmamālā*, 1.38.

7   *Narmamālā*, 1.7b. The line *utpattisthitisaṁhārakāriṇe purahāriṇe* can have various readings, for example: "[Obeisance] to Śiva, the creator, preserver and destroyer", or "[Obeisance] to the sacker of cities, the gatherer of material profit and high rank".

8   F. Baldissera, *The Narmamālā of Kṣemendra. Critical Edition, Study and Translation*. [Beiträge zur Südasienforschung. Südasien-Institut Universität Heidelberg], Würzburg 2005, 39.

9   A monk or guru living in a *maṭha*, i.e. the monastery belonging to a *Śaiva* temple. On the interchangeability of the words *daiśika* (relating to or originating from a particular place or country) and *deśika* (spiritual leader, master, guru) see Baldissera, *The Narmamālā*, 78.

describes the figure to be large of build and revolting in appearance (his size similar to that of a *rākṣasa*, mouth like the sexual organ of a cow), but the parts dealing with his character, in fitting with his appearance,  are the most eloquent: the guru is imperious, hypocritical, and avaricious,[10] deprives the man of his estate and his wife,[11] guzzles alcohol,[12] with his mind completely blinded by drunkenness and ignorance.[13]

In the eight chapters of the *Deśopadeśá* the author presents and caricatures a variety of everyday figures and their negative character traits. In the final, eighth chapter of this work a shorter section can be found (Chapter 8, verses 2–4), with a similar description of a guru as that in the *Narmamālā*, repeating many of the adjectives: the figure is full of passion and hatred, avaricious, ignorant and hypocritical, and moreover he seduces the wives of his students.[14] The initiation ceremony serves no other purpose than to strip his followers of their money. Like in verse 112 of Chapter 2 in the *Narmamālā*, Kṣemendra plays with the various meanings of the word guru (heavy, large, excessive, important, respectable, master) in the 2nd verse of Chapter 8 of the *Deśopadeśa*, making the difference between the expected and actual character of the given person tangible by these means.[15] However the guru is not only characterized by his own personal traits, but also who his followers are: each and every one of them the kind who seeks to exploit religion towards covering a worldly, sinful, or immoral act. As in the *Narmamālā*, an official also appears here among the disciples, and though he has stolen all the belongings of the gods (i.e. temples), Brahmins, cities large and small, villages, and stations of herdsmen, he is still ready to rob more, and so turns to the guru,[16] while also among the characters is a married woman cheating on her husband with the guru.[17]

We come across the character of the dissipated *Śaiva* monk in one of the scenes of *Samayamātṛkā* as well; here he wakes to the first crow of the cock and scurries from the house of the courtesan back to the *maṭha* on the backstreets, carefully avoiding the mainstreet.[18]

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[10]  *Narmamālā*, 2.102.

[11]  *Narmamālā*, 2.103.

[12]  *Narmamālā*, 2.107.

[13]  *Narmamālā*, 2.111.

[14]  *Deśopadeśa*, 8.3., literally *śiṣyavadhūnāṁ sadā gururgaditaḥ*, or "he is always being rumoured to be the guru of the wives of [his] pupils".

[15]   *Narmamālā*, 2.112: *guruścitraṁ sarvaguruḥ śivoditamahāśikṣāsu nityaṁ laghuḥ* – "it is strange that the master (guru) is heavy (eminent, ponderous) in all ways, but always [found to be] light in the great teachings uttered by Śiva". *Deśopadeśa*, 8.3.: *gurumapi lāghavahetuṁ* – this part of the sentence can be translated in two ways: "[Obeisance to him, who] though large, heavy/master, is still the cause of lightness/insignificance".

[16]   *Deśopadeśa*, 8.5.

[17]   *Deśopadeśa*, 8.8.

[18]   *Samayamātṛkā*, 6.9.

The *Samayamātṛkā* offers numerous more examples of the third theme, especially in Chapter 2, which describes the adventures of the bawd Kaṅkālī. Kaṅkālī's whole life story spins around misleading and deceiving gullible, ignorant, superstitious people, and one of the most common tools in this activity is feigned religiousness, the exploitation of religious appearances. In the course of her life the woman travelled throughout Kashmir taking up innumerable names and identities, deluding and looting dozens of people along the way.

In verse 43 of Chapter 2, after having defrauded her lover, an official, of all his belongings, she finds refuge in a *śākta maṭha*. Later (Ch. 2, v. 61), she settles in a Buddhist monastery as a nun under the name of Vajraghaṇṭā, and for income she sells a variety of talismans to ignorant people, giving lessons in sinful artifice to women of good families, teaching courtesans how to find clients, and merchants how they can multiply their wealth, gaining great respect among people by this means.

On another occasion (Ch. 2, v. 85) she calls herself Bhāvasiddhi, and utters no word apart from "Make offerings!". Later, as Kumbhādevī (Ch. 2, v. 86), she begins to walk naked, surrounded by dogs, and finds followers by this means.[19] She is approached by a minister called Kuladāsa, who asks for initiation by her, but the woman ditches him after stealing the silver bowl meant to be used for the ceremony.

Kaṅkālī later leaves Kashmir, and crops up around various parts of India, once posing as a Brahmin woman, once as an adept of yoga, an ascetic, or a pilgrim, to win the trust of gullible people.

These examples illustrate the way religious motives often appear in Kṣemendra's satires as one of the tools of social critique. The author does not criticise religion itself, only particular phenomena associated with it, which he himself considers deviations, similarly to the individuals who use religion to fool others in the course of their sinful activities. But the victims of these frauds cannot count on the sympathy of the author either: it soon turns out that they are the victims primarily of their own gullibility, ignorance, greed, or immorality, and therefore do not differ greatly from the frauds. The character portraits are often distinguished by biting scorn, which displays splendidly how clearly he disassociates himself from his characters. His perhaps most exact formulation of his position is given at the beginning of the *Kalāvilāsa*'s Chapter 10:

"One should know the tricks of the fraudsters, but should not pursue them himself;

the wise desire virtuous arts to ensure their own wellbeing."[20]

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[19]  On the possible meanings of the name Kumbhādevī see Gy. Wojtilla, Notes on popular Saivism and Tantra in eleventh century Kashmir. In: Ligeti L (ed.) *Tibetan and Buddhist Studies commemorating the 200th anniversaryof the birth of Alexander Csoma de Kőrös*, Budapest 1984, 381-389.

[20]  *Kalāvilāsa*, 10.1.: *etā vañcakamāyā vijñeyā na tu punaḥ svayaṁ sevyāḥ / dharmyaḥ kalākalpo viduṣāmayam īpsito bhūtyaiḥ.*

In the case of the religious motives that appear in the satires, the predominance of *Śaiva* tantric movements is plainly apparent. The negative figures and phenomena are associated with this movement in an overwhelming majority of the cases, they are the targets of the writing that takes an often witty, at other times sarcastic, even at times antagonistic tone. These factors are worthy of attention, because in the era in which Kṣemendra was writing, besides *śaivism*, *vaiṣṇavism*, Buddhism also flourished in Kashmir. Though the biographical data available on the author makes it clear that he had himself become a *Vaiṣṇava* after having been a *Śaiva*, this in itself cannot suffice as explanation for the mentioned imbalance. It seems more likely that Kṣemendra expressly rejected the flagrant and shocking practices, irreconcilable with a traditionally conceived religiousness, of the so called "left handed" tantra, and that the unusual features of this religious practice simply fit the genre of satire perfectly. For though the author emphasises the didactic character of satire in his introduction to the *Deśopadeśa* ("A person shamed by laughter will not commit sins thereafter; I have made this effort for their benefit"[21]), as Michael Straube aptly noted, "in reading his satires one gets the strong impression that he—far from being a dry moralist—also had a good deal of pleasure in composing them."[22]

While we may not come to know the author's inner motivations exactly, a further, more thorough analysis of his satires may play an extremely important role in extending our knowledge on the popular religiousness of Kashmir in his days—the way in which the various *Śaiva*, *Vaiṣṇava*, or Buddhist teachings and traditions were reflected in the lives of everyday people belonging to different social layers.

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[21] *Deśopadeśa*, 1.4.: *hāsena lajjito 'tyantaṁ na doṣeṣu pravartate / janastadupakārāya mamāyaṁ svayamudyamaḥ*.

[22] M. Straube, "Remarks on a New Edition and Translation of Kṣemendra's Narmamālā," *Indo-Iranian Journal*, 49 (2006), 163.

# *The Use of the Donation of Constantine in Late-Eleventh-Century Byzantium: the Case of Leo Metropolitan bishop of Chalcedon[1]*

PÉTER BARA



This paper invites the reader to take part in an *oneirokrisia*, that is, dream-interpretation. This study aims at analysing and contextualising a dream which survived amongst the documents of a religious controversy, the so-called "Komnenian iconoclast debate" whose protagonist was Leo, metropolitan bishop of Chalcedon († after 1094), and which took place between 1081 and 1094. Furthermore, this investigation also contributes to the understanding of the changing nature of episcopal office during the early Komnenian epoch. After introductory remarks on the church history of the early Komnenian period and on the Komnenian iconoclast controversy, I examine the textual tradition, dating, the genre, and the message of the dream. After this I attempt to find the context in which the dream fulfilled its function. In the dream Leo of Chalcedon is portrayed as a powerful prelate wearing imperial clothes. This representation was presumably influenced by the model of the late antique *Constitutum Constantini* which constituted an element in the armoury of both the pope of Rome and the patriarch of Constantinople during the eleventh century. As a result of the analysis I claim that the career of Leo of Chalcedon presented an episcopal paradigm which was rejected during the Komnenian

era.

The reign of Alexios I Komnenos (r. 1081–1118) was a period of transition and transformation with respect to the Byzantine church.[2] The church policy of Alexios I can be assessed as interventionist. The emperor's measures were triggered by his personal religious zeal and by the practical reason to reassert his rights over the church. Alexios' accession to the throne entailed the repression of philosophy. Michael Psellos and his circle was pushed aside with the trial of John Italos in 1082 and the new Komnenian regime favoured the clergy, which was entrusted with teaching and became the dominant force in the intellectual life of the empire by the first half of the twelfth century. The "Komnenian orthodoxy" was characterised by an outstanding number of heresy trials, a centrally-favoured interest in patristic theology, the promotion of monasticism, a centralizing administrative reform, the support of the patriarchal clergy of the Hagia Sophia, and the decreasing importance of the episcopal synod. As a result of these governmental attitudes new patterns arose with regard to the episcopal office. As Michael Angold argued,

> "The old guard appointed before Alexius came to power was dying off. The emperor was able to influence appointments so that they were more to his liking. There was opposition from the metropolitan bishops. […] It was the emperor's intention to get members of the patriarchal clergy on to the episcopal bench, the better to control synod. The emperor presented service in the patriarchal church as a stepping stone to the episcopate. In the long term this aim was realised. Increasingly the most prestigious sees went to members of the patriarchal clergy."[3]

The "new bishops" were characterised by "high degree of metropolitan refinement and wordly sophistication with a conscientious devotion to duty."[4] The careers of Michael Italikos, George Tornikes, Eustathios of Thessalonike, and Michael Choniates might be seen as result of early Komnenian church

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[2]  On Alexios I's religious politics, see most recently: É. Malamut, *Alexis Ier Comnène,* Paris 2007, 191–354; M. Angold, *Church and Society under the Comneni 1081–1261,* Cambridge 1995, 45–72. Overviews on the intellectual milieu during Alexios' reign, see: M. Mullett, *Theophylact of Ochrid: Reading the Letters of a Byzantine Archbhishop,* London 1997, 69–78; P. Frankopan, "The Literary, Cultural, and Political Context for the Twelfth-Century Commentary on the *Nicomachean Ethics,*" in B. Charles – D. Jenkins, eds., *Medieval Greek Commentaries on the Nicomachean Ethics*, Leiden 2007, 45–63; A. Kaldellis, "Classical Scholarship in Twelfth-Century Byzantium," in B. Charles – D. Jenkins, eds., *Medieval Greek Commentaries on the Nicomachean Ethics*, Leiden 2007, 1–45; R. Morris, *Monks and Laymen in Byzantium, 843–1118*, Cambridge 2009, 267–295.

[3]  M. Angold, *Church and Society*, 58.

[4]  P. Magdalino, "The Byzantine Holy Man in the Twelfth Century," in S. Hackel, ed., *The Byzantine Saint*, London 1981, 65.

policy.[5] If one labels these clergymen as the "new" bishops of the Komnenian epoch, there must be also the "old guard" which was replaced by the new. The analysis of the dream-description under consideration sheds light on some characteristics of the "old guard" to illustrate the nature of the change and transition taking place during the reign of Alexios I and John II Komnenos (r. 1118–1140).

Leo of Chalcedon was a leading figure of the so-called "Komnenian icono-clasm" opposing the religious politics of Alexios I Komnenos.[6] The prelate was member of the episcopal bench appointed before Alexios' accession. When Alexios I alienated sacred objects of churches and monasteries in order to be able to pay his mercenaries against the Normans in 1081, Leo entered into an open conflict with the new imperial policy. He publicly criticized the reigning family and its policy, and demanded Patriarch Eustratios Garidas' abdication who was an appointee of the Komnenoi. Finally, Garidas renounced his throne, but this did not satisfy Leo who subsequently turned against those members of

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[5] On the question of continuity from the early to the later Komnenian period with respect to scriptural *didaskaloi*, see: P. Magdalino, "The Reform Edict of 1107," in M. Mullett – D. Smythe, eds., *Alexios I* Komnenos, Belfast 1996, 213–215.

[6] The notion has been introduced by A. W. Carr, "Leo of Chalcedon and the Icons," in D. Mouriki, ed., *Byzantine East, Latin West: Art Historical Studies in Honor of Kurt Weitzmann*, Princeton 1995, 579. Victoria Gerhold (V. Gerhold, "Le 'mouvement' chalcédonien: opposition ecclésiastique et aristocratique sous le règne d'Alexis Comnène (1081-1094)," *Erytheia* 33 (2012), 87) also applied the term "Chalcedonian controversy," but I prefer the former in order to avoid the confusion with the fifth-century synod and the debates following it.

On the Komnenian iconoclasm, see: I. Sakkélion, "Decrét d'Alexis Comnène portant deposition de Léon, Metropolitain de Chalcédoine," *BCH* 2 (1878), 102–128; A. Lauriotes, "Ἱστορικὸν ζήτημα ἐκκλησιαστικὸν ἐπὶ τῆς βασιλείας Ἀλεξίου Κομνηνοῦ," *Ἐκκλησιαστικὴ Ἀλήθεια* 10, No. 36, (1900), 403–407; 10, No. 37 (1900), 411–416; V. Grumel, "L'affaire de Léon de Chalcédoine. Le décret ou 'semeioma' d'Alexis Ier Comnène (1086)," *EO* 39 (1940), 333–341; P. Stephanou, "Le procès de Léon de Chalcédoine," *OCP* 9 (1943), 5–64; V. Grumel, "L' affaire de Léon de Chalcédoine. Le chrysobulle d' Alexis Ier sur les objets sacrés," *EB* 2 (1944), 126–133; V. Grumel, "Les documents athonites concernant l'affaire de Léon de Chelcédoine," *Studi e Testi* 123 (1946), 116–135; P. Stephanou, "La doctrine de Léon de Chalcédoine et de ses adversaires sur les images," *OCP* 12 (1946), 177–199; V. Grumel, "Léon de Chalcédoine et le canon de la fête du saint Mandilion," *AB* 68= Mélanges Paul Peeters, II., Bruxelles 1950, 135–152; P. Gautier, "Le synode des Blachernes (fin 1094). Étude prosopographique," *REB* 29 (1971), 213–284. A. Glavinas, *Ἡ ἐπὶ Ἀλεξίου Κομνηνοῦ (1081-1118) περὶ ἱερῶν σκευῶν, κειμηλίων καὶ ἁγίων εἰκόνων ἔρις (1081-1095)*, Thessalonike 1972; J. P. Thomas, *Private religious foundations in the Byzantine Empire,* Washington D. C. 1987, 192–207; M. Angold, *Church and Society under the Comneni 1081–1261,* Cambridge 1995, 46–50; A. W. Carr, "Leo of Chalcedon and the icons," in D. Mouriki, ed., *Byzantine East, Latin West: Art historical studies in honor of Kurt Weitzmann*, Princeton 1995, 579–601; V. Gerhold, "Le 'mouvement' chalcédonien: opposition ecclésiastique et aristocratique sous le règne d'Alexis Comnène (1081-1094)," *Erytheia* 33, 2012, 87–104.

the permanent synod who had not sided with him previously. As a consequence, the permenant synod censured him with the charge of insubordination in 1086. During the same year, Leo labelled his secular and ecclesiastical opponents as iconoclasts. After the second confiscation of church property, following the Pecheneg invasion in 1087, Leo renewed his opposition. The bishop lost his see and was sent into exile to Sozopolis at the Black See at the end of 1087. From the period of Leo's exile a couple of letters survived.[7] In his letter to his nephew, Nikolaos, Leo explained in detail his theory of icons.[8] The letter's content came to light which initiated the synod held in the Blachernai-palace in 1094. Leo admitted his doctrinal error and was restored to his bishopric.

Together with the metropolitan's correspondence a short dream-description also survived.[9] One of the priests of the Hagia Sophia, called Thomas, had a dream in which he saw Leo of Chalcedon in the church of Saint Euphemia wearing an imperial outfit. Thomas' dream was preserved to posterity in the manuscript No. 139 of the Great Lavra in Mount Athos. The codex, which was truncated at the beginning and the end, includes homilies and letters of prelates from Late Antiquity to the Komnenian period such as Gregory of Nyssa, Michael Keroullarios, Eustratios of Nikaia, Leo of Chalcedon, and others.[10] The manuscript is dated to the thirteenth century, and it consists of 149 folios from which f. 33–f. 84 contain documents concerning Leo's case.[11] The texts were published in 1900 by the Athonite monk Alexander E. Lauriotes, who also described the manuscript.[12] The text of the scenario is as follows:

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[7] Four letters were written by the metropolitan, his nephew's, Nikolaos' letter to Leo, and Basil, metropolitan of Euchaita's letter to Isaac Komnenos the *sebastokrator*, see: A. Lauriotes, "Ἱστορικὸν ζήτημα," 403–407, 411–416.

[8] *Letter to Nikolaos of Hadrianople*, A. Lauriotes, "Ἱστορικὸν ζήτημα," 414–416.

[9] A. Lauriotes, "Ἱστορικὸν ζήτημα," 404. With regard to the order of the manuscript, see: V. Grumel, "Les documents athonites," 118.

[10] I cannot identify any additional pattern according to which the authors in the manuscript were selected.

[11] V. Grumel, "Les documents athonites," 116.

[12] A. Lauriotes, "Ἀναγραφὴ χειρογράφου τεύχους τῆς ἐν Ἄθῳ ἱερᾶς μονῆς Μεγίστης Λαύρας," *Ἐκκλησιαστικὴ Ἀλήθεια* 2, No. 16 (1886), 168–172.

| t | διήγησις ἑνὸς θαύματος |
|---|---|
| | τις τῶν ἱερέων τῆς τοῦ Θεοῦ Μεγάλης Ἐκκλησίας Θωμᾶς καλούμενος εἶδε τὴν παροῦσαν ὅρασιν[a] ἐκ τρίτου[b] καθ᾽ὕπνὸν. ἐθεάσατο γὰρ τὸν θεοφιλέστατον μητροπολίτην Χαλχηδόνος ἔσωθεν τοῦ ναοῦ τῆς πανευφήμου μάρτυρος τῆς Εὐφημίας βασιλικὴν στολὴν περιβαλλόμενον καὶ περὶ τὴν κεφαλὴν αὐτοῦ ἐπιτιθέντα μέγιστον χρυσοῦν φακιόλιον,[c] καὶ οἷα **5** περ εἰκὸς ἐκπλαγεὶς μετ᾽αἰδοῦς πολλῆς καὶ συστολῆς ἐφθέγξατο πρὸς αὐτόν· τί τοῦτο δέσποτά μου ὅπερ θεωρῶ σε διαπραττόμενον; οὐ δέδοικας μή τινες ἐξερχόμενόν σε ἰδόντες κατείπωσί σου πρὸς τὸν βασιλέα; ὁ δὲ ἱλαρῷ τῷ προσώπῳ χαριέντως οὕτως πρὸς αὐτὸν ἀντεφθέγξατο ὅτι ὥσπερ ὁ πρώταθλος καὶ πρωταγωνιστὴς[d] τιμὴν ἔχει πλείονα τῶν συνδούλων,[e] οὕτως ὁ νήφων εἰς τὸ τοῦ Θεοῦ ἔργον.[f] καὶ πως παρρησιασμένως ἐλέγχων τοὺς *10* ἀνομοῦντας, οἷά τις *μάχαιρα δίστομος*,[g] τοιαύτην παρὰ Θεοῦ στολὴν τιμῆς ἀμφιέννυται. ταῦτ᾽οὖν ἀκούσας ὁ εὐλαβὴς ἱερεύς· οὐδὲν ἕτερον τοῖς εἰρημένοις τροστίθησιν ἤ τοῦτο μετὰ θαύματος ἐξειπών· ὦ *βασίλειον ἱεράτευμα.*[h] |
| *a Jl* 2, 28 (LXX); *Act* 2,17 | *b Mt* 26, 44 | *c Acta Pilati* A. 1,2.; Bas. Caes. *hist. myst.* 19. Pall. *hist. laus.* (*PG* 34 1009B); *Acta Petri et Pauli* 80b; J. Malalas *Chronica* 18 (*PG* 669 B); Phot. *lex.* κ, p. 167[7] |
| *d* Sokrates *hist. eccl.* 5, 25, 13 | *e* 1 *Col* 7, 2: καθὼς ἐμάθε ἀπὸ Ἐπαφρᾶ τοῦ […] συνδούλου ἡμῶν ὅς ἐστιν [...] διάκονος; Ef 2, 1; ἀδέλφοι καὶ σύνδουλοι Clement of Alexandria *Letter 17* (*PG* 2 53 A) | |
| *f Apophthegmata Patrum* (*PG* 65 101 A): νήφων εἰς τὰ ἔργα | *g Heb* 4, 12 | *h* 1 *Pet* 2 |

Account of a miracle

One of the priests of God's Great Church called Thomas saw a vision appearing three times in his dream. He saw the much-God-beloved metropolitan of Chalcedon in the nave of the [church] of the all-adored martyr Euphemia.[13] The metropolitan wore an imperial robe and a great golden headband on his head. Thomas struck by the respect he felt, **5** asked him abasing, "How is it possible, my lord, that I see you, who was brought to ruin? Do not you fear lest some will report you to the emperor, if they see that you came here?" But the metropolitan joyfully replied to him with a happy

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13 The central church of Chalcedon was dedicated to martyr Euphemia which housed the Council of Chalcedon in 451. The shrine was the place of the annual blood-exuding miracle of Euphemia. During the Persian invasion the city was occupied and the body was translated to Constantinople. The remnants were positioned in the palace of Antiochos near the Hippodrome which was turned into a church. The relics survived the iconoclastic period in Lemnos, afterwards were returned to the refurbished church which survived until the end of the empire. This church was under the supervision of the metropolitan of Chalcedon serving as a basis for Leo's Constantinopolitan activities who regularly visited the capital. See: C. Mango, s. v. Euphemia, Church of Saint, A. P. Kazhdan *et al.*, eds., *Oxford Dictionary of Byzantium* 2, Oxford–New York 1991, 747; M. Angold, *Church and Society*, 58.

face that as the winner and the protagonist is more honoured than his fellow servants,[14] so the one who is sober in the work for God. And if one accuses those breaking the law[15] speaking against them openly in any way, as a two-edged sword, he will be vested by God with such an honourable outfit. **10** After hearing such words the pious priest did not put forward anything, but this with great reverence, "O royal priesthood."

Thomas addressed Leo as a prelate who "was brought to ruin" (διαπραττόμενον). In the next sentence Thomas stated that Leo had been banned from Constantinople, thus it is plausible to contextualize the dream to the period of Leo's exile, that is after 1087. While the controversy was settled by the Blachernai-synod, held in 1094, it seems reasonable to suggest that the dream-description circulated during the banishment of the prelate.

Thomas' dream is not a typical everyday dream contained in dreambooks, but rather a hagiographical account with political agenda.[16] The *lemma* of Thomas' dream says that it is an account of a miracle (διήγησις ἑνὸς θαύματος). The text rather describes a vision in a dream (ὄρασις καθ᾽ὕπνὸν). Similar hagiographical dreams and visions from the early Komnenian period were documented in the *Alexiad* and in the *Life of Cyril Phileotes*.[17] Both sources favoured the Komnenian regime and were put to parchment in the twelfth cen-

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[14]  The word fellow servant (σύνδουλος) is a synonym for Christian, and also signifies servants of the church (as deacons etc), see: σύνδουλος, G. Lampe, ed., *A Patristic Greek Lexicon*, Oxford 2009, 1313. In the context of the Komnenian iconoclasm in which Leo acted as porte-parole of the church, the word "fellow servant" may refer to other church officials, among whom Leo stood out.

[15]  People "breaking the law" here refers to Alexios I, and the governing elite who devised the alienation of church property. Leo labeled the expropriation as "injustice" (ἀδικία) in his *Letter to Alexios I* written in 1083, A. Lauriotes, "᾽Ιστορικὸν ζήτημα," 403.

[16]  Some samples from the literature on dream-interpretation in Byzantium as starting points: M. Oberhelman, *The Oneirocritic Literature of the Late Roman and Byzantine Eras of Greece: Manuscript Studies, Translations and Commentaries to the Dream-Books of Greece During the First Millenium A. D., with Greek and English Catalogues of the Dream-Symbols and with a Discussion of Greek Oneiromancy from Homer to Manuel the Palaiologian,* PhD diss., Michigan 1981; G. Calofonos, "Dream Interpretation: A Byzantinist Superstition?" *BMGS* 9 (1984-85), 215–220; M. Mavroudi, *A Byzantine Book on Dream Interpretation: The Oneirocriticon of Achmet and its Arabic Sources,* Leiden 2002; M. Oberhelman, *Dreambooks in Byzantium: Six Oneirocritica in Translation, with Commentary and Introduction,* Farnham 2008; M. Oberhelman, *Dreams, Healing, and Medicine in Greece: from Antiquity to the Present*, Farnham 2013; Ch. Angelidi – G. Calofonos, eds., *Dreaming in Byzantium and Beyond*, Farnham 2014.

[17]  A. Komnene, *Alexias,* A. Kambylis – D. R. Reinsch, eds., CFHB XL /1., Berlin-New York, 2001 (thereafter *Al.* with the number of the book, and chapter); Nikolaos Kataskepenos, *Life of Cyril Phileotes*, É. Sargologos, ed., *La vie de Saint Cyrille le Phileote moine byzantin (†1110),* Brussels 1964.

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tury.[18] A comparison with Cyril's *vita* is enlightening with respect to Thomas' dream. Leo of Chalcedon was one of the holy men venerated by members of the extended Komnenian family, favoured rather by the Doukas-branch.[19] The most famous holy man of Alexios' reign who got regular visits from imperial personnages was probably Cyril Phileotes († 1110).[20] Cyril was a sailor who left his earthly vocation to become a monk at Philea, near Constantinople. His *Life* was recorded by Nikolaos Kataskepenos († after 1143) and contains fifteen dream-descriptions of different kind.[21] Some of these dreams are similar in structure to that of Thomas: an identifier concerning the type of the dream at the beginning, the description of the clothes, a dialogue, and a conclusion.[22] It is remarkable that the dream-description emphasizes that Thomas was wonderstruck and that he turned towards Leo with reverence. Compared to Cyril's *Life*, Cyril impressed people to stand in awe of him only after his death.[23] Thus, on the one hand the author of Thomas' dream portrayed Leo as it was the case with other holy men of the period. On the other hand, he undoubtedly sought to bring attention to Leo's supernatural, divine nature despite the fact that the bishop was still alive.

Anna Komnene used dreams and vision in the narrative to prove the providential destiny and the orthodoxy of her heroes.[24] What is more, she included a miraculous event about Leo of Chalcedon.[25] In August 1087 during the battle of Distra against the Pechenegs, George Palaiologos, the brother-in-law of the emperor, lost his horse. As Anna recorded, Leo of Chalcedon appeared to the commander and gave him a new horse on which he could escape. Leo is portrayed as a positive figure, as the saviour of Alexios' faithful general in a diffi-

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[18] With respect to the composition of the *Alexiad*, see: P. Magdalino, "The Pen of the Aunt: Echoes of the Mid-Twelfth Century in the *Alexiad*," in Th. Gouma-Peterson, ed., *Anna Komnene and her Times*, New York 2000, 15. The date when Nikolaos Kataskepenos composed Cyril's *Life* is not known, Kataskepenos died after 1143, see: Nikolaos Kataskepenos, *Life of Cyril Phileotes*, 13–15.

[19] See the testimony of Leo's *Letter to Maria of Bulgaria,* A. Lauriotes, "ʽΙστορικὸν ζήτημα," 404.

[20] Nikolaos Kataskepenos, *Life of Cyril Phileotes*, 18–23.

[21] M. Mullett, "Dreaming in the *Life of Cyril Phileothes*," in *Dreaming in Byzantium and Beyond*, Farnham 2014, 1–21.

[22] See the apparition of Theocharia, the embodied divine grace, to Cyril, Nikolaos Kataskepenos, *Life of Cyril Phileotes*, ch.10,3, p. 76; the episode with the traveller who came to Cyril: Nikolaos Kataskepenos, *Life of Cyril Phileotes*, ch.12,1., p. 78; a monk's disturbing dream without a dialogue: Nikolaos Kataskepenos, *Life of Cyril Phileotes*, ch. 27, 2., p. 122.

[23] Nikolaos Kataskepenos, *Life of Cyril Phileotes*, ch. 55, 3., p. 261.

[24] P. Magdalino, "The Historiography of Dreaming in Medieval Byzantium," in C. Angelidi – T. Calofonos, eds., *Dreaming in Byzantium and Beyond*, Farnham 2014, 133.

[25] *Al.* 7, 4, 2.

cult situation.[26] Contemporary evidence therefore testifies that Thomas' dream was not a unique phenomenon in the early Komnenian epoch, but dreams and visions were characteristic of the religious and political discourse of the period.

Modern research did not examine Thomas's dream exhaustively. The first who commented on Thomas' dream was Venance Grumel.[27] The scholar considered the dream to be the token of Leo's high popularity after his deposition, during the time of his exile. The passage was also interpreted by Michael Angold.[28] He compared Leo to mighty patriarchs of earlier Byzantine history and emphasized that the metropolitan acted in the place of the patriarch as the defender of the Byzantine church. Angold thought that Leo's imperial clothing expressed the metropolitan's disapproval of Alexios' church policy. In addition to this, Victoria Gerhold suggested an alliance between Leo, his ecclesiastical supporters, and the Doukas-branch of the Komnenian extended family.[29]

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[26] For the interpretation of the passage, see my forthcoming article: P. Bara, "Miraculum Leontis: the History and Context of a Family Account. Observations on Alexias 7.4.1," in M. Ivanova *et al.*, eds., *Transmitting and Circulating the Late Antique and Byzantine Worlds. Selected Papers from the Oxford University Byzantine Society's 19th International Graduate Conference, 24–25th February 2017*, Leiden 2018, forthcoming. An investigation on the use of dream-, and vision-narratives for political purposes is a *desideratum*. See recently: A. Timotin, *Visions, prophéties et pouvoir à Byzance: étude sur l'hagiographie méso-byzantine, IX–XI siècles,* Paris 2010. The Münster–project entitled "The role of supernatural in procedures of imperial decision-making in the Byzantine empire from the 6th to the 12th centuries" under the auspices of Michael Grünbart will provide further details, see: http://gepris.dfg.de/gepris/projekt/276253524 (accessed 03 02 2017).

[27] V. Grumel, "Les documents athonites," 127: "Ce récit est manifestement contemporain de la déposition de Léon, car, après son rétablissement, il ne conviendrait plus. Il indique que sa condamnation n'a pas détruit la vénération qui l'entourait, elle l'a peut-être accrue."

[28] M. Angold, *Church and Society*, 49: "It was a story that probably originated amongst Leo's supporters. It portrayed him as a man in the tradition of those patriarchs who used their spiritual and moral authority to advance the power of the church. In changed circumstances, Leo was left to defend these interests against imperial power. It left him open to ridicule for dressing up like an emperor and challenging the proper order of a Christian society."

[29] V. Gerhold, "Mouvement," 98, 100.: "La 'vision' du diacre Thomas [...] remet en question une fois du plus de loyauté du clan du Doukai, et souligne comment l'opposition au pouvoir impérial était fondée sur une association étroite entre laïcat et ecclésiastiques [...] prélats contestataires, fiers défenseurs de l'héritage du patriarche Cérulaire, aussi bien que les dignitaires civils écartés par l'ascension des Comnènes, et le clan des Doukai."
Gerhold's claim is debatable, because Leo was in connection with the side of the Doukas-family descending from Andronikos Doukas and Maria of Bulgaria. The involvement of their sons and brother-in-laws (such as John, Michael, and George Palaiologos) in any of the plots against Alexios is difficult to substantiate. Peter Frankopan recently pointed to the fact that a gradual change took place from the mid-1090s and in the second half of his reign Alexios applied a distance between

My aim is to support these statements and to expand them with the help of the *Donation of Constantine*, a spurious document, which was forged in Italy probably during the eighth century and could be brought to Constantinople in 1053 by the envoys of Pope Leo IX (r. 1049–1054).[30] The pro-papal pamphlet surviving under the name of Leo IX and commonly called as *Libellus* preserved a Latin text of the *Constitutum Constantini*.[31] Leo's "imperial outfit" in the dream-description and Thomas' address to the exiled metropolitan as "royal priesthood" show parallels to Leo IX's *Libellus*. After some remarks on the *Constitutum Constantini* and its assumable use in eleventh- century Byzantium, I examine details of Leo's clothing and attempt to contextualize the expressions of the dream which I regard important.

The *Donation of Constantine*, as it appeared in the *Libellus*, was a result of a longer textual development of different phases.[32] The legend of Pope Sylvester (the *Actus Silvestri*) baptizing Constantine the Great and the story about the emperor's gifts (recorded in the *Donation of Constantine*, or *Constitutum Constantini*) to the papacy on this occasion were originally two separate narratives. According to the second chapter of the fifth-century *Actus Silvestri,* after defeating Licinius and becoming the sole emperor, Constantine the Great fell into leprosy. Being still pagan, he consulted pagan *sacerdotes* who counselled to have a bath in the blood of three thousand infants. Peter and Paul, as the story continues, appeared in a dream to the emperor and suggested that he be baptised. Constantine decided to do so and turned to Sylvester, bishop of Rome. Sylvester performed the ritual in the Lateran Palace and Constantine recovered from his illness.

The probably eighth-century *Constitutum Constantini* is the continuation of

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himself and his kinship group, see: P. Frankopan, "Where Advice Meets Criticism in 11th century Byzantium: Theophylact of Ochrid, John the Oxite and their (Re)presentations to the Emperor," *Al-Masaq*, 20, 2008, 88. The source material, as far as I can see, does not provide more detail to go beyond that. I suggest to seek the involvement of the Doukas family not in the background of Thomas' dream, but it another miraculous event linked to Leo of Chalcedon: his alleged apparition to George Palaiologos during the battle of Distra. See my forthcoming study that I referred to above.

30  Concerning details of Leo IX's rule and those of the Schism in 1054: A. Louth, *Greek East and Latin West: The Church, AD 681-1071,* Crestwood 2007; also: B. Whalen, "Rethinking the Schism of 1054: Authority, Heresy, and the Latin Rite," *Traditio* 62 (2007), 1–24; A. Bayer, *Spaltung der Christenheit: Das sogenannte Morgenländische Schisma von 1054*, Cologne 2002; P. Gemeinhardt, *Die Filioque-Kontroverse zwischen Ost- un Westkirche im Frühmittelalter*, Berlin-New York 2002.

31  The title "Libellus" comes from the *lemmata* of the manuscripts, see H. G. Krause, "Das Constitutum Constantini im Schisma von 1054," in H. Mordek, Hrsg., *Aus Kirche und Reich: Festschrift für Friedrich Kempf*, Sigmaringen 1983, 131, n. 3.

32  *CPG* 244; B. Studer, s. v. Silvestro I Papa, in A. di Berardino, ed., *Nuovo dizionario patristico e di antichita cristiana* 3, Milan 2010, c. 4938; R. J. Loenertz, "Actus Sylvestri. Genèse d'une legende," *RHE* 70 (1975), 426–439; T. Canella, *Gli Actus Silvestri. Genesi di una leggenda su Constantino imperatore,* Spoleto 2006.

the *Actus*, revealing Constantine's largess towards Sylvester after the emperor's recovery.[33] Constantine donated the Lateran Palace to the bishop. In addition to this, the emperor made a concession for Sylvester and his clergy to use imperial *insignia*, together with all imperial clothes, the sceptre, and the trappings. Constantine declared that Sylvester had the right to appoint members of the clergy and at the end of the *Donation* the emperor revealed his plan to locate the new capital in Constantinople.

Around the year 1000, the Normans appeared in Southern Italy. Their steady advance northwards in the 1040s entailed an alliance between emperor Constantine IX Monomachos (r. 1042–1055) and Pope Leo IX (r. 1049–1054).[34] In order to strengthen the political initiatives Constantine IX also sought to reconcile the religious disagreement between the Greek and the Latin clergy in Southern Italy over issues of liturgy (azymes: the use of unleavened bread) and church discipline (clerical celibacy). The alliance was not successful from the military point of view, because the Byzantine army failed to appear at the right time and the papal army suffered a defeat from the Normans in 1053 at Civitate. The Pope was imprisoned in Benevento, nevertheless he sought further alliance with Byzantium. Constantine IX was also open for cooperation, because the pope's disposition was crucial for his Italian policy. At the same time, the religious conflict took serious dimensions when Michael Keroullarios, Patriarch of Constantinople (r. 1043–1058), closed the Latin churches of the capital (end of 1052–early 1053). Concurrently, Leo, archbishop of Ohrid, encouraged by Patriarch Keroullarios, addressed a letter to John, archbishop of Trani, in Southern Italy. Leo accused the "Latins" for observing Jewish rites through the celebration of the Eucharist with unleavened bread. The letter was passed to the papal confident Humbert of Silva Candida who translated the letter and presented it to Pope Leo IX. The Pope was a prisoner of the Normans in Benevento, nevertheless he addressed Leo of Ohrid and Patriarch Keroullarios in a letter as a reply in September 1053.

Leo IX's letter entitled *In terra pax*, contained the *Donation of Constantine*.[35]

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[33] On the *Donation of Constantine* see most recently J. Fried, *Donation of Constantine and Constitutum Constantini. The Misinterpretation of a Fiction and its Original Meaning,* Berlin 2007; and G. W. Bowersock's introduction, Lorenzo Valla, *On the Donation of Constantine*, transl. G. W. Bowersock, Cambridge-London 2008, vii–xvii. For a detailed bibliography on the *Constitutum*, see: D. Angelov, "The Donation of Constantine and the Church in Late Byzantium," in D. Angelov, ed., *Church and Society in Late Byzantium*, Kalamazoo 2009, 94–95 and 240–241. For the historiography of the date and place of the *Donation*'s production, see: *ibidem*, 138, n. 3.

[34] G. A. Loud, *The Latin Church in Norman Italy,* Cambridge 2007, 61–70; A. Bayer, *Spaltung der Christenheit*, 52–63.

[35] W. Wattenbach – S. Löwenfeld *et al.,* eds., *Regesta Pontificum Romanorum*, I., Graz 1956, No. 4302; see also: R. L. Loenertz, "Constitutum Constantini. Destination, destinataires, auteur, date," *Aevum* 48 (1974), 200; The critical edition of the *Libellus*' text has not been published. Two studies delineate the relationship between the different textual versions: H. G. Krause, "Das Constitutum Constantini," for

Based on the text of the *Donation*, Leo IX neither raised claim on the highest secular authority in the West (only in the city of Rome and the *patrimonium Petri*), nor he discussed the relationship of temporal and ecclesiastical power, *regnum* and *sacerdotium*. This was a later development in the West during the pontificate of Gregory VII (r. 1073–1085), and Urban II (r. 1088–1099). Leo IX's aim was to demonstrate the papacy's superiority over the patriarchate of Constantinople. Leo IX based his claim on a plethora of scriptural arguments. These had already been utilised in the context of pro-papal treatises: Saint Peter is the rock upon which the church is built (*Mt* 16, 18–19), and people had to yield to God's power (*Rom* 13, 1–5). The new argument of the Pope's letter was a quotation from the *First Letter* of Peter (1–2; 2, 9–10): "scattered throughout Pontus, Galatia, Cappadocia, Asia, and Bythinia […] you are the elected stock, the royal priesthood, the holy people of God."[36] Peter's *First Letter* applies the expression of "royal priesthood" [Gr. βασίλειον ἱεράτευμα, Lat. regale sacerdotium] expression from the Old Testament[37] to the baptized Christians as a whole. Pope Leo IX used the idea to denote the papacy which was, according to his view, hold in contempt by Eastern Christians: "You restrain neither the love towards God and the brethren, nor the reverence of the divine canons to publicly rebuke and execrate 'the elected stock, the royal priesthood, the holy people.'"[38] When addressing Patriarch Keroullarios Leo IX claimed that, "these and a number of other attestations have to satisfy you concerning the secular and heavenly power, moreover the royal priesthood of the holy and apostolic see of Rome."[39] As the strongest argument after these words the Pope quoted in full the *Constitutum Constantini* in order to demonstrate the royal origins of the papal office. With this argument, Leo IX intended to state that "Constantine had not left Rome as a spiritual power distinct from the temporal power which had emigrated to another capital. As a result [the Roman church] was not sub-

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his observations on the manuscript tradition: *HZ* 217 (1974), 671–77; and A. Michel, "Lateinische Aktenstücke und -sammlungen zum griechischen Schisma (1053/54)," *HJ* 60 (1940), 46–64. The different *lectiones*, in my view, neither concern this paper's particular problem on imperial insignia and papal vestments, nor does the *Libellus* deviate from earlier versions of the *Constitutum Constantini* in those passages which are relevant to this study. Therefore, I hereby used the version which is in use today and edited in *Acta et scripta quae de controversiis ecclesiae Graecae et Latinae saeculo undecimo composita extant*, ed. Cornelius Will, Leipzig 1861; repr. Frankfurt am Main 1963, 72–74 (*Libellus* hereafter). Theodore Balsamon's Greek translation derives from a "Southern-Italian collection" of the manuscript tradition, for which see: A. Michel, "Lateinische Aktenstücke," esp. 62–64.

[36] *New English Bible*, New York 1961.

[37] *Ex* 19, 6.

[38] *Libellus*, p. 71.: *Vos vero nec amor Dei et proximi nec reverentia divinorum canonum […] revocat, quin publice maledicatis et detestemini* genus electum, regale sacerdotium, gentemque sanctam (1 *Pet* 2).

[39] *Libellus*, p. 72.: *His et aliis quamplurimis testimoniis jam vobis satisfactum esse debuit de terreno et coelesti imperio, immo de regali sacerdotio Sanctae Romanae et apostolicae sedis.*

ject to the *judicium* of other churches or of the emperor himself."[40]

It is debated, however, in the literature whether the *Libellus*, and thus the *Donation,* indeed reached Michael Keroullarios and when it was translated from Latin to Greek.[41] Most recently Dimiter Angelov has claimed that Keroullarios was aware of the content of the *Constitutum* and the *Libellus* was translated into Greek after the confrontation between the Byzantine prelate and the Pope took place, that is after 1054.[42] Angelov based his reasoning on two arguments. First, contemporary textual and artistic evidence suggests a familiarity with the *Constitutum Constantini* in the public discourse on the relationship of temporal and ecclesiastical power. According to *Scylitzes Continuatus*' testimony, Patriarch Michael Keroullarios used imperial insignia to express his authority as opposed to that of the emperor:

> "[The Patriarch] went as far as to wear sandals dyed purple claiming that this was a custom of the ancient priesthood and that the hierarch ought to preserve the usage in the new, too, because between the priesthood and the empire there was no difference, or only a negligible difference."[43]

The *Vatican Psalter gr.* 752 preserved precious miniatures about Pope Sylvester acting with the Old Testament King David.[44] Ioli Kalavrezou argued for the identification of Sylvester with Michael Keroullarios and David with Constantine IX Monomachos (r. 1042–1055) and Isaac Komnenos (r. 1057–1059).

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[40] G. Dagron, *Emperor and Priest. The Imperial Office in Byzantium*, Cambridge-New York 2003, 240.

[41] F. Tinnefeld, "Michael Kerullarios, Patriarch von Konstantinopel (1043–1058): Kritische Überlegungen zu einer Biographie," *JÖB* 39 (1989), 95–127, esp. 105–109, leaves the question open. The "Southern-Italian collection" which was the basis of Theodore Balsamon's Greek translation was gathered in the 1070s after which the first Greek translation could have been produced, see D. Angelov, "Donation," 95.

[42] D. Angelov, "Donation," 95. The most meticulous analysis in this respect is that of Hans-Georg Krause see: H. Krause, "Das Constitutum Constantini," 153–156. In Krause's view Patriarch Keroullarios did not know the content of the *Donation* which was labeled as the overinterpretation of the evidence by Dimiter Angelov. G. Dagron, *Emperor and Priest*, 240–241 also argued for Keroullarios' familiarity with the content of the *Constitutum Constantini*.

[43] *Scylitzes Continuatus*, ed. E. Tsolakes, Thessalonike 1968, 105.: Ἐπεβάλετο δὲ καὶ κοκκοβαφῆ περιβαλέσθαι πέδιλα τῆς παλαιᾶς ἱερωσύνης φάσκων εἶναι τὸ τοιοῦτον ἔθος καὶ δεῖν τούτοις κἂν τῇ νέᾳ κεχρῆσθαι τὸν ἀρχιερέα. Ἱερωσύνης γὰρ καὶ βασιλείας τὸ διαφέρον οὐδὲν ἢ καὶ ὀλίγον ἔλεγεν εἶναι. See also M. Attaleiates, *Historia*, ed. I. Pérez–Martin, Historia, Madrid 2002, 60.; and M. Psellos, *Letter to Keroullarios*, ed. U. Criscuolo, *Epistola a Michele Cerulario,* Naples 1990, ch. 6a, p. 26. Michael Keroullarios did not use the insignia mentioned in the *Donatio*, but all sources refer only to the purple sandals. The *Constitutum*, however, mentioned that Constantine conceded all the imperial clothes for the use of the pope (Ch. 14) which could be the basis of the use of the purple sandals by the Patriarch.

[44] Fol. 142 v., Psalm 42; Fol. 148 r., Psalm 44., see: E. T. De Wald, *The Illustrations in the Manuscripts of the Septuagint, III, Psalms and Odes, Part 2: Vaticanus Graecus 752,* Princeton 1942.

Second, the earliest surviving Greek translation of the *Donation of* Constantine is that of Theodore Balsamon (1130–1195).[45] In the later redaction of his *Commentary on the Nomokanon of Fourteen Titles*, he wrote,

"For the Second Council [that is the First Council of Constantinople in 381] gave all the privileges of the pope of Rome to the Constantinopolitan patriarch, some of the patriarchs, such as lord Michael Keroularios tried to pride themselves on the pope's rights."[46]

Angelov's arguments are important from our point of view, because they testify that the *Donation* influenced the eleventh–century political discourse and was used explicitly in the twelfth century.

Patriarch Keroullarios wore imperial insignia and with his self-representation, he gave an interpretation to the relationship of temporal and ecclesiastical power, *regnum* and *sacerdotium,* βασιλεία and ἱερωσύνη. With respect to the ecclesiastical power, Patriarch Keroullarios interpreted his priesthood as the "new one", opposed to the "old." The old priesthood, as it can be argued on the basis of stipulations of canon law and as it was understood also by Theodore Balsamon in the twelfth century, might refer to the bishop of the old Rome, the pope. The see of the new Rome, that of Constantinople, is presided by the patriarch.[47] Michael Keroullarios went a step further: he not only compared his patriarchate to the priesthood of the pope, but gave an imperial, or royal dimension to it. In that point the influence of the *Constitutum Constantini* may be assumed which gave imperial prerogatives to the pope which apply also to the bishop of the new Rome. This may explain Keroul-

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45  Published in G. A. Rhalles – M. Potles, eds., *Σύνταγμα τῶν θείων καὶ ἱερῶν κανόνων*, 6 vols, Athens 1852–59, repr. 1962, I, 145–48 (reprinted in W. Ohnsorge, "Das Constitutum Constantini und seine Entstehung," *Konstantinopel und der Okzident,* Darmstadt 1966, 108–22). It has to be noted that Balsamon's commentary on the *Donation of Constantine* dates to a later redaction of his work, which could be produced after 1179. Balsamon's first glosses on the *Donation* are fragmentary and remain unpublished under the binding of codex *Vaticanus Palatinus gr*. 384, see D. Angelov, "Donation," 127–129. The image, which one might draw about imperial priesthood, is different in the two redactions: see G. Dagron, "Le caractère sacerdotal de la royauté d'après les commentaires canoniques de XIIe siècle," in N. Oikonomides, ed., *Byzantium in the 12th Century*, Athens 1991, 165–78.

46  G. A. Rhalles – M. Potles, *Σύνταγμα* I, 147: ὅτι δὲ ἡ δευτέρα σύνοδος δέδωκε τῷ ἀρχιεπισκόπῳ Κωνσταντινουπόλεως τὰ προνόμια πάντα τοῦ πάπα Ῥώμης, ἐπεχείρησαν τινὲς τῶν πατριαρχῶν ὡς ὁ Κηρουλάριος ἐκεῖνος κὺρ Μιχαὴλ […] τῆς αὐτῆς ἀποσεμνύνεσθει προνομίοις. During the twelfth century the *Donation* was used in anti-Latin polemics, and also appeared in the historical work of John Kinnamos: see P. Alexander, "The Donation of Constantine at Byzantium and its Earliest Use Against the Western Empire," in *Mélanges G. Ostrogorsky*, Vol. 1., Belgrade 1963, 19–22.

47  Which can be argued on a canonical basis, such as *Canon* 3 of Constantinople (381), *Canon* 28 of Chalcedon (451), or *Canon* 36 of the synod of Trullo (692); see also: G. Dagron, *Emperor and Priest*, 242.

larios' use of imperial insignia.

When analysing the case of Patriarch Keroullarios his personal ambition also has to be taken into consideration. Before his election to the patriarchal throne in 1040, Keroullarios devised a plot against Michael IV (r. 1034–1041) which failed. The plan was to arrest the emperor and replace him with Michael Keroullarios himself.[48] The Patriarch played a central role in the fall of Michael VI Stratiotikos (r. 1056–1057) and in the enthronization of Isaac I Komnenos (r. 1057–1059).[49] Michael VI failed to promote a group of generals from Asia Minor who subsequently plotted against him.[50] Their ringleader was Isaac Komnenos who had to gain the support of the army, the people of Constantinople, the church, and the Senate. Albeit the military aristocracy was divided, important families, such as the Argyroi and the Dalassenoi, favoured Isaac. The most powerful person in the capital was Patriarch Keroullarios enjoying the support of the populace and the guilds in addition to that of the church due to his office. The Patriarch convinced Michael VI to abdicate, afterwards he roused the anger of the populace against intimates and dignitaries of the ex-emperor. The bloodshed convinced the Senate to buttress Isaac's position. On 1 September 1057 Isaac made his entry into Constantinople and Patriarch Keroullarios crowned him. The coronation confirmed Isaac's position as an *usurpator* after his plot.[51] Patriarch Michael Keroullarios was aware of the fact that he played an important role in establishing Isaac's reign as it is attested by *Scylitzes Continuatus*.[52] Therefore, despite the fact that the expression "royal priesthood" is not mentioned literally in the sources concerning Michael Keroullarios, the Patriarch definetely considered his ἱερωσύνη close to βασιλεία. In practice this significantly influenced imperial politics.

After some observations on the *Donation of* Constantine, the paper focuses on the interpretation of Thomas' dream in the following pages. A comparison of Leo's imperial clothing in Thomas' dream with corresponding elements in the *Libellus*' text may facilitate a better understanding of the dream's message. Thomas saw Leo wearing clothes which gave the cleric an imperial appearance (βασιλικὴν στολὴν περιβαλλόμενον). Chapter 14 of the *Libellus* described Pope Sylvester as a prelate possessing imperial clothes:

"We donate to our father, the blessed Sylvester, *summus pontifex* and universal pope of Rome, and all his successors […] our imperial palace in the Lateran, […] In addition to this, the diadem, or crown of our head, together with the *phrygium* and the *superhumerale,* that is *lorus*, which is usually put on the emperor's shoulder; the purple mantle, the *tunica coccinea*, all the imperial clothes, the dignity of the imperial mounted guards, also giving the

48    M. Psellos, *Letter to Keroullarios*, ed. U. Criscuolo, p. 414–15.
49    F. Tinnefeld, "Michael I. Kerullarios," 120–122.
50    W. T. Treadgold, *A History of the Byzantine State and Society,* Stanford 1997, 597–598.
51    É. Malamut, *Alexis Ier Comnène*, 36.
52    The chronicler recorded his rude words, *Scylitzes Continuatus*, ed. E. Tsolakes, Thessalonike 1968, 105.: I established you, oven, in order to destroy you. (Ἐγὼ σὲ ἔκτισα, φοῦρνε, καὶ ἐγὼ νὰ σὲ χαλάσω).

imperial sceptre with all the ensigns, banners, and different imperial equipments, the entire procession of the imperial head, and the glory of our *potestas*."[53]

This was the passage which may have influenced Leo's imperial vestments. Compared to Michael Keroullarios, the Patriarch did not wear any of the items enlisted, but only the imperial baskins, as it is attested by contemporary sources. But in the case of Leo the evidence is more straightforward. Thomas described Leo as having a great golden headband around his head (καὶ περὶ τὴν κεφαλὴν αὐτοῦ ἐπιτιθέντα μέγιστον χρυσοῦν φακιόλιον). The φακιόλιον (Lat. faciale) means a cloth for the head which Christ wore during his Passion. On the other hand, it denoted a headband used by desert fathers and women.[54] The ninth-century *Lexicon* of Patriarch Photios (r. 858–867 and 877–886) testified a special meaning under the headword κίδαρις. The κίδαρις was "a diadem, forming part of Jewish high priest's headdress."[55] According to Photios' *Lexicon*, the "*Kidaris*: a headband, or a cover (pending) from the hair; or a type of *kalamaukion* which you know as *tiara*, but some people call as *kidaris*, or crown, or *phakiolion*."[56] The καλαμαυκίον (Lat. camelaucum) designated the headdress of the pope in the eighth century.[57] Photios used rather the word *tiara* for this, as the *lemma* says. Thus, among others, the φακιόλιον is the synonym of the papal headwear. Chapter 16 of the *Libellus* reads as follows:

> "We decreed therefore that our venerable father, the same Sylvester, the *summus pontifex*, and all his successors have to use a diadem, that is a crown made from pure gold and precious stones, which we gave him from our head, and they have to wear it for God's glory to demonstrate the honour of Saint Peter. But the same most holy pope cannot use an

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[53] *Concedimus beato Silvestro patri nostro, summo pontifici et universali urbis Romae papae, et omnibus eius successoribus pontificibus, […] palatium imperii nostri Lateranense[…] deinde etiam diadema videlicet coronam capitis nostri simulque phrygium necnon et superhumerale, videlicet lorum, quod imperiale circumdare assolet collum; verum etiam et chlamydem purpuream atque tunicam coccineam et omnia imperialia indumenta, sed et dignitatem imperialium praesidentium equitum, conferentes etiam imperialia sceptra simulque cuncta signa atque banda etiam et diversa ornamenta imperialia et omnem processionem imperialis culminis et gloriam potestatis nostrae.*

[54] φακιάλιον, *LSJ*, 1996, 1913; and φακιόλιον, *Lampe*, 2009, 1469.

[55] κίθαρις, *Lampe*, 2009, 753.

[56] Photios, *Lexicon*, ed. Th. Christos, *Photii patriachae Lexicon*, Berlin 1998, Vol. 2, letter κ, p. 217.: Κίδαρις: περίθεμα κεφαλῆς ἢ ἐκ τῆς τριχὸς ὕφασμα·ἤτοι εἶδος καλαμαυκίου, ὃ καὶ τιάρα νοεῖτε τινὲς δὲ κίδαριν λέγουσι […] ἢ στέφανον ἢ φακιόλιον.

[57] H. Norris, *Church Vestments. Their Origin and Development*, Mineola N. Y. 2002[3], 97–98; M. de Waha, "Entre Byzance et l'Occident," in L. H. Misguich *et al.*, ed., *Rayonnement Grec: Hommages à Charles Delvoye*, Brussels 1982, 405–419; A. Maloof, "The Eastern Origin of the Papal Tiara," *Eastern Churches Review* 1, 1966–1967, 146–149.

entirely golden crown upon the clerical crown which he bears for the sake of Saint Peter's glory."[58]

The great golden crown in Thomas' dream might be a parallel to the "crown made from pure gold and precious stones," the "clerical crown" of the pope.

The third item which needs assessment in Thomas' dream and is also present in the *Libellus*, is the expression "βασίλειον ἱεράτευμα". The Latin equivalent of this expression: "regale sacerdotium" was a central notion in Pope Leo IX's *Libellus*, as it has been demonstrated above.[59] As I have already noticed, for Patriarch Keroullarios, the priesthood was close to imperial power and he made claims for "imperial priesthood". In the late eleventh century to address the clergymen as "βασίλειον ἱεράτευμα" was part of the practice. Alexios I, according to the testimony of a tribunal report (*semeioma*), addressed the *synodos endemousa* as "God's holy people, the divine priestly body. ὁ τοῦ Θεοῦ ἅγιος κλῆρος, τὸ βασίλειον ἱεράτευμα."[60] The *synodos endemousa* was the advisory and arbitral body of the patriarch of Constantinople, consisting of those metropolitans who happened to be be (ἐνδημοῦντες) in the capital.[61] The ἱεράτευμα here refers to a decision-making body[62] and the βασίλειον can be rendered as divine,[63] a synonym of ἅγιος, the preceding word in the address. Nevertheless, it can be surmised that in Thomas' dream Leo's priesthood was not qualified as "holy", or "divine", mirroring the collective sense of the expression.

The use of the phrase "royal priesthood" in the representation of Alexios I's and the imperial family may have given the background for Thomas' dream. Theophylaktos, the court rhetorician and later archbishop of Ohrid (1050–after 1126), delivered an *enkomion* early 1088.[64] The oration preserved the only passage which associates the Komnenian family with "royal priesthood" during

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[58] *Decrevimus itaque et hoc, ut idem venerabilis pater noster, Silvester summus pontifex, vel omnes ei succedentes pontifices, diademate, videlicet corona, quam ex capite nostro illi concessimus, ex auro purissimo et gemmis pretiosis uti debeant et in capite ad laudem Dei pro honore beati Petro gestare. […] Ipse vero beatissimus papa super coronam clericatus, quam gerit ad gloriam beati Petri, omnino ipsa ex auro non est passus uti corona.*

[59] G. Dagron, *Emperor and Priest*, 239–247.

[60] V. Grumel, "L'affaire de Léon de Chalcédoine. Le décret ou 'semeioma' d'Alexis Ier Comnène (1086)," 320.

[61] A. Papadakis, s. v. endemousa synodos, in A. P. Kazhdan *et al.*, eds., *Oxford Dictionary of Byzantium* 1, Oxford–New York 1991, 697.

[62] See: G. Lampe, ed., *A Patristic Greek Lexicon*, Oxford 2009, 669.

[63] See: *LSJ* 308.

[64] Presumably 6 Jan 1088. For the passage, see: P. Gautier, *Theophylacte d'Achrida. Discours, Traités, Poésies*, Thessalonike 1980, 237, l. 17. For the dating of the enkomion: *ibidem*, 68–96. Smart assessments of the oration: M. Mullett, "The Imperial Vocabulary of Alexios I Komnenos," in M. Mullett – D. Smythe, eds., *Alexios I Komnenos*, Belfast, 1996, 359–397; P. Frankopan, "Where Advice Meets Criticism in 11th century Byzantium: Theophylact of Ochrid, John the Oxite and their (Re)presentations to the Emperor," *Al-Masaq*, 20 (2008), 71–88, esp. 73–78.

the reign of Alexios I.[65] The addressee of the talk is the emperor, Alexios and, almost equally, her mother Anna Dalassene. This stemmed from the fact that Alexios during the first decade of his reign relied heavily on her mother, even appointing her regent when himself was absent from the capital.[66] Anna Dalassene conducted herself in a monastic manner and also tried to impose monastic habits in the imperial palace. Theophylaktos expressed admiration for this behaviour, praised the decency (εὐκοσμία) of the imperial palace and put the question: "Is not it imperial priesthood itself?" [67]

As events in the history of the Byzantine church during the first decade of Alexios' reign demonstrate, some members of the patriarchal clergy and part of the episcopal bench were not in accord with Theophylaktos' view and they considered Alexios rather as a harsh ruler than as an "imperial" or "royal" priest. The phrase "βασίλειον ἱεράτευμα" in Thomas' dream with the meaning "imperial priesthood" stands in contrast to the representation of the Komnenian family expressed by Theophylaktos.

Preceding Leo of Chalcedon's banishment in the year 1087, which is a *terminus post quem* for the creation of the dream-description, the highly interventionist ecclesiastical policy of Alexios I met dissatisfaction on the part of the church. The power of the patriarch and the *synodos endemousa* was at its heyday during the eleventh century. Alexios inherited a church in which metropolitans thought of themselves as a counselling body for the emperor which influenced imperial decisions.[68] Three groups interacted with each other within the clergy in early Komnenian Constantinople: the clergy of Hagia Sophia, the bishops leaving their sees in Asia Minor due to the Seljukian invasion, and the metropolitans visiting the resident synod of the capital who had their bishoprics in unoccupied territory.[69] Alexios I aimed at diminishing the role of the metropolitans and the patriarchal synod and intended to promote the clergy of Hagia Sophia as his new source of power in the church. Alexios clearly prevented members of the old episcopal guard from intervening in the issues of the patriarchal clergy and restricted the metropolitans' role in central decision-making. The crushing of the metropolitan party went in parallel with Leo's increasing opposition.

Leo of Chalcedon had his own faction (μέρος) in the *synodos endemousa* and

[65] Unfortunately, the presumably rich rhetorical production of the early Komnenian period did not survive, see: P. Magdalino, *The Empire of Manuel I Komnenos, 1143–1180*, Cambridge 2009, 414.
[66] *PBW* Anna 61 (consulted 20 06 2017), http://db.pbw.kcl.ac.uk/pbw2011/entity/person/106273; P. Wirth, *Regesten,* No. 1073; B. Hill, "Alexios I Komnenos and the Imperial Women," in M. Mullett – D. Smythe, eds., *Alexios I* Komnenos, Belfast 1996, 37–54.
[67] μήποτε τοῦτ' ἔστιν τὸ βασίλειον ἱεράτευμα;
[68] Together with lay *archontes*, see Niketas of Ankyra, *On ordination*, ed. J. Darrouzès, *Documents inédits d' ecclésiologie Byzantine,* Paris 1966, 202–204.
[69] V. Tiftixoglu, "Gruppenbildungen innerhalb des konstantinopolitanischen Klerus während der Komnenenzeit," *BZ* 72 (1969), 36.

his metropolitan supporters promoted an image about him as a martyr and victim.[70] In a letter to an anonymous bishop, probably a member of his faction, Leo compared himself to John the Baptist and his cause to that of the blameless Jesus whom Pilate fustigated.[71] In his letter to Leo Nicholas of Hadrianople, Leo's nephew, characterized his uncle as guardian of the church, comparing him to Balaam, the Mesopotamian prophet of the Old Testament.[72] Both prophets came in an open conflict with secular rulers arguing for God's sake. In the dream, Thomas admired Leo as a banished prelate defying the emperor which might mirror Leo's representation by the "Chalcedonian faction".

During a canonical debate between 1084 and 1087 on the status of two suffragan bishoprics of the metropolis of Ankyra, the situation escalated among the emperor, the metropolitan party, and the patriarchal clergy.[73] Constantine X Doukas (r. 1059–1067) had promoted the bishops of Basileion and Madytos to metropolitan status contravening regulations of canon law. Niketas, the metropolitan bishop of Ankyra, wanted the imperial decision to be reversed to have the two bishoprics under the supervision of the see of Ankyra. The patriarchal clergy opposed this plan and Alexios I, siding with them, issued a decree telling that the decision would not be reversed.[74] It meant that the *basileus* had the right to manipulate episcopal appointments and promotions. Niketas of Ankyra resigned his see in protest. During the controversy Niketas produced five works to buttress his position.[75] In one of these the metropolitan bitterly noticed the reversal of roles between the emperor and the metropolitans: "laypeople behaved like priests and the priests like laypeople."[76] In Niketas' argumentation the example of the papacy played a role. Based on *Canon 28* of the Council of Chalcedon, the metropolitan compared the prerogatives of the patriarch of Constantinople to that of the pope.[77] Niketas of Ankyra did not use the

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[70] On Leo's faction, see: *Al.* 5.2.6.: οἱ τῷ τοῦ Χαλκηδόνος μέρει προσκείμενοι.

[71] A. Lauriotes, "Ἱστορικὸν ζήτημα," 405–407.

[72] A. Lauriotes, "Ἱστορικὸν ζήτημα," cited n. 6., p. 413. Concerning Balaam: see *Num* 22–24.

[73] P. Wirth, *Regesten der Kaiserurkunden des oströmischen Reiches, Teil 2. Regesten von 1025–1204*, Munich 1995, No. 964.

[74] P. Wirth, *ibidem,* No. 1117; V. Grumel, *Les regestes des actes du patriarcat de Constantinople, I: Les actes des patriarches, fasc. ii et iii: Les regestes de 715 à 1206*, Paris 1947, revised ed. 1989, No. 938, No. 944.

[75] *On Ordination, On Councils, On Elections, On the Right of Resignation, On Prohibited Marriages*, see: J. Darrouzès, *Documents inédits d' ecclésiologie Byzantine,* Paris 1966, 176–275.

[76] *On synods*, ed. J. Darrouzès, *ibidem*, p. 214, l. 10: ὁ λαὸς γέγονεν ὡς ἱερεῖς καὶ οἱ ἱερεῖς ὡς ὁ λαός.

[77] And not based on the *Constitutum Constantini* as Michael Angold claimed, see M. Angold, *Church and Society*, 56–57, cf. Darrouzès' edition, p. 218, l. 22–25: "The see of Constantinople received the same honour and the prerogatives of the pope of Rome *from the fathers* [my italics], because it became the emperors' residence. ὁ δὲ τῆς Κωνσταντινουπόλεως θρόνος τὴν τοσαύτην τιμὴν εἴληφε καὶ τὰ προνόμια τοῦ *πάπα Ῥώμης παρὰ τῶν πατέρων* διὰ τὸ γενέσθαι ταύτην οἰκητήριον βασιλέων."

*Donation of Constantine*, but the passage is important, because it proves that the example of Rome was in use in the political discourse in the debate between Alexios and the metropolitan party. The resistance of the metropolitans had been quenched at the time of Leo's banishment (that is after 1087), and the clergy of the Great Church emerged as the dominant force in the church.

Despite Alexios' concessions to the patriarchal clergy, there were members officiating in the Hagia Sophia who did not accord with the new regime's initiatives. John Metaxas argued against Isaac, the *sebastokrator*'s announcement about the alienation of church valuables at the beginning of the Komnenian iconoclast debate. Metaxas was also invited to the Blachernai-synod, the closing event of the controversy. It is likely that some discontented members of the patriarchal clergy also supported Leo's party. The fact that Thomas, the dreamer was a priest (ἱερεύς) conducting his service in the Hagia Sophia church, could be explained by this hypothesis.[78]

I assume that the person creating Thomas' dream may have had in mind the example of the *Constitutum Constantini* and the debate around Michael Keroullarios on the relationship of emperor and patriarch which reminded him of the antagonism between Leo of Chalcedon and Alexios I Komnenos. Leo's imperial appearance, his headgear and the description of Leo's priesthood as imperial may confirm this assertion. The author could have used the *Libellus,* a Greek translation which is unknown today, or the *Libellus*' content spread by word of mouth.[79] The wording of Thomas' dream reflects an author who wrote in a simple language and preferred scriptural and patristic quotations which might represent an ecclesiastical milieu.[80] Therefore, it is plausible to conclude that Thomas' dream originated among the ecclesiastical supporters of Leo, metropolitan of Chalcedon. Denoting Leo of Chalcedon's priesthood as imperial could have been the expression of the will of discontented clergymen to counteract the highly interventionist church policy of Alexios I. Moreover, with respect to the changing nature of the episcopal office during the early Komnenian period, Thomas the priest's dream preserved an episcopal model which was at its twilight: Leo of Chalcedon, member of the slowly disappearing "old guard" during the reign of Alexios I Komnenos, was the last prelate in the Komnenian epoch who was portrayed as one boasting of imperial prerogatives. Compared to Leo of Chalcedon, Pope Leo' IX asserted the superiority of

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[78]  Using Thomas as a fictional character by the metropolitan party as its porte-parole cannot be substantiated. Furthermore, we do not have evidence about a Thomas among the clergy of the Great Church at the time of the controversy.

[79]  See Franz Tinnefeld's claim that Michael Keroullarios knew the content of the *Donation of Constantine* by word of mouth, F. Tinnefeld, "Michael I. Kerullarios," 105–7.

[80]  See my small *apparatus* to Thomas's dream above.

the papacy to the patriarchate in ecclesiastical matters stemming from Constantine I's alleged concessions. Patriarch Keroullarios, probably based on the same round, contended that his office was close to that of the *basileus*, but the surviving sources did not describe Keroullarios' priesthood as imperial. The case of Leo of Chalcedon is a step further: he was portrayed in Thomas' dream as an "imperial" prelate.

# The Fall of Constantinople in De Europa*

## Source Research and Historiographical Contributions to Aeneas Sylvius Piccolomini's Historical Account

IVÁN TÓTH



*Secunda mors ista Homero est, secundus Platoni obitus.*[1] – This is what Aeneas Sylvius Piccolomini (1405–1464) writes about the fall of Constantinople in one of his letters. Somewhere else he summarizes the events like this: *Fuerunt Itali rerum domini, nunc Turchorum inchoatur imperium.*[2] Today it is difficult to imagine the shock that Western Europe experienced learning about the loss of Constantinople. However, this epochal event (surely considered so by the contemporaries)[3] exercised a major effect on the life, writings and political activity of Piccolomini, elected pope by the name of Pius II (1458). As a clergyman, he devoted his entire life to saving Europe from the threat of the Turks and reconquering Constantinople from them by joining the forces of the Christian world. For this purpose he frequently set his pen to paper and wrote down his ideas in letters, speeches or historical accounts.

His efforts in the later genre resulted in his account describing the fall of Constantinople that was first published as the seventh chapter of *De Europa*,

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[1]    This sentence is included in Piccolomini's letter to Pope Nicholas V. I refer to the text of the letter following the page and line numbering of Pertusi's edition: A. Pertusi, *La caduta di Costantinopoli. Vol. II.: L'eco nel mondo*, Verona 1976, 46 (33–34).

[2]    In his letter to Leonardo Benvoglienti: Pertusi, *La caduta di Costantinopoli II*, 64 (72–73).

[3]    Cf. S. Runciman, *The Fall of Constantinople 1453*, Cambridge 2015 (Reprint), xi–xiii.

followed by its repeated issue as *separatum*.[4] The present paper deals with the analysis of this account less known by historians.[5] Its first part maps out the author's most important sources, while the second half examines his methods as a historiographer.

## I.

Worstbrock's report from 1989 illustrates the state of source research on *De Europa* (and *De Asia*): "*Eine zureichende Quellenanalyse der 'Asia' und der 'Europa' fehlt.*"[6] The situation has not improved much over the past decades as Johannes Helmrath's following remark shows: "*Die gegenseitige Kenntnis und Benutzung durch die humanistischen Verfasser dieser Texte, so auch durch Enea Silvio, ist in einigen Fällen evident, in anderen wahrscheinlich. Genauere philologische Untersuchung des ganzen Breitenspektrums ist zu wünschen.*"[7] In the followings, I would like to contribute to this analysis by adding some further considerations.

### Leonard of Chios

According to Marios Philippides, before starting the account about the siege of Constantinople, Piccolomini completed a thorough research,[8] and relied mainly on the account of Leonard of Chios. Leonard joined Isidore of Kiev, the pope's delegate on his way to Constantinople in 1452 on the isle of Chios.[9] He

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4   Regarding the editions, see: A. Desguine, *L'incunable De captione urbis Constantinopolitanae d'Aeneas Sylvius*, Paris 1965, 7–8.

5   Cf. M. Philippides, *Mehmed II the Conqueror and the Fall of the Franco-Byzantine Levant to the Ottoman Turks: Some Western Views and Testimonies*, (Medieval and Renaissance Texts and Studies 302), Tempe, AZ 2007, 17.

6   F. J. Worstbrock, *s.v.* Piccolomini, Aeneas Silvius (Papst Pius II.), in K. Ruh et al. Hrsgg., *Die deutsche Literatur des Mittelalters Verfasserlexikon*, 7, Berlin–New York 1989, 659.

7   J. Helmrath, "Pius II. und die Türken," in B. Guthmüller–W. Kühlmann, Hrsgg., *Europa und die Türken in der Renaissance*, Tübingen 2000,103.

8   Philippides, *Mehmed II*, 17. Philippides also published the text with a critical apparatus, historical commentary and English translation. A review about the volume: Z. Shalev, [M. Philippides, *Mehmed II the Conqueror and the Fall of the Franco-Byzantine Levant to the Ottoman Turks: Some Western Views and Testimonies*. Tempe, AZ 2007] *Renaissance Quarterly* 62 (2009), 968–970. Philippides's edition of Piccolomini's text, in my opinion, is rather problematic in philological terms (that will not be discussed in the present paper). The standard edition of the text: A. v. Heck, ed., *Enee Silvii Piccolominei postea Pii PP. II De Europa*, Città del Vaticano, Biblioteca apostolica vaticana 2001, 78–82.

9   For more details on Leonard's life, see: A. Pertusi, *La caduta di Costantinopoli. Vol. I.: Le testimonianze dei contemporanei*, Verona 1976, 120–121; M. Philippides – W. K. Hanak, *The Siege and the Fall of Constantinople in 1453. Historiography, Topography and Military Studies*, Farnham – Burlington 2011, 14–17.

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experienced the siege,[10] was held captive, then, after his release he returned to Chios,[11] where on 16 August 1453 he wrote a letter to Pope Nicholas V. Reflecting high literary standards, the letter narrating the siege was one of the first reports about the fall of the City that reached Europe. The relatively great number of existing manuscripts prove how popular the vivid account soon became.[12] Piccolomini was probably also familiar with the famous letter. Anton Déthier was the first to imply that Piccolomini's description relies heavily on Leonard's work. However, Déthier fails to offer any proof.[13] It was Philippides to fill in this gap who pointed out two parallel loci. The first parallel was discovered in the brief account about the fate of Genovese Giovanni Giustiniani, the city's chief defender.[14] Leonard's version puts it as follows:[15]

*Reserata porta fugit capitaneus [s.c. Joannes Justinianus] Peram,[16] qui postea Chium navigans, ex vulnere vel tristitia inglorium transitum fecit.* (*PG* 941 col., B)

Piccolomini's paraphrase keeps the briefness of Leonard's text:

*Iustinianus in Peram cum divertisset, inde Chium navigavit ibique seu vulnere seu mestitia morbum incidens inglorius vitam finivit, . . .[17]* (*De Europa* 2091–2093)

The second clue indicating adaptation follows a few lines later. Leonard names two defenders, the Greek Theophilus Palaeologus and the Dalmatian John Sclavus, who fought back the inpouring Turks heroically:

*Inter haec Theophilus Palaeologus, vir catholicus: Jam perdita urbe, me, inquit, vivere non licet; Teucrorumque pondus aliquandiu sustinens, et decertans, securi discinditur. Ita Johannes Sclavus Illyricus, veluti Hercules se opponens, multos prius mactat, deinde gladio finivit vitam[18] hostili.* (*PG* 941 col., B)

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[10] About this, see: Philippides – Hanak, *The Siege and the Fall of Constantinople*, 15.

[11] We do not have any specific information on the circumstances of his release; cf. Philippides–Hanak, *The Siege and the Fall of Constantinople*, 16–17.

[12] On manuscript tradition, see: Pertusi, *La caduta di Costantinopoli I*, 121; Philippides – Hanak, *The Siege and the Fall of Constantinople*, 18–19. On Leonard's Greek reception, see: M. Philippides, "The Fall of Constantinople: Bishop Leonard and the Greek Accounts," *Greek, Roman and Byzantine Studies* 22 (1981) 287–300.

[13] Cf. Philippides – Hanak, *The Siege and the Fall of Constantinople*, 105, n. 51. Déthier's work was unavailable to me.

[14] M. Philippides, "Urbs Capta. Early 'Sources' on the Fall of Constantinople (1453)," in T. S. Miller – J. Nesbitt, eds., *Peace and War in Byzantium. Essays in Honor of George T. Dennis, S. J.*, Washington, D. C. 1995. 209–224; esp. 221–223.

[15] I cite Leonard's letter based on *Patrologia Graeca* (*PG*) vol. 159, coll. 923–944; I also refer to the text of Pertusi's edition wherever the two editions are significantly different. In the following, I will cite the text of Piccolomini's historical account based on v. Heck, *Enee Silvii Piccolominei De Europa*, following its line numbering.

[16] Pertusi, *La caduta di Costantinopoli I*, 162 (449–451): *Refugit capitaneus in Peram; qui post Chium navigans ex vulnere vel tristitia inglorium transitum fecit.*

[17] Following the above-cited sentence, Piccolomini adds another ironic remark about Giustiniani's death: *. . . . felix, si in ipsis Bizantii menibus animam exalasset.* (*De Europa* 2093–2094)

[18] Pertusi, *La caduta di Costantinopoli I,* 164 (459): *vitam finivit.*

After describing the emperor's inglorious death, Piccolomini also mentions the two men who, according to him, prove to be the only heroes:

*In tanta multitudine pugnatorum duo tantum reperti sunt, qui se viros ostenderit: alter Graecus, alter Dalmata, Theophilus Paleologus et Ioannes Sclavus. Qui fugere turpe putantes, cum diu Turcorum impetum sustinuisset multosque obtruncassent, denique non tam victi quam vincendo fatigati inter cadavera hostium occubuere.* (*De Europa* 2087–2091)

The accounts of *eye witnesses* of the fall do not mention the two men. Therefore, Piccolmini certainly borrowed the story of the two heroic defenders from Leonard, which he then rephrased and adjusted to his own account.[19] The examples cited by Philippides are convincing and their number may be increased based on similar grounds. The following six examples serve to improve this latter statement.

**1.** The time of the final attack was announced by heralds in the Turkish camp. The order prescribed a fast to be held before the attack and also allowed a three day long free predation in the city. Following the order, the soldiers held a fast on the day preceding the attack, then, after nightfall, they organized feasts and receptions to say goodbye to one another. Piccolomini describes this as follows:

*Ad extremum voce preconis totis castris inclamatum est quinto Kal. Maii milites omnes ieiunium sanctificent; sequenti die in armis assint urbem extremis viribus oppugnaturi; triduo civitatem militum direptioni futuram. Constituta die ieiunium ad noctem usque servatum. Exin lucentibus stellis invitationes ac convivia passim habita; ut quisque amicum, propinquum notumque habuit, cum eo hilaris epulatus est, atque ubi satis adbibitum, tamquam se deinceps numquam visuri essent, amplexati exosculatique simul ultimum vale dixerunt.* (*De Europa* 2029–2037)

A similar description only occurs in Leonard's work:

*Ergo proclamatum est in castris edicto, ut quarto Kalendis Maii,[20] die videlicet Martis, praeviis diebus tribus, quibus luminaria Deo accendant, Deum invocent, integra die abstineant, parati sint omnes ad praelium: daturi Christianis generale certamen; altissimaque voce praeconis voluntate regis urbem triduo ad saccum esse bellatoribus donatam. [. . .] Sicque factum est: triduo luminaria Deo accendunt, jejunant die nihil usque ad noctem gustantes: invicem congaudentes, invicem convivantes, se ipsos quasi ad inferos die certaminis abituri, osculis resalutant.* (*PG* 938 col., A–C)

**2.** After describing the mainly sacral events that took place in the Turkish camp, Piccolomini, counterpointing the account about the camp, directs his attention to what lies behind the walls of Constantinople and describes the procession of its citizens:

*In urbe autem sacerdotes sacras ferentes imagines sequente populo urbem lustrare, auxilium de celo petere, affligere corpora; ieiuniis atque orationibus universi cives intendere.* (*De Europa* 2038–2040)

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[19]   Philippides, "Urbs Capta," 223 phrases it precisely: "Yet, it is apparent from the phraseology involved that Aeneas Sylvius elaborated this information further; he kept the factual names and gave the circumstances his own coloring."

[20]   Cf. Piccolomini: *quinto Kal. Maii.*

Here, data is probably taken from Leonard's description again, although he offers a more detailed and understandably more personal account than Piccolomini:

*Nos tantam religionem admirati, Deum propitiatorem profusis lacrymis precabamur, sacras imagines, processionaliter, compuncti, per vallum urbemque transferentes, nudis pedibus mulierum virorumque turbis consequentibus deprecabamur, cum poenitudine cordis ne haereditatem suam Dominus demoliri permitteret, et quod dignaretur fidelibus suis in tanto certamine porrigere dextram, qui solus Deus, et non alius pro Christianis pugnare potens est. Itaque nostram spem totam in Deo ponentes, constitutum certaminis diem confortati vigorosius exspectabamus:. . . (PG 938 col., C–D)*

Beyond the similarities in content, the fact that the account about the camp and the description of the procession are adjacent and constitute a strong unit also confirms the borrowing.

**3.** Piccolomini's writing includes several remarks about the tactics of the fighting parties. One of these brief notes reveals that the Byzantine defensive works were in rather bad condition, therefore, they trusted mostly the advanced works (the outer wall and ditch before the headwall):[21]

*Erant muri urbis et altitudine et crassitudine toto orbe celebres, sed ob vetustatem et Grecorum incuriam pinnis ac propugnaculis nudi; antemuralia vero opportune communita. In his Graeci salutem posuere. (De Europa 2041–2044)*

While criticising the Greeks' tactics,[22] Leonard also mentions the faith put in the advanced works:

*. . . quam postea sero si reparare voluerunt, duo defuerunt, aes et tempus; quae poterant, si guerram intendebant, opportunius et importunius extorquere. Sed innata non sinebat procrastinationis ineptia. Omnem ergo spem in fossatis et antemurali posuerunt:. . . (PG 936 col., D)*

Besides Leonard, as far as I know, no other author discusses the role of advanced works and the faith put in them. Therefore, Piccolomini probably drew from Leonard's letter here as well, and followed it in mentioning the bad state of the walls and the negligence of Greeks.

**4.** Piccolomini depicts the events after the city's seizure with vivid colours. In his account, he devotes special attention to the desecration of the Christian symbols.

*Simulachrum Crucifixi, quem colimus et verum Deum esse fatemur, tubis ac tympanis preeuntibus raptum ex urbe hostes ad tentoria deferunt, sputo lutoque fedant et ad nostre religionis irrisionem iterum cruci affigunt. Exin pileo, quem sarculam vocant, capiti eius imposito corona undique facta "Hic est" inquiunt "christianorum*

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21 Cf. Runciman, *1453*, 91–92; Philippides – Hanak, *The Siege and the Fall of Constantinople*, 491ff.

22 *Operosa autem protegendi vallum et antemurale nostris fuit cura; quod contra animum meum semper fuit, qui suadebam, in refugium muros altos primos non deserendos: qui si ob imbres negligentiamque vel scissi, vel inermes propugnaculis essent, a principio dum propositum guerrae intervenit, reparari potuissent, reparandi custodiendique erant: qui non deserti, praesidium urbi salutis contulissent. (PG 936 col., B)*

*Deus". Tum lapides, lutumque iactantes miris dehonestant modis.* (*De Europa* 2124–2129)

Yet again, the source of the description is to be found in Leonard's account, since among the narrators of the *Halōsis* he is the only one to mention the cross desecrated with *zarchula*:

*Sacras Dei et sanctorum effigies humo prosternunt: quibus super non modo crapulam, sed luxuriam complent. Crucifixum posthac per castra praeviis tympanis deludendo deportant: sputis, blasphemiis, opprobriis iterum processionaliter crucifigunt: pileum Teucrale, quod Zarchula vocant, capiti superponentes, deridendo. Hic est Deus Christianorum.* (*PG* 942 col., C)

**5.** The description of the Turkish soldiers' horrible deeds is followed by the records of their leaders' barbarian acts:

*Post hec convivatus Maomethes, cum forte plus solito adbibisset, ut sanguinem mero adderet, . . .* (*De Europa* 2136–2137)

However, the "original portrait" of the sultan pouring his enemies' blood in his wine was not drawn by Piccolomini but Leonard:

*Parta autem victoria, Turci Bacchanalia festosque dies celebrant: quibus rex, forte temulentior factus, sanguinem Baccho misceri voluit humanum.* (*PG* 942 col., C)

**6.** Mehmed satisfied his blood thirst with the blood of captivated noblemen, those executed also included Loukas Notaras *megadux*:

*Karilucas, qui apud imperatorem plurimum poterat, ceso ante oculos maiori filio, altero ad illicitos usus reservato, securi percussus est; duo alii eius filii in bello cecide-rant.* (*De Europa* 2138–2141)

Various sources mention Notaras's execution.[23] Piccolomini's description, however, is closest to Leonard's account:[24]

*At Chirluca malitia poenam non evasit: qui protinus perditis, primum in bello duobus liberis majoribus, alio impubere luxui regali reservato, coramque oculis tertio filio caeso, cum caeteris baronibus decollatur.* (*PG* 943 col., A)

Other than Leonard's letter, no further source is known to have described that the sultan kept one of the *megadux*'s sons alive only for the purpose of subsequent fornication. Besides similarity in content, similar structure also confirms borrowing: in Leonard's letter the above mentioned three episodes (**4**, **5** and **6**) are adjacent, just as in Piccolomini's description. Based on the examples cited above, the results of our research may be summarized as follows: (1) Piccolomini's account includes various data that only occur in Leonard's letter; (2) these data follow one another in the same order in the two writings and are edited similarly (cf. examples **1** and **2**, as well as examples **4**, **5** and **6**);

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[23] See the collected sources here: Philippides–Hanak, *The Siege and the Fall of Constantinople*, 597ff.

[24] Although it is highly unlikely, the possibility that Piccolomini also knew Isidore's account (or used it here) cannot be excluded: *Post tres dies decrevit ac iussit primo quidem duobus filiis Notarae – alter enim gloriose dimicans interierat – capita in conspectu patris amputari, ipsi deinde patri, postea magni domestici filios tres pulcherrimos et optimos occidit et insuper patrem eorum.* Cf. Philippides–Hanak, *The Siege and the Fall of Constantinople*, 600.

(3) based on the two considerations above, it is highly probable that Piccolomini used Leonard's letter; (4) the parallel loci show that Piccolomini adapted the text of the letter to his own work after revising[25] and rephrasing it thoroughly.


## Nikolaos Sekoundinos

Philippides mentions another possible source besides Leonard: *"It is not unreasonable to suppose that Aeneas Sylvius discussed the siege and fall of Constantinople in 1453 with Sekoundinos. [. . .] While Aeneas Sylvius undoubtedly used other accounts, such as Bishop Leonardo's famous epistula, there is nothing to prevent us from assuming that he had received some facts from Sekoundinos also."*[26]

Nikolaos Sekoundinos was an outstanding Greek humanist of the *Quattrocento* who, thanks to his erudition and excellent command of languages, had a successful career serving the Vatican and the Republic of Venice.[27] He received his first important assignment – that later served him as a stepping-stone – probably with the assistance of Cardinal Bessarion at the Council of Florence, where, after the resignation of Francesco Filelfo, he participated as a translator of Greek and Latin. His considerable knowledge of languages not only at-

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[25] For example, it may be interesting to note that Piccolomini consistently uses the word *Turci* to indicate Turks instead of *Teucri*, the word mostly used by Leonard. Piccolomini belonged to the humanists who strived to deny the view according to which the Turks were the descendants of Trojans. To learn more about this debate and Piccolomini's position, see: J. Hankins, "Renaissance Crusaders: Humanist Crusade Literature in the Age of Mehmed II," *Dumbarton Oaks Papers* 49 (1995) 111–207; esp. 135–144; Helmrath, "Pius II. und die Türken," 106–111. It is probably due to correction that in the camp scene (cf. **1.**) Piccolomini wrote *quinto Kal. Maii*.

[26] Philippides, *Mehmed II*, 17; cf. Philippides – Hanak, *The Siege and the Fall of Constantinople*, 104–105. The wording suggests that Piccolomini must have received mainly verbal information from Sekoundinos. Franz Babinger shares the same opinion: *"Niccolò Sagundino che, appena ritornato dalla Turchia, si era presentato a Pio II. È a lui che dobbiamo la più vecchia relazione ancora conservata sulle condizioni e sugli avvenimenti della Costantinopoli recentemente conquistata. I suoi rapporti con Pio II sono chiariti in tutti i dettagli, per cui non è dubitabile che grazie a lui il papa poté acquistare una profonda conoscenza della situazione turca."* F. Babinger, "Pio II e l'Oriente maomettano," in D. Maffei, ed., *Enea Silvio Piccolomini papa Pio II. Atti del convegno per il quinto centenario della morte e altri scritti raccolti da Domenico Maffei*, Siena 1968, 3.

[27] On Sekundinos's life and career, see: F. Babinger, "Nikolaos Sagoundinos, ein griechisch-venedischer Humanist des 15. Jhdts," in Χαριστήριον εἰς Ἀναστάσιον κ. Ὀρλάνδον, Τομ. Ι., Ἀθῆναι 1965, 198–212; P. D. Mastrodemetres, *ΝΙΚΟΛΑΟΣ ΣΕΚΟΥΝΔΙΝΟΣ (1402–1464) ΒΙΟΣ ΚΑΙ ΕΡΓΟΝ*, Ἀθῆναι 1970. 19–100; P. D. Mastrodemetres, "Nicolaos Secundinos a Napoli dopo la caduta di Costantinopoli," *ΙΤΑΛΟΕΛΛΗΝΙΚΑ, Rivista di cultura greco-moderna* 2 (1989) 21–38. To find abundant further data on the literature, see: Mastrodemetres, "Nicolaos Secundinos a Napoli," 21, n. 1.

tracted the participants' attention,[28] but his reputation also reached those absent, like Aeneas Sylvius Piccolomini,[29] who writes the following about the Greek translator: *Post multas disputationes in quibus tanquam interpres Nicolaus Sagundinus, utraque lingua disertissimus ingenio facundiae iuxta promptus illustre nomen adeptus est.*[30] Two decades later their paths crossed. In April 1456, both of them stayed in Naples as guests in the court of Alfonso V of Aragon (I as Neapolitan king).

This was not the first time Sekoundinos visited the South Italian city. In 1453, he received an assignment from the *Serenissima* to accompany Bartolomeo Marcello to Constantinople and assist the Republic's negotiations with Mehmed II, the new lord of the city.[31] On 5 July 1453, Sekoundinos joined the deputation in Chalcis (Negropont) and spent almost two months in Constantinople, occupied and desolated a few weeks earlier. In September he returned to Venice following Marcello's command to inform the *Serenissima* about the negotiations. Upon returning to the Venetian Lagoon, Sekoundinos was one of those who could give a personal account about Constantinople taken over by the Turks and the young sultan as its conqueror. No wonder that soon after his arrival he received invitations to both the papal and the Neapolitan court to share his experience. At the end of the year he accepted these invitations and left Venice to travel to Rome first, then in early January 1454 to Naples. Sekoundinos felt obliged to warn Pope Nicholas V and Alfonso V about the Ottoman threat that, after the occupation of Constantinople, might have meant a direct danger to Italy as several contemporary thinkers suggested.[32] We obviously do not know the words Sekoundinos actually said to the pope and the king of Naples. However, on 25 January 1454 Alfonso V ordered the publication of the work entitled *Oratio dissertissimi viri Nicolai Sagudini ad Serenissimum Alfonsum Regem Aragonum* that enables us to draw a picture about the Greek guest's experiences in Constantinople. Sekoundinos has a long account about the conquering sultan. This description was the first one about Mehmed II based on personal experience and it became widespread in the Western world. Many manuscripts preserved Sekoundinos's portrait[33] that had a substantial influence on the contemporary portrayals of Mehmed[34] – just like that of Picco-

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[28] Cf. Babinger, "Nikolaos Sagoundinos, ein griechisch-venedischer Humanist," 200–201.

[29] Piccolomini did not participate in the council; he stayed in Basle at the time. To learn more about this period, see: G. Paparelli, *Enea Silvio Piccolomini. L'umanesimo sul soglio di Pietro*, Ravenna 1978, 56ff.

[30] The text is cited by Philippides, *Mehmed II*, 8, n. 7.

[31] In the course of the following account of events I relied mainly on these works: Babinger, "Nikolaos Sagoundinos, ein griechisch-venedischer Humanist," 198–212; Mastrodemetres, "Nicolaos Secundinos a Napoli," 21–38.

[32] Cf. Babinger, "Nikolaos Sagoundinos, ein griechisch-venedischer Humanist," 204.

[33] About the manuscripts, see: Mastrodemetres, *ΝΙΚΟΛΑΟΣ ΣΕΚΟΥΝΔΙΝΟΣ*, 124–128.

[34] About the influence of Sekoundinos's portrait of Mehmed, see: Philippides, *Mehmed II*, 11–14.

lomini.[35] In 1454 Sekoundinos returned to Venice,[36] then in September 1455 he travelled to Naples again, where he stayed until July 1456. He wrote his only historical work entitled *De Otthomanorum Familia* (hereinafter referred to as *OF*) here.[37] However, it was not the Aragonese ruler who encouraged him to write this work but Piccolomini, who arrived in the city as an ambassador.

Piccolomini was driven to Naples by his patriotism, because Jacopo Piccinino, the known *condottiere* and his horse-troopers invaded the Sienese Republic early that year. And although defenders managed to press back the intruders and close them round in Orbitello, the encircling did not guarantee the safety of the Republic, since Piccinino was backed up by Alfonso V of Aragon, who used the *condottiere* to get back at the Republic of Siena for making peace with the Milanese prince and the Florentines without asking him despite their alliance and gun friendship. Based on the request of the Republic's principals, Piccolomini travelled to the court of the Aragonese ruler to persuade the king to make peace and pull the rug from under Piccinino (what he did accomplish).[38]

Piccolomini probably met the Byzantine Sekoundinos in the intervals of negotiations. The two men must have found a common voice quickly since they had a lot in common: they might have been about the same age,[39] both were enthusiasts of humanistic erudition and fierce advocates of the pressing need for joining forces against the Turks and starting a crusade. Both were aware that a token of the successful fight against the Turks may be finding out more about the enemy and passing on that information to the public. Piccolomini might have had this in mind when he asked the Greek humanist to compile a brief history of the Turks. He could not have found anybody more capable of completing this task than Sekoundinos: his erudition was impeccable, he had an excellent command of Latin, being Greek, he was personally affected by the conquest, and what is more, he had an autopsy of the Turk sultan and the fallen Byzantine capital. Sekoundinos earned his trust and soon completed his discourse that was preserved in nine manuscripts.[40] Two manuscripts also include the dedication to Piccolomini.[41] It amounting to a *laudatio* reveals that it

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[35]  Cf. Helmrath, "Pius II. und die Türken," 102, 114.

[36]  The exact date is unknown; cf. Mastrodemetres, "Nicolaos Secundinos a Napoli," 26.

[37]  The half sentence – *paucis tamen ne historiam contexere videar* – expressing the dedication to Piccolomini implies that even Sekoundinos himself did not consider his writing a historical work. Researchers, however, do regard it that way, see, for example: Mastrodemetres, *ΝΙΚΟΛΑΟΣ ΣΕΚΟΥΝΔΙΝΟΣ*, 168ff.

[38]  Cf. *Comm*. 1, 31–32.

[39]  Piccolomini was born in 1405. Sekoundinos was probably born sometime between 1402 and 1405; cf. Mastrodemetres, *ΝΙΚΟΛΑΟΣ ΣΕΚΟΥΝΔΙΝΟΣ*, 28.

[40]  About the manuscripts, see: Mastrodemetres, *ΝΙΚΟΛΑΟΣ ΣΕΚΟΥΝΔΙΝΟΣ*, 168ff.

[41]  Marc. lat. 13. n. 62 (4418), f. 1ʳ –1ᵛ ; Vat. Ottob. lat.1732a, f. 24ʳ and 1732b f. 63ʳ. The text was published by Mastrodemetres (in *ΝΙΚΟΛΑΟΣ ΣΕΚΟΥΝΔΙΝΟΣ*, 173–174) who indicates text variations in footnotes.

was basically Piccolomini's request to define the structure of the work.[42] In the first two chapters, Sekoundinos writes about early Ottoman history, the origin, and the lifestyle of the Turks, then in chapter 3 the catalogue of sultans begins with Osman's coming into power and ends with the rule of Mehmed II and the conquest of Constantinople. This *historia syntomos* proved to be an excellent pre-study for Piccolomini, who was eager to devote his attention to Turks not only in his orations but also in his historical works. Piccolomini's account also owes a lot to Sekoundinos's writing, and we can establish this not as a mere assumption – we can go further than Philippides by stating it as a fact.[43] The following two excerpts confirm that our enterprise is not groundless. The first one is Sekoundinos's description while the second is Piccolomini's account:

*Mahumetus subinde filius, qui in praesentia rerum potitur gubernacula imperii ex voto adeptus, instituta totius regni pro ingenio correxit. Leges ipse suas domi forisque attulit, aerarium locupletavit, nova vectigalia excogitavit, copias auxit. In proceres et aulicos saevire contumeliarique coepit, expeditionem adversus Constantinopolim diu animo volvens castellum iuxta litus ad ostium Bosphori paulo ab urbe remotius, aliud simulans, incredibili celeritate extruxit atque munivit. Bellum inde urbi non indixit, sed contra inita foedera, contra iusiurandum, simul atque intulit et gerere coepit. Innumeris demum p<a>ene coactis undique copiis, mirabili apparatu, formidoloso animi impetu, terra marique aggressus eam cuniculis, ac latentibus fossis altissime actis, aggere late edito, ponte (quia mare, versus Peram oppidum, muros alluit urbis) longitudine ad duo milia passuum raptim exstructo, turribus ligneis eo usque erectis, ut muros urbis, qui altissimi erant, excederent. Machinarum tormentorumque multiplici adhibito genere, post quartum et quinquagesimum diem summa vi et extrema pugna cepit, imperatore ipso ingressu hostium confosso atque extincto.[44]*

*Maomethes igitur defuncto Amurate gubernacula regni ex voto adeptus instituta maiorum pro ingenio correxit, leges ipse suas domi forisque tulit, erarium locupletavit, nova vectigalia excogitavit, copias auxit, in proceres et aulicos sevire contumeliari ve cepit. [. . .] Cum paucis igitur participato consilio castellum iuxta lictus ad hostium Bosphori paulo ab urbe remotius, aliud dissimulans, incredibili celeritate extruxit ac munivit. Bellum deinde urbi non modo indixit, sed contra inita federa, contra iusiurandum intulit simul et gerere cepit. [. . .] Maomethes interea coactis undique copiis mirabili apparatu, formidando animi impetu terra marique regiam urbem aggressus cuniculis ac latentibus fossis altissime actis, aggere late edito, ponte, qua Peram oppidum versus mare muros alluit, urbis longitudinis ad duo milia passuum raptim extructo, turribus ligneis eousque erectis, ut muros, quamvis altissimos,*

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[42] *Petiisti namque a me ut eorum tibi nomina darem, qui Machumetae, Turcorum regi, a primo domus et familiae auctore maiores fuissent. Ita cuiusque vita et nomine designatis, ut, loco et ordine quis cui successisset, intelligere posses.*

[43] Surprisingly, Philippides did not notice that the two texts are closely related, which v. Heck indicates with italics in his edition of *De Europa*; cf. *De Europa* 1997–2000, 2008–2011, 2022–2028, 2137–2138. v. Heck mentions Nikolaos Sekoundinos in his edition as a source, although in the text, he does not identify the source of quotations any more but only italicizes them; cf. v. Heck, *De Europa*, 7.

[44] I refer to the text based on Philippides, *Mehmed II*, 80, 82.

135

*excederent machinamentorum tormentorumque multiplici adhibito genere.* (*De Europa* 1997–2000, 2008–2011, 2022–2028)

The many verbatim correspondences prove undoubtedly that Piccolomini did not only rely on Sekoundinos's verbal information but also used the *OF* written based on request. This fact enables us to roughly estimate the time of the text's origin. Eric Cochrane – who refers to Piccolomini's work under the title of *De Captione Urbis Constantinopolitanae* – estimates the origin of the work to be 1461.[45] His book does not contain any information as to why he establishes this date and what exactly he means by the origin of the work: creation or publication. One thing is sure: the date of origin he defines is wrong, whatever it may refer to. The error is probably caused by the fact that Cochrane linked the creation of the work to the publication of *De Asia* (1461), the second major unit of *Cosmographia*. Instead of the time provided by Cochrane, I suggest the following date(s). Based on the common features of the texts by Piccolomini and Sekoundinos, *terminus post quem* can be defined, which is 20 July 1456, the date of *OF*'s origin.[46] We must regard 1458, that is the publication of *De Europa*, to be the *terminus ante quem* since whether the text was created as an independent discourse or as a chapter of *Cosmographia*, it was published in *De Europa* so it must have been completed by 1458. At least three years had surely passed after the fall of the city when Piccolomini took pen in hand to record the events in a historical account (as well). Throughout these three years, the image reflected by his writings penned down directly after the destruction of Constantinople changed to some extent.

# II.

From the summer of 1453 on, the *Halōsis* was a recurring theme in Piccolomini's letters and orations. Although the term *historical* cannot be put before these writings due to the different frameworks of genre, they offer an excellent opportunity for us to gain insight into Piccolomini's activities as a researcher and historiographer, allowing us to follow the process in which the chaotic, uncertain and often times exaggerated news arriving in Western Europe brought by refugees eventually turned into a literary work that deserves the

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[45] E. W. Cochrane, *Historians and Historiography in the Italian Renaissance*, Chicago 1981, 46.

[46] 20 July 1456 is the date of publication; cf. Babinger, "Nikolaos Sagoundinos, ein griechisch-venedischer Humanist," 206–207. According to Mastrodemetres, Nikolaos Sekundinos completed *OF* on 20 April 1456. He does not provide any arguments for the definition of date; cf. Mastrodemetres, "Nicolaos Secundinos a Napoli," 32.

adjective *historical*. In the following, I will examine the letters that originated directly after the fall of the City.[47]

The first letter was created on 12 July 1453, and was addressed to Pope Nicholas V. The letter written with hands shaking[48] because of the shocking news reveals that Piccolomini learnt about what had happened in Constantinople from people returning from Serbia.[49] He informs the Pope based on these news that the Byzantine emperor was decapitated while his son was able to escape to Pera (44 [18–20]). In the letter urging joint action against the Turks, he also mentions the course of the siege briefly (44 [11–17]), he refers to the desolation of Hagia Sophia and other temples (46 [27–30]) and, of course, the destruction of books and Greek literature (46 [30–35]). The fact that based on the first news, Piccolomini did not know what exactly had happened in the city is apparent from the brevity of descriptive sections as well as the following half sentence: *. . . at huius tempore urbs regia Constantinopolis a Turchis capta direptaque est, nescio an diruta incensave dici poterit . . .* (48 [55–57])

Probably in possession of the news by then arriving frequently, he could offer cardinal Nicolaus a more detailed description about the siege on 21 July (50 [23]–52 [35]).[50] This time he mentions the emperor's decapitation again (50 [35–36]),[51] but does not write about the prince escaped to Pera. Instead, he writes a long discussion about the depredation of the city and the barbaric and blasphemous deeds of the Turks (52, [36–48]) and, of course, about how the ancient Greek heritage died together with the city (52 [48–63]). He claims that although he does not have any data about these horrible events, but it is easy to imagine what could have happened.[52] Piccolomini does not only rely on his imagination: in the letter he also refers to his sources twice: at the beginning of the letter he mentions the reports coming from Serbia,[53] while later on he makes a reference to the news arriving from Venice.[54]

The letter that Piccolomini sent cardinal Domenico Capranice from Graz on 27 July proves how contradictory the news coming from Constantinople was in the weeks following the conquest of the city: *De Turchis fuerunt hic nuper hor-*

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47  I cite the letters following the page and line numbering of Pertusi, *La caduta di Costantinopoli II*; except for the letter addressed to cardinal Capranice that I cite based on A. Pertusi, *Testi inediti e poco noti sulla caduta di Costantinopoli*, Bologna 1983.

48  *Tremit manus, dum haec scribo, . . .* (44 [4]).

49  *Qui res gestas ad nos ex Rascia venientes enarrant, . . .* (44 [17–18]).

50  This description, for example, includes the date of the third, decisive attack, although wrongly: *pridie ' calendas Iunias* (50 [24]).

51  In the first letter he only mentions the decapitation (*capite multatum*); but it is not clear whether it is an execution or the mutilation of the corpse. The second letter reveals that the emperor was captivated alive and decapitated later on: *Imperator novae Romae captus, mox capite truncatus asseritur.* (52 [35–36]).

52  *Quid autem factura sit Turchorum rabies in urbe regia non scio, suspicari facile est:. . .* (52 [40–41]).

53  *Aiunt enim, qui de Rascia ad nos veniunt, . . .* (50 [23]).

54  *Ferunt, qui de Venetiis ad nos veniunt, . . .* (56 [109–110]).

*renda nova ex Rascia atque etiam ex Venetiis missa fuitque vehemens rumor, Constan-*
*tinopolim perditam, classem Christianorum amissam, Peram Turcho traditam. Id cae-*
*sari et omni curiae suae molestissimum erat, quemadmodum sanctissimo domino nos-*
*tro super eo negocio non brevem epistolam scripserim. Nunc feliciora relata sunt aut*
*non tam aspera nova. Dicit enim, praesidium domini nostri intrasse Constantinopolim*
*ac regiam urbem defensam esse, perditas tamen nonnullas naves. Itaque mente*
*quietiori sumus. Caesar*[55] *ad inquirendum verum nuntios misit, quos prope dies*
*expectamus . . .*[56]

Piccolomini could not remain calm for long. It soon turned out that the news about Constantinople's liberation was false. The letter to Leonardo Benvoglienti almost two months later (on 25 September) does not have any vain hopes and contains no details about the siege, only considers the consequences of the defeat and tries to find those responsible for the disaster. In the middle of discussing the sinful fraction and ignorance of Europe's Christian states and depicting a threatening vision of the Turks' landing in Italy, Piccolomini makes a brief detour. In the *excursus* he describes the pagan deeds of the Turks devastating Constantinople, and reports a story not included in the former two letters referring to *eye witnesses*. According to this, the sultan raped a young virgin of noble origin and her brother of royal blood at the altar of Hagia Sophia in front of the public, then he ordered their execution.[57]

These letters have various traces of Piccolomini's activities as a researcher and historiographer: on the one hand, they include data and motives that had great importance in his historical account also years later, on the other hand however, these texts also contain writings that did not become part of his historical work for some reason. Both tracks are expressive. Let us proceed on the latter one first.

The accounts about the emperor's decapitation, the prince's escape to Pera and the siblings' rape at the altar of Hagia Sophia disappeared after a while as a result of thorough research and consideration. As suggested by the second letter, Piccolomini soon found out that the story of the prince's escape to Pera is untrue, since Emperor Constantine XI did not have a male offspring. However, when assessing the accounts about the emperor's death he must have had a more difficult task.

The circumstances of the death of Constantine XI are unclear to this day.[58] The sources mostly agree that after Giustiniani's retreat, the last Byzantine

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[55] Sc. Frederick III (1440–1493).

[56] Pertusi, *Testi inediti e poco noti sulla caduta di Costantinopoli*, 92.

[57] *Aiunt, qui praesentes fuere, spurcissimum illum Turchorum ducem, sive ut aptius loquar,*
*teterrimam bestiam apud summam aram sanctae Sophiae propalam videntibus omnibus*
*nobilissimam virginem ac fratrem eius adolescentem regalis sanguinis construprasse ac*
*deinde necari iussisse.* (64 [48–53])

[58] On the death and supposed resting place of Constantine XI, see: Pertusi, *La caduta*
*di Costantinopoli I*, 364, n. 159; Philippides – Hanak, *The Siege and the Fall of Constan-*
*tinople*, 231ff.

emperor lost his life in the final battle at the Gate of St. Romanus.[59] No information is available as to how exactly the emperor died: it happened without the presence of any of those who later on recorded the events based on their personal experiences. Therefore, any available account can be regarded only as an indirect, secondary source. However, the tradition about the emperor's mutilation occurs in various documents.

Ubertino Pusculo, the poet born in Bresca[60] arrived in Constantinople not long before the start of the siege with the goal of language learning, he stayed in the city during the battles, then after his captivity, he returned to Italy and composed poems about the events in which he wrote the following about the emperor's death: *Rex ut forte caput galea nudatus inani / Inclinans oculos intra tentoria fessos / Carpebat somnum, / Magno clamore citatus / Exilit, eque fuga cives revocare laborans / Ense petit nudo Teucros, solusque repugnans / Increpitat socios, tres ipsoque aggere truncat / Ianizaros. Tandem media inter tempora grandi / Vibrato cecidit gladio. Caput abstulit unus / Ex humeris.*[61]

Benvenuto,[62] Ancona's consul to Constantinople and the Byzantine emperor's baron (*baro imperatoris*) also knows that the chopped-off head was taken to Mehmed II on a spear: *Item: quod audivit* [sc. Benvenutus] *ab uno trumpeta quod imperator graecorum fuit interfectus et eius caput super lancea Turcorum domino pr<a>esentatum.*[63]

A figure of great prestige, Isidore of Kiev[64] knows even more: according to him, the sultan rejoiced at the sight of the "present", he insolently abused it, then he quickly sent the mutilated body part to Adrianople: *. . .qui iam ab hostibus vulneratus ac trucidatus fuerat eiusque caput Turco postea domino datum est, qui eo viso plurimum exultavit atque illi petulanti ludibrio improperavit et continuo in Adrianapolim triumphandum misit.*[65]

All three authors were in the middle of fleeing or already in captivity when the janissaries tried to identify the emperor's dead body going through hundreds of corpses.[66] Therefore, none of them had an autopsy. That is why Philippides assumes that these accounts reflect the gossip originated in the

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[59]  Exception: Nestor-Iskander's account; cf. Philippides – Hanak, *The Siege and the Fall of Constantinople*, 234–235.

[60]  About Pusculo, see: Philippides – Hanak, *The Siege and the Fall of Constantinople*, 31–32.

[61]  The text is cited based on Philippides – Hanak, *The Siege and the Fall of Constantinople*, 233.

[62]  About Benvenuto, see: Philippides – Hanak, *The Siege and the Fall of Constantinople*, 31.

[63]  The text is cited based on Philippides – Hanak, *The Siege and the Fall of Constantinople*, 234.

[64]  About Isidore, see: Philippides – Hanak, *The Siege and the Fall of Constantinople*, 26ff.

[65]  The text is cited based on Philippides – Hanak, *The Siege and the Fall of Constantinople*, 236.

[66]  Cf. Philippides – Hanak, *The Siege and the Fall of Constantinople*, 236.

Turkish compounds and not the historical reality.⁶⁷ However, this gossip soon infiltrated the public view and found its way into the works of various authors writing in Greek (Doukas), Latin (Nikolaos Sekoundinos) or Turkish (Mehmed Nešri) who had not been present at the siege.

Nevertheless, many survivors of the siege did not know anything about the mutilation although it is fair to assume that they would have included it in their accounts if they had been informed or found the news authentic. Some of them using a minimalist tone, others a dramatic one, these sources only mention that the emperor lost his life fighting the Turks invading the city. For example, Nicolò Barbaro, the Venetian doctor⁶⁸ writes the following in his journal: *"De l'imperador mai non se potè saver novela di fatti soi, ní vivo, ní morto, ma alguni dixe che el fo visto in nel numero di corpi morti, el qual fo dito, che el se sofegà al intra'che fexe i Turchi a la porta de san Romano. L'imperator pregava che li suoi l'amazzasse et si messe nella furia con la spada, et cascò et rilevò, poi recascò, et così morì."*⁶⁹

Maybe complete with Marco Barbaro's notes,⁷⁰ Nicolò's recollection shows perfectly that, on the one hand, even the authors who had experienced the siege did not have precise information about the circumstances of the emperor's death, and that, on the other hand, different stories soon started spreading among the survivors about the emperor's end. For instance, both accounts occur and they consist with each other just fine in the description of Jacopo Tetaldi,⁷¹ the Florentine merchant who also witnessed the siege: *"L'imperatore di Costantinopoli fu ucciso. Alcuni dissero che gli fu tagliata la testa, e altri che morì nella mischia presso la porta: ambedue le storie possono essere benissimo vere."*⁷²

Sphrantzes, the emperor's secretary makes no guesses: he admits that he was not beside Constantine at the fatal moment, therefore, he mentions his lord's death objectively and briefly: Καὶ τῇ κθ-ῃ μαΐου, ἡμέρᾳ γ-ῃ, ὥρᾳ τῆς ἡμέρας ἀρχῇ, ἀπῆρε τὴν Πόλιν ὁ ἀμηρᾶς· ἐν ᾗ ὥρᾳ καὶ ἁλώσει τῆς Πόλεως καὶ ὁ μακαρίτης αὐθέντης μου κῦρ Κωνσταντῖνος βασιλεὺς ὁ Παλαιολόγος σκοτωθεὶς ἀπέθανεν, ἐμοῦ πλησίον αὐτοῦ οὐχ εὑρεθέντος τῇ ὥρᾳ ἐκείνῃ, ἀλλὰ προστάξει ἐκείνου εἰς ἐπίσκεψιν δῆθεν ἄλλου μέρους τῆς Πόλεως· ἰού, ἰοὺ κἀμοί, τῆς προνοίας οὐκ οἶδα εἰς τίνα με καιρὸν φυλαττούσης. (*Chronicon Minus* 35, 9)⁷³

⁶⁷ Philippides – Hanak, *The Siege and the Fall of Constantinople*, 236–237.
⁶⁸ About Barbaro, see: Philippides – Hanak, *The Siege and the Fall of Constantinople*, 10ff.
⁶⁹ Pertusi, *La caduta di Costantinopoli I*, 35 (847–851; app. ad 851).
⁷⁰ Cf. Pertusi, *La caduta di Costantinopoli I*, 35, app. ad 851.
⁷¹ About Tetaldi, see: Philippides – Hanak, *The Siege and the Fall of Constantinople*, 14.
⁷² Pertusi, *La caduta di Costantinopoli I*, 184–185. Tetaldi's account survived in another version as well: *"Il cardinale di Russia* [= Isidoro di Kiev] *morì nella calca; così pure l'imperatore. Alcuni dicono che gli fu tagliata la testa o che anch'egli morì nella calca, volendo ambedue fuggirsene; può essere che l'imperatore sia morto nella calca e che poi i turchi gli abbiano tagliato la testa."* Pertusi, *La caduta di Costantinopoli I*, 184–185.
⁷³ The text is cited based on R. Maisano, ed., *Georgii Sphrantzae Chronicon.* (Corpus Fontium Historiae Byzantinae 29), Roma 1990, 134.

Although Leonard, one of Piccolomini's main sources sneaks the emperor's last words into the description for the sake of a more dramatic atmosphere, he does not know about the emperor's mutilation either: *Imperator insuper, ne ab hostibus capiatur: "O quispiam, inquit, valens tyro propter Deum, ne maiestas vafris viris succumbat mea, gladio me transfigat." […] imperator cadens atque resurgens relabitur et compressione princeps patriae e vita demigrat.*[74]

As it is apparent from the diversified and often contradicting stories of the catalogue above (as incomplete as it may be), Piccolomini probably had a difficult job when he reached the description of the emperor's death in composing his historical account. It seems that Piccolomini, who, in his letters had still authenticated the news probably arriving to him through Serbia that reported the emperor's decapitation, did not share Tetaldi's opinion that both stories – that is, both the painful death and the mutilation – might be true, and eventually excluded the latter episode from his historical work. He did so despite the fact that Nikolaos Sekoundinos, one of his main sources also talks about the case. In his famous oration addressed to Alfonso I, the Greek humanist includes a lengthy elocution about the fatal event, showcasing his talent not only in oration but also as a playwright:

*Imperator ubi hostem ruinas iam occupare moenium victoriaque potiri certissima vidit, ne caperetur vivus, sibi ipsi quidem proprias iniicere manus et hoc pacto consciscere mortem, tametsi animus minus deerat, nefas tamen duxit et christiano principe per religionem indignum, suos, qui pauci aderant, hortari coepit, ut se occiderent; sed cum tantum facinus audere voluisset nemo, imperatoriis insignibus depositis et abiectis, ne hostibus notus fieret, privatum <se> gerens stricto ense in aciem irruit fortiterque pugnando, ne inultus abiret, princeps immortalitate dignus hostili manu tandem est interremptus ruinisque urbis ac regni casui regium inmiscuit cadaver. [. . .] Postquam urbs capta et militi in direptionem et praedam data est, rex Turcus imperatorem captum habere cupiens, ubi eum cecidisse percepit, corpus quaeritari curavit; quo in strage civium ruinisque urbis invento atque recognito, caput abscidi iussit, spiculo deinde infixum pompa adhibita circumferri per castra. Legatos post haec, qui caput ipsum XL adiunctis adolescentulis et XX puellis e tota praeda delectis ad Soldanum Aegypti deferrent, declaravit.*[75]

Sekoundinos regards any instrument acceptable for the purpose of "entertaining" his audience and at the same time provoking fear in them. (We can only imagine how Alfonso I must have felt sitting in the audience when the orator traced down the *periēgēsis* of the defeated ruler's amputated head.) The Greek humanist not only wanted to offer his listeners a colourful description about the fall of Constantinople and the conquering sultan, but he strived to wake up the Western potentates from their sleep and prompt them to join forces against the Turks. This was one of the goals of *OF*, his historical work dedicated to Piccolomini. Nonetheless, historiography as a genre is different from rhetoric despite similarities; and this is proven perfectly by the brief half

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[74] The text is cited based on Pertusi, *La caduta di Costantinopoli I*, 162 (451–454), 164 (460–462).

[75] The text is cited based on Pertusi, *La caduta di Costantinopoli II*, 136 (111–132).

sentence covering the emperor's death in *OF*: . . . *imperatore ipso ingressu hostium confosso atque extincto.*[76] He no longer mentions suicidal tendencies, the soldiers refusing mercy killing, the discarded armour, the emperor's head carried round in the camp on a spear or the bloody and expressive present sent to the Egyptian sultan in the company of forty boys and twenty girls.

It may not be a coincidence that Piccolomini, familiar with Sekoundinos and the Greek humanist's oration cited above had a rather similar, quasi parallel journey.[77] It is true that when starting historiography some years later, both authors choose a *somewhat* simpler, clearer account of the emperor's death compared to their former descriptions heated with emotions and full of elocutionary expressions, and they leave behind the shocking and scaring details doubted by many people by then. This parallel development may also be due to the close collaboration of the two humanists.

This hypothesis seems to hold up even when we take a look at the striking differences. Piccolomini's description does not always coincide with the tradition present in *OF* and Leonard's work: *Porta, que Ioanni patuerat, omnibus aperta fugam profusiorem reddit. Tunc imperator non, ut regem decuit, pugnando, sed fugiens in ipsis porte angustiis, cum cecidisset, oppressus calcatusque obiit.* (*De Europa* 2082–2084) Contrary to other authors, Piccolomini does not try to glorify Constantine as a hero. He does quite the opposite: he degrades the last Byzantine emperor as it turns out from this short but poignant remark: *imperator non, ut regem decuit, pugnando, sed fugiens.* We can only guess why he does that. Maybe Piccolomini's bias against the stubborn and inconvincible Greeks are implied here, as it also happens elsewhere in the account.[78]

It is due to Piccolomini's soberness and critical sense that he does not mention the rape at the altar of Hagia Sophia in his historical work. The reason of his moderation may be that he did not find any trace of the story in his main sources. On the other hand, he still had a number of episodes confirmed by sources he found trustworthy that he could blame on the sultan's bloodthirsty and cruel inhumanity.

It is time now to leave the path we have been following so far and start looking for clues in a different direction. As mentioned above, we can find various descriptions in the letters sent to clerical magistrates that Piccolomini also used in his subsequent historical accounts. The majority of these are typically not historical data but rather literary motives or historical tropes that represent the usual components of the anti-Turkish humanistic literature. These motives keep reoccurring in Piccolomini's works and Johannes Helmrath is right to note in his excellent paper that "*[m]ustert man die Reden und Briefe sowie weitere Opera der Laien- (bis 1447), Bischofs- (1447–56) und Kardinalszeit (1456–58) sowie des Pontifikats (1458–64) nacheinander auf Türken- und Kreuzzugsmaterie durch, wird eine Kette inhaltlicher und sprachlicher Motive erkennbar, von denen*

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[76]  Philippides, *Mehmed II*, 82.
[77]  Cf. Helmrath, "Pius II. und die Türken," 102, 114.
[78]  About this, see below.

*manche variiert in fast obsessiver Weise wiederkehren."*[79] This sequence is also traceable in the text examined here.

The sinful ignorance of the West constitutes a standard element of the account. In his letters, Piccolomini continues to emphasize that the Western states and their rulers are seriously accountable for the fall of Constantinople, since instead of joining forces and taking action against the Turks as their common enemies of Christianity, they were busy trying to defeat their own co-religionists. He complains to cardinal Nicolaus like this: *Imminet iam nostris cervicibus Turchorum gladius et nos interim intestina gerimus bella, fratres persequimur et hostes crucis in nos grassari sinimus.*[80] The letters sent to Pope Nicholas and Benvoglienti also include the lashing of the leaders of Christian states,[81] and naturally, this theme also reoccurs in his historical work: *Senserant eius animum Greci diffendentesque suis viribus ad Latinorum opes confugerant lacrimis ac fletibus auxilia expetentes. Surde (pro pudor!) nostrorum principum aures fuere, ceci oculi, qui cadente Grecia ruituram christiane religionis reliquam partem non viderunt, quamvis privatis quemque aut odiis aut commoditatibus occupatum salutem publicam neglexisse magis crediderim.* (*De Europa* 2017–2022)

Although the humanistic anti-Turkish literature is in many aspects different from the crusade literature of the 12th Century, it continues its traditions.[82] For instance, the demonization of the enemy is an important component of the anti-Islamic writings of both periods. As Hankins writes: *"Crusading literature was full of lurid tales of how Muslims had mocked and defiled Christian holy images, outraged Christian nuns, engaged in pederasty with Christian boys, turned churches into brothels and stables, dragged crucifixes through muddy streets, and so forth. [. . .] The fall of Constantinople, for example, brought forth descriptions of the sack of the city and Turkish atrocities that hardly differed from the twelfth-century accounts of Muslim atrocities in Jerusalem."*[83] In his study, Hankins later makes a spirited remark that the authors like Isidore of Kiev and Piccolomini, who tried to force the West to intervene (start a new crusade) wrote long, passionate and blood-stirring accounts about the cruelties of the Turks like the camera of a 15th century news casting program (CNN).[84] In fact, as he himself stated in one of his letters, it was enough for Piccolomini to rely on his imagination (and his ingrained prejudices)[85] to depict the horrible acts of the Turkish conquerors with vivid colours. Here are some details from these letters:[86]

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[79] Helmrath, "Pius II. und die Türken," 87.

[80] Pertusi, *La caduta di Costantinopoli II*, 58 (123–126).

[81] Cf. Pertusi, *La caduta di Costantinopoli II*, 48 (57–63), 60 (17)–62 (38).

[82] See more details about this: Hankins, "Renaissance Crusaders," 111ff.

[83] Hankins, "Renaissance Crusaders," 119.

[84] Hankins, "Renaissance Crusaders," 135.

[85] About this, see: Helmrath, "Pius II. und die Türken," 104–111.

[86] Examples 1 and 2 are from the latter to Pope Nicholas V, example 3 is from the letter to cardinal Nicolaus, while example 4 is taken from the letter to Benvoglienti.

**1.** . . .*populum omnem gladio extinxit, sacerdotes diversis tormentorum generibus excarnificavit neque sexui neque aetati pepercit;...*[87]

**2.** *Turchos autem in ecclesias Dei saevituros quis dubitet? Doleo templum illud toto terrarum orbe famosissimum Sophiae vel destrui vel pollui; doleo infinitas sanctorum basilicas opere mirando constructas vel ruinae vel spurcitiae Maumethi subiacere.*[88]

**3.** *Sacerdotes et universi monachi diversis tormentorum generibus lacerati necatique sunt, reliquum omne vulgus gladio datum. Tanta sanguinis effusio facta, ut rivi cruoris per urbem currerent [. . .] Quid autem factura sit Turchorum rabies in urbe regia non scio, suspicari facile est: inimica gens nostrae religionis nil ibi sanctum, nil mundum relinquet; aut destruet nobilia templa aut certe profanabit. Heu templum illud Sophiae, toto orbe famosissimum, noningentis quondam sacerdotibus celebratum, mirabili opere, pretiosa materia constructum, vel ruinae iam patet vel Maumethi spurcitiae subiacet. Monachorum abdita, sanctorum sancta lupanaribus servient.*[89]

**4.** *Insignis civitas, caput Orientis, Graeciae columen, imperii ac patriarchae magni sedes prostrata iacet, insignia Christi salvatoris deleta sunt, loca suo nomini dedicata spurcitiae patent, nomen eius sine fine blasfematur, reliquiae sanctorum ante ora canum procorumque iaciuntur nec excitari potest Christianorum somnus. Quid caedes in regia urbe factas referam, prostitutas virgines, ephebos muliebria passos, violatas sanctimoniales, omne monachorum feminarumque genus turpiter habitum?*[90]

He writes about the Turks' wild destruction and their pagan deeds with similar passion and detail in his historical work too:

*Tum subito capta urbe cesis omnibus, qui resistere ausi sunt, in rapinas est itum. Erat victorum infinitus numerus in libidinem ac sevitiam corruptior: non dignitas, non etas, non sexus quemqam protegebet; stupra cedibus, cedes stupris miscebantur. Senes exacta etate, feminas viles ad predam in ludibrium trahebant. Ubi adulta virgo aut quis forma conspicuus incidisset in manus rapientium, divulsus ipsos postremo direptores in mutuam perniciem agebat. Dum pecuniam vel gravia templorum dona sibi quisque traherent, maiore aliorum vi truncabatur. Cumque in exercitu maximo ac dissono, ex civibus, sociis atque externis conflato, diversae lingue, varii mores atque cupidines essent et aliud cuique fas, nihil illicitum toto triduo in Constantinopoli fuit. Templum Sophie, Iustiniani Cesaris opus toto orbe famosum, et cui comparari alterum nequeat, nudatum sacra supellectile ad omnes spurcicias patuit. Ossa martirum, que fuerant illa in urbe preciosissima, canibus obiecta et suibus. Sanctorum imagines aut luto fedate aut ferro delete. Altaria diruta. In templis ipsis aut lupanaria meretricum facta aut equorum stabula.[. . . C]aptivi omnes in castra deducti. Pudet dicere christianorum dedecus. Dicam tamen et posteriooritati tradere non verebor, quando persuasum mihi est futuros aliquando, et fortasse antequam moriar, qui tantam Salvatori nostro illatam ignominiam ulciscantur. Simulachrum Crucifixi, quem colimus et verum Deum esse fatemur, tubis ac tympanis preeuntibus raptum ex urbe*

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87  Pertusi, *La caduta di Costantinopoli II*, 44 (14–16).
88  Pertusi, *La caduta di Costantinopoli II*, 46 (26–30).
89  Pertusi, *La caduta di Costantinopoli II*, 52 (36–48).
90  Pertusi, *La caduta di Costantinopoli II*, 62 (37–46).

*hostes ad tentoria deferunt, sputo lutoque fedant et ad nostre religionis irrisionem iterum cruci affigunt.* (*De Europa* 2097–2114, 2118–2127)

Piccolomini moves through the classical[91] steps meticulously like a chess player. His historical work vivifies the centuries-old tropes associated with Islamic conquerors that also play an important role in his letters: the slaughter regardless of gender and age,[92] the mixture of bloodbath and fornication,[93] wild sexual desire, the rape of virgins and young men,[94] the plunder of temples and throwing devotional objects and relics before pigs and dogs,[95] the desecration of icons, the use of temples as brothels or stables,[96] and so on . . .

Humanist authors, however, had prejudices – obviously not completely lacking realistic elements[97] – not only towards the Turks but the subjugated Greeks too. According to many humanists, the lazy, insincere and greedy Greeks refusing Christian faith were responsible for the fall of Constantinople.[98] Even Piccolomini, who admired Greek culture and saw the reasons of the City's fall in a much more complex and subtle way, could not get rid of such prejudices, and these views sneak into both his orations[99] and his historical works as the following sentences demonstrate: *Coacti sunt servi verberibus ac tormentis dominorum abdita scrutari ac defossa eruere. Inventi non pauci thesauri, quos in ipso belli principio infelices suffoderant cives. Quibus si pro defensione urbis usi fuissent, suam fortasse vitam et patrie libertatem servassent. Sed avaro in aurum nulla potestas;...* (*De Europa* 2114–2118)

We can also find more subtle parallels than the above mentioned ones between Piccolomini's letters and historical work. One of such parallel loci can be read in his letter to cardinal Nicolaus: *Ipsumque* (sc. Mahumetem) *inter pugna-*

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[91] These motives also occur in the works of ancient authors. See: G. M. Paul, "'Urbs capta': Sketch of an Ancient Literary Motif," *Phoenix* 36 (1982) 144–155.

[92] *Erat victorum infinitus numerus in libidinem ac sevitiam corruptior: non dignitas, non etas, non sexus quemqam protegebet;. . .* Cf. *. . .populum omnem gladio extinxit, sacerdotes diversis tormentorum generibus excarnificavit neque sexui neque aetati pepercit;...*

[93] *[S]tupra cedibus, cedes stupris miscebantur.*

[94] *Ubi adulta virgo aut quis forma conspicuus incidisset in manus rapientium divulsus, ipsos postremo direptores in mutuam perniciem agebat.* Cf. *Quid caedes in regia urbe factas referam, prostitutas virgines, ephebos muliebria passos, violatas sanctimoniales, omne monachorum feminarumque genus turpiter habitum?*

[95] *Ossa martirum, que fuerant illa in urbe preciosissima, canibus obiecta et suibus.* Cf. *. . . reliquiae sanctorum ante ora canum procorumque iaciuntur . . .*

[96] *In templis ipsis aut lupanaria meretricum facta aut equorum stabula.* Cf. *Monachorum abdita, sanctorum sancta lupanaribus servient.*

[97] Naturally, the Turks did not have mercy on the city and its citizens. Still, some of the horrible acts were probably the invention of the Western authors' imagination. About the Turkish measures following the conquest of the city, see: H. Inalcik, "The Policy of Mehmed II toward the Greek Population of Istanbul and the Byzantine Buildings of the City," *Dumbarton Oaks Papers* 23-24 (1969-1970) 229–249.

[98] Cf. Hankins, "Renaissance Crusaders," 132.

[99] Cf. Hankins, "Renaissance Crusaders," 143.

*tores profectum aliis minatum, aliis praemia policitum . . .*[100] The image of the general sometimes promising rewards, then threatening with punishment also appears in his historical work. Piccolomini describes that there was a critical moment during the decisive attack when the Turkish army besieging the walls lost its momentum.[101] In the end, it was the sultan himself who helped his soldiers overcome the crisis: *Sed adest Maomethes fortissimum quemque nominatim vocitans, utque in prelium redeant, adhortatur: hos premiis allicit, illos minis deterret.* (*De Europa* 2063–2064) Although reversely, but the same scene appears in his historical work just like in the letter written years before.

Although Mehmed II occurs at certain points of the account as a war-lord leading his armies, he is not the protagonist. Piccolomini only devotes some lines to the conqueror sultan at the beginning and at the end of the work. These sentences directly or indirectly reflect the characteristics – although not always as sharply as elsewhere – that Piccolomini liked to cite in his orations too:[102] the love of war,[103] seeking glory,[104] deceitfulness[105] and blood thirst.[106] However, the positive traits that are also recurring elements of Piccolomini's portrait of Mehmed do not appear: the reserved, almost monastic lifestyle not typical of Turks, avoiding feasts and women and the sultan's interest in classic authors and erudition.

To sum up, we can say that reading Piccolomini's text we have the feeling that different genres blend in his work. Some descriptive sections are composed with a sparseness and objectivity characteristic of historical accounts, then suddenly we find ourselves in the middle of an oration when the author changes the tone and the intensity. To find an explanation for this phenomenon, we need to cite Helmrath's study again that draws our attention

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[100] Pertusi, *La caduta di Costantinopoli II*, 50 (29–31).

[101] *. . .et iam Turci deficientibus animis languidius pugnant.* (*De Europa* 2062)

[102] For more details about the portraits of Mehmed in Piccolomini's orations, see: Helmrath, "Pius II. und die Türken," 111–117.

[103] *Hic est ille Maomethes, qui Constantinopolitanis, ut supra innuimus, bellum intulit. De quo nunc referre, que accepimus, haud alienum fuerit. Volverat iampridem animo Maomethes, quonam modo Constantinopolim sibi subigere posset, . . .* (*De Europa* 2000–2004)

[104] *. . .neque ad suam gloriam pertinere arbitrabatur urbem in medio Turcorum sitam esse, que suo imperio non pareret, tantoque maius inde nomini suo decus accedere, si eam urbem expugnaret, quanto progenitores sui, idem conati, turpius acceptis destitissent.* (*De Europa* 2004–2008)

[105] *. . . aliud dissimulans, incredibili celeritate extruxit ac munivit* (sc. castellum). *Bellum deinde urbi non modo indixit, sed contra inita federa, contra iusiurandum, intulit simul et gerere cepit.* (*De Europa* 2009–2011)

[106] *Post hec convivatus Maomethes, cum forte plus solito adbibisset, ut sanguinem mero adderet, principes optimatesque civitatis captos crudelis et sanguinarius carnifex fede misereque iugulari iussit."* (*De Europa* 2136–2138) Cf. *OF:* "*Principes optimatesque captos crudelis et sanguinarius carnifex foede misereque iug<u>lari iussit.* Philippides, *Mehmed II*, 82, 84.

to an important common feature of Piccolomini's writings: "*So darf man seinen und seiner humanistischen Mitstreiter weitverbreiteten Reden, Bullen und Traktaten wenigstens intentional Öffentlichkeitscharakter zumessen und jene Kriterien verwenden, die Winfried Schulze treffend für die Türkendiskussion des 16. Jahrhunderts angelegt hat: Sie habe erstens eine ,informative,' zweitens eine ,diskursive' (gerade auf Reichstagen), drittens eine ,propagandistische Funktion' gehabt.*"[107] This triplicity also penetrates this text. Piccolomini's historical account is rich in data, it is exponent, reasoning and elevating at the same time. The text shifts from strict historical descriptions to the areas of elocution depending on which task is emphasised. These borderlines in the text are rendered even sharper and more visible by the two directly opposed methods that Piccolomini uses to adapt his main sources in his work. It is worth noticing that, contrary to his approach in Leonard's letter, he devoted little time to Sekoundinos's text: making some small modifications, he imbedded the text of *OF* in his own work almost without change. The imbedded text coming from Sekoundinos only contained "dry" data: the sultan's measures, the structure of the Rumeli Hisar Castle, the launch of the attack, the enumeration of the catapults and various army devices and methods – that is: facts and data. So there was no need for an (elocutionary) intervention. Leonard's letter, however, offered completely different "data": the preparations in the camp before the final attack, the procession in the City, the desecration of Christian symbols, the cruelties of the conquerors, the sultan's blood thirst, Loukas Notaras's execution – to put it plainly: "data" of mobilising force. And the propaganda required an elocutionary intervention that Piccolomini did carry out since he was on familiar ground: the motives included in Leonard's letter had already assumed an important role in his letters prompting to take joint action against the Turks and his orations urging a crusade. So this meant no more to him than another routine task. Of course, the purpose remained the same: waking up the West. Contrary to Sekoundinos, who, in *OF,* fails to find words for the horrible things that happened in Constantinople,[108] Piccolomini does find the words that will hopefully inspire others to take up arms and pay back for the disgraceful crimes committed against the Saviour.[109] However, his hopes never turned into reality.

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[107] Helmrath, "Pius II. und die Türken," 85.

[108] *Quis satis pro dignitate tantae urbis casum tantopere deflendam calamitatem, tot tantoque ab hoste rabido in sacra atque profana, in viros ac mulieres per immanitatem ac scelus passim patrata facinora vel memorare verbis, vel lacrimis prosequi, vel oratione complecti queat?* Philippides, *Mehmed II,* 84.

[109] *Pudet dicere christianorum dedecus. Dicam tamen et posteritati tradere non verebor, quando persuasum mihi est futuros aliquando, et fortasse antequam moriar, qui tantam Salvatori nostro illatam ignominiam ulciscantur.* (*De Europa* 2121–2124)

# A Book of the Third Century Roman Military Innovations

*P. Elliot, Legions in Crisis. Transformation of the Roman Soldier AD 192-284*, Oxford - Charleston, Fonthill Media 2014

Gergő Gönczi

This hardcover monograph tries to represent how the main historical events and circumstances determined the transformation of Roman armour, weaponry and tactics in the years of the Severan Dynasty and soldier emperors.

Paul Elliott, the author has a degree in archaeology and ancient history, he writes books on military history (*The Last Legionary*, *Warrior Cults* etc.), and recently his articles have been published in the *Ancient Warfare* magazine. As an archaeologist Elliott has tested bronze casting and fabrication of Roman shields so he utilized the acquired experiences to his book. The *Legions in Crisis* was published in 2014 by Fonthill Media and the dust jacket itself already rouses the readers' interest: on the front as well as on the back we can see Elliott himself as a third century Roman legionary in cross-bracing helmet, ring-mail and *sagum* ("cloak").

On the first pages the author summarizes the main guide-lines of his research: after Commodus' death the Roman army gained the political power with the aid of Septimius Severus who was also the distributor of the new types of weapons, armours and tactics (*Introduction* pp. 7-8). This thesis is the starting point of Elliott's whole logical contexture which can be separated into three blocks. After a *List of Emperors* (pp. 11-12) from Trajan to Diocletian, chapters 1-3 (pp. 13-48) represent Marcus Aurelius' Marcomannic Wars as the first crucial period, the rise and military reforms of Septimius Severus whence the late imperial "defence in depth" tactics is originated by Elliott, and the contracted history of the Severan Dynasty and soldier emperors until 253, the accession to power of Valerian and his son, Gallienus. Chapters 4-8 (pp. 49-115)

"more likely, the *equites* Dalmatae as well as two units of mounted Moorish javelin men (the *equites* Mauri) and Osrhoene horse archers, simply served as supporting cavalry forces. There is little evidence that they were at all independent or enjoyed the command of a senior general; they acted, as cavalry had always acted, as a powerful skirmishing force" (p. 31).

In my opinion Elliott overrates Severus' Praetorian Guard and *II Parthica*, and he is totally wrong in the case of Gallienus' cavalry.

Elliott states that the Praetorian Guard "was rarely deployed to a battle-front" (p. 29) in the first and second centuries. I think it was more often than rarely. Praetorians would fight time and time again in civil wars and against the barbarians. In 14 the rebellious Pannonian legions were defeated by Drusus, accompanied by two Praetorian Cohorts and most of the Praetorian cavalry under the command of Aelius Seianus *praefectus praetorio* (Tac. *Ann.* 1, 24). During the civil war of 69 the Praetorian Guard would support emperor Otho (Tac. *Hist.* 2, 11), but after his defeat Vitellius had disbanded the Guard and formed a new one. So the practice of disbanding the Guard was also used by the former emperors, and there were no outstanding military changes. Domitian's *praefectus praetorio*, Cornelius Fuscus led a campaign against the Dacians and he was defeated and killed in 86 (Suet. *Dom.* 6, 1). Praetorian Cohorts would fight in Trajan's Dacian expeditions and in Marcus Aurelius' Marcomannic Wars during the second century. I think these former examples prove that the Praetorian Guard had already acted like a combat unit long before Septimius Severus. Of course when it was needed. So the third century praetorians' duty did not differ much from the old ones' service.

It is true that the *Legio II Parthica* was established by Septimius Severus and it was based nearby Rome in order to maintain the stability and crush the revolts in the absence of the emperor. Therefore, the protection of Italy against the foreign attacks was not primary yet. The empire was not threatened by the barbarians in the 190s and 200s as much as in the years of the Marcomannic Wars. The real danger occured from the reign of Alexander Severus, so the *II Parthica* could only transform into Elliott's visioned reserve force from the 220s. Of course Elliott is right when he says that "the II Parthica became the personal legion of the third century emperors and... could provide a reserve of troops for other legions if necessary" (p. 29) but other legions could act like that, too. For example the *VII Gemina*, based at modern León, Spain, far behind the *limes*.

Despite his concept of the Severan reserve army Elliott accepts that the main forces of the third century Roman army were the *vexillationes*. These effective combat detachments were named after the *vexillum* ("flag"), were mixed from various legions and were settled in the frontier garrisons to stop the enemies (pp. 26-28).

I think Gallienus' cavalry more likely resembled a reserve force than Septimius Severus' army. This mobile, fast-moving and light-armoured unit was a totally independent force, had its own high-ranked commander (the position of *dux equitum* first was filled by Manlius Acilius Aureolus who would bring so many victories to Gallienus time and time again, then by two later emperors,

Claudius II and Aurelian, the later emperor and *Restitutor Orbis*), and it was based at Mediolanum (modern Milan) whence the Alps' passes and whole Italy could be defended against the German tribes or the Gallic usurpers. It is true that this force was not so powerful like the fourth century cataphracts. However, the cavalry of Mediolanum had remained after Gallienus' death, and took part in defeating the Palmyrian Empire in 273. Some historians think it existed at least until the death of emperor Probus, 282. Elliott himself also admits that the faster Roman cavalry gained the battles at Immae and at Emesa for Aurelian (pp. 135-136) so it is ununderstandable to me why Gallienus' cavalry is degraded by the author (p. 31).

In my opinion the book's most valuable parts are chapters 4-8 where Elliott compares the third century Roman soldier's appearance, weaponry and armour with the older imperial style. The comparison focuses on the Roman legionaries and auxiliary infantry. The cavalry and missile units (archers, slingers etc.) are also mentioned. At the end of the comparison the reader can see how *spatha*, ringmail or oval shields displaced the more familiar pieces, like *gladius*, *lorica segmentata* or *scutum*.

Elliott uses literary sources (Vegetius, Ammianus Marcellinus, Cassius Dio etc.), much archaeological evidence, the representations of Trajan's and Marcus Aurelius' Columns, the imagery of Septimius Severus' Arch, epitaphs of Roman legionaries and of course his own experiences for the illustration of his research. 39 spectacular colour plates represent the various armours, swords, military equipment and the author also gives an *Appendix* (pp. 143-148) for some of them. Most of the photos and sources are from the Dura Europos collection of the Royal Ontario Museum, Tyne & Wear Archives & Museums and the Dura collection of Yale University's Ancient Art Department. There are a few black-and-white pictures and detailed maps of the western and eastern frontiers as well (pp. 9-10, 126).

It is not surprising that the siege and fall of Dura Europos in 255 or 256 is represented by Elliott at the end of the book (pp. 124-129). Unfortunately researchers do not know much about the third century battles and wars; most of the literary sources are just short epitomes. But the siege of Dura Europos is well reconstructed by archaeological evidence. Anyway most of our knowledge about the third century military equipment and warfare is from the excavations of Dura Europos.

In the *Bibliography* (pp. 149-150) the list of the ancient and modern sources is not complete and errorless (it is probably the publisher's fault). Some mistakes: Cassius Dio is missing from the ancient sources (p. 149), Edward Gibbon from the modern authors, and the name of Lukas de Blois appears incorrectly (Le Blois, L., p. 150).

The *Endnotes* (pp. 151-156) are collected chapter by chapter but Elliott is not so consistent. For example some ancient sources are reflected, others like Cassius Dio or Vegetius are not (pp. 14, 114-115). The *Index* (pp. 157-160) at least is well constructed.

Despite some weak proofs on the existence of Severus' reserve army, the degradation of Gallienus' cavalry and the vanishing formal mistakes, the *Legions in Crisis* is a spectacular, detailed and enjoyable book which can add some new and interesting information to the bloody history of the third century downfall.

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Provide two printed copies of your paper and a machine-readable copy (on disc or CD-ROM or via e-mail) preferably prepared in MSWord. The word-processor and version used should be stipulated. Be sure to indicate the file name under which your text is stored on disc at the end of the printed copy.

Use A4 paper (210x297 mm). 12 point font-size, double-space and use one inch (2,54 cm) margins all around for editorial amendments and eventual corrections. If possible, use Times New Roman font-face. Use minimal text-formatting (cursive), hyphenation should be switched off. Paragraphs are headed by Tabs, not spaces!

Prepare footnotes not endnotes. Notes are to be placed at the bottom of page with continuous numbering formatted the same way as the main text.

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