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Giuseppina Azzarello – Fabian Reiter A Further Testimony of Flavius Apion I, ἕκδικος and *magnificentissimus*: P.Rain. Unterricht 79 Revisited

Among the aristocratic houses, which marked the history of the Eastern Roman Empire between the 5th and the 7th cent. CE,¹ the *domus gloriosa* of the so called Apiones is undoubtedly one of the most important and best documented. The members of this family, who were alternatively called Strategius and Apion, rose to the highest ranks of the *cursus honorum*: for instance, Strategius II was *comes sacrarum largitionum* between 532 and 537² and his son Apion II was appointed *consul ordinarius* in 539.³

Papyri, literary and epigraphic sources allow us to follow the life and career of the family members for seven generations, although portions of the family history still remain hypothetical. In particular, the reconstruction of the life and career of the so called Apion I has represented a real challenge for the scholars. While the most numerous egyptian sources regarding the other family members come from the Oxyrhynchite, where the family originally stems from, the papyri regarding Apion I originate from the Herakleopolite. As of a couple years ago, only one papyrus from the Oxyrhynchite was known to have been addressed to Apion I.⁴ However, as he comes up as an ἕκδικος bearing the modest title of $\lambda oyιώτατος$, scholars have been doubting whether this person should really be identified with Apion I, who was very high in rank not only for being member of the senate, but also for his appointment as *praefectus praetorio Orientis vacans* in 503.⁵

¹ In what follows all dates should be understood as CE.

² Cf. recently Hickey, Wine, Wealth, and the State, 13 with footn. 80; moreover *Nov*. CXXXVI and XXII 48 (535) as well as *Nov*. CV (28 December 537); see also SB XXII 15581 (5 October 533) and 15582 (533–536).

³ Cf. in general Mazza, L'archivio, mentioning older literature. On single members of the family cf. G. Azzarello, P.Köln XI 459 intro. and *eand.*, *Domus divina*, 11; 15 and 18–20 on Strategius I; Gonis, P. Bingen 135, and Azzarello, Vecchi e nuovi personaggi, on Apion I; Mazza, Φλ. Ἀπίων, on Apion II; Palme, Die *domus gloriosa*, and *eund.*, Flavius Paneuphemos, on Fl. Strategius Paneuphemos. On the economic and social aspects of the apionic household cf. mainly Hickey, An Inconvenient Truth; Sarris, Economy and Society, *passim*, esp. 29–49; Ruffini, Social Networks, 94–146; Wickham, Framing, 165 and 243–252; Hickey, Wine, Wealth, and the State. **4** P.Oxy. XVI 1886, 1.

⁵ Cf. P.Oxy. LXVII 4615, 4 (3 September 505) with comm.

In 2001 Nikolaos Gonis formulated a hypothesis according to which Apion I was not the son of Strategius I, as the onomastic alternance would suggest, but his son-in-law.⁶ Apion I would have married Flavia Isis, the daughter of Strategius I, with whom he would have fathered Strategius II and, as attested by literary sources⁷ (but cf. *infra*), a certain Herakleidas. Apion I would be the son of a Heracleopolite landowner called Septimius (but sometimes Flavius) Flavianus. This man, along with his brother Septimius/Flavius Ptolemaeus, is attested in a handful of documents, mostly writing exercises, from the Vienna and the Yale collections.

Recently Azzarello confirmed this hypothesis by bringing new evidence, in particular a still unpublished papyrus from the Washington Library collection in St. Louis mentioning Apion as an ἔκδικος of Oxyrhynchus in the 5th cent. (P.Wash. Univ. inv. 26 [before 19 March 483 (?)]) and an already edited papyrus from the Vienna collection, CPR VI 79 (after 19 March 483 [?]) from the Herakleopolite:⁸ The new analysis of the papyrus reveals that the addressee of the text, Septimius Herakleides, son of Apion, very probably is the very Herakleidas, son of Apion I and brother of Strategius II, who was believed to be attested only in literary sources.⁹ Such an interpretation confirms that Apion I indeed came from the Herakleopolite and was a member of Flavianus' family: Herakleides bears like his grandfather Flavianus and his great uncle Ptolemaeus the gentilicium Septimius. As for the role of ἕκδικος played by Apion I in the Oxyrhynchite, Azzarello suggests that he acted on behalf of the *domus gloriosa* of his father-in-law Strategius I which was inherited by his wife Flavia Isis: munera civica like the έκδικία were notoriously carried out by the most important aristocratic houses of the civitas.¹⁰ Very recently, six unpublished papyri of the Vienna collection and one Yale papyrus have been added to Flavianus family's dossier, cf. Palme, Flavius Flavianus, and Azzarello, Petizione di un carcerato.

However, an ultimate evidence for the identity of Apion I, *i.e.* the heracleopolite son of Flavianus, with the $\ddot{\epsilon}\kappa\delta\iota\kappao\varsigma$ of the Oxyrhynchite has not yet come to light. We now believe to have found such an evidence in an already published papyrus from the Vienna collection. This papyrus, edited as P.Rain. Unterricht 79 (hereafter referred to as *ed.pr.*), is written *transversa charta* (a kollesis is visible about 10,2 cm from the bottom, cf. *ed.pr.*, intro.) and bears on the recto a writing

⁶ Cf. P.Oxy. LXVII 4614, 2 comm. and Gonis, P. Bingen 135.

⁷ Theod. Lect., Hist. Eccl., p. 137, 16–22 Hansen (2nd ed., Berlin 1995).

⁸ Azzarello, Vecchi e nuovi personaggi, especially 37–38 and 40–45.

⁹ On the orthographic variation in the name cf. Azzarello, Vecchi e nuovi personaggi, 40 with footn. 37.

¹⁰ Cf. Laniado, Recherches, 223 with footn. 205 and 208.

exercise, on the verso 9 lines in shorthand. According to the *ed.pr.*, the papyrus should be dated to the 6th-7th cent. and is of uncertain provenance. Moreover, the writing exercise concerns the titulature of a certain Flavius Philoxenus (l. 1–3; 5; 7), addressed as an ἕκδικος in l. 5. Furthermore, the exercise reports a postconsular date (l. 4), the mention of a certain Ptol (l. 6 and 14) and the titulature of a man called Flavius Apion addressed by the epitetha μεγαλοπρεπέστατος (l. 10 e 13) and λογιώτατος (l. 11).

A new analysis of the writing exercise now allows new readings which lead to a better understanding of the text, its date and provenance as well as its context. The most significant differences from the *ed.pr*. will be discussed here; for the other ones cf. the new edition of the text reported below.

On the one hand, a new reading of l. 2 shows that Flavius Philoxenus was ἔκδικος of Herakleopolis (cf. also l. 1). On the other hand, Flavius Apion turns out to have been himself an ἕκδικος, cf. the new reading of l. 9 (= 11 in the *ed.pr.*, cf. below). These two pieces of information allow important progress in the interpretation of the text. As for the provenance of the text, the place of Philoxenus' office suggests that the papyrus comes from the Heracleopolite. Such a hypothesis is confirmed by the writing style exercised by the scribe, as it is identifiable with the so called heracleopolite style, as described by Harrauer-Rom, Drei byzantinische Papyri, 95–96; cf. in particular l. 5 and 6 of our text. New light can be shed also on date and context of the text. As the papyrus comes from the Heracleopolite and seems to mention a certain Ptolemaeus (cf. l. 6, but probably not ed.pr., l. 14, cf. below) along with Flavius Apion, it is very probable that it belongs to the documentation of Flavianus' dossier, being Ptolemaeus Flavianus' brother and Apion Flavianus' son, cf. supra. Such a hypothesis finds confirmation in the fact that the text is a writing exercise like most Flavianus papyri¹¹ and, as most of them, belongs to the Vienna collection.

As already reported, P.Rain. Unterricht 79 mentions Flavius Apion as an *ἕ*κδικος in l. 9 (= 11 in the *ed.pr.*). Although it is theoretically possible that he acted as a *defensor* in Heracleopolis (like Philoxenus), it seems much more probable that the office refers to Apion's civic duty in Oxyrhynchus, as attested by P.Oxy. XVI 1886 and P.Wash. Univ. inv. 26. Therefore the papyrus might offer the ultimate evidence for the identification of the heracleopolite Apion, son of Flavianus, with the ἕκδικος of Oxyrhynchus, who probably assumed the *munus* on behalf of the glorious house inherited by his wife Flavia Isis.

¹¹ Cf. Palme, Flavius Flavianus.

The identification of the papyrus as belonging to Flavianus' dossier, allows to date it to the second half of the 5th cent., cf. the chronological reflections by Palme, Flavius Flavianus, 156–158. Unfortunately the postconsular date reported in 1. 4 is not helpful in giving a *terminus post quem*, as the line cannot be deciphered with certainty and even if it could (cf. for possibilities *infra*, comm. to 1. 4), such exercises often report either obsolete or fictious formulas which are not significant for determining the very date of the text. The titulature referred to Apion could however be of some help. As already stated, Apion comes up both as an ἕκδικος and as a μεγαλοπρεπέστατος (l. 9 and 10 = 10 and 13 of the *ed.pr.*): the latter title implies that he was a member of the senate, cf. Palme, Flavius Flavianus, 154 with footn. 42–43. Azzarello has proposed¹² that Apion I was *defensor* of Oxyrhynchos in 472 and maybe in the following years (P.Oxy. XVI 1886; P.Wash. Univ. inv. 26), and senator for the first time in 483 (P.Bingen 135). If that is correct, P.Rain. Unterricht 79 could be dated to about the last quarter of the 5th cent.

New Edition of P.Rain. Unterricht 79

The papyrus contains exercises in different types of handwriting. For the different numbering of the lines versus the *ed.pr*. cf. further and below, comm. to l. 9. The lines seem to be complete apart from a loss of a layer of fibers between l. 7 and 10, cf. below, comm. to l. 1; 2 and 10 $\mu \epsilon [\gamma \alpha] \lambda [\alpha \pi \rho (\epsilon \pi \epsilon \sigma \tau \acute{\alpha} \tau \phi)]$. The hand of l. 1 – with broad initial ϕ – turns out to be similar to that of l. 2; 3; 7 and 8, while the smaller and more rectangular letters of l. 9 resemble the second part of l. 10; for l. 4–6 and the first part of l. 10 cf. further.

It seems impossible to distinguish exactly the different stages and hands and to clarify the sequence of the exercises. At least we may try to define groups of exercise elements which have been written in more or less the same time: Maybe the writer's first exercise was that of the abbreviation $\Phi\lambda s$ alone and in connection with the name Philoxenus in a chancellery-like hand with remarkably huge and ornamental letters in lines 3 and 6. Possibly the exercise of an account's title in l. 10, $\{\lambda o\} \lambda \delta \gamma o \zeta \lambda \eta \mu \mu \alpha \tau o \zeta$, which has probably intentionally been put in the center of the line, is as well from this stage, but it may even have preceded it. The writer might then have developed his efforts in l. 1, 2, 5 and 7–8, trying the same content (the name Fl. Philoxenus) with smaller, not less elegant letters, this time also adding titles to the person.

¹² Vecchi e nuovi personaggi, 39–40 with footn. 35.

The three exercises on Fl. Apion with titles and an office in the second part of l. 9 and 10 and the first part of l. 9 seem to have followed the pattern of the exercises on Fl. Philoxenus. In any case, according to their position on the sheet they have certainly been written later than l. 8 and the account's title in l. 10. As the third exercise on Apion has been written next to the account's title – although on a slightly lower level due to the peculiar position of the second half of l. 9 (cf. below, comm.) – we chose to consider this formula as the second part of l. 10 and not, like in the *ed.pr.*, as a completely different line (= *ed.pr.*, l. 13).

Line 6 ($\Pi \tau \sigma \lambda$) seems to have been squeezed in after completion of l. 5 and 7. The hand, however, could be the same as in l. 5, both being written in the socalled "heracleopolite" style, cf. above. There is no way to decide when the exercise of the postconsular date in l. 4 has been written. Only if the sequence of the article (?) $\tau \omega v$, written twice in different styles at the end of l. 5, but a little lower than the main part of the line, should in any way be related to the writing of the postconsular date, then one might argue that this one was older than the exercises on Philoxenus and that his titulature in l. 5 was interrupted because of missing space before the double article.

Before and across l. 5 (until the λ of λ oy(ω t $\dot{\alpha}$ t $\dot{\omega}$) and l. 7 (until the second $\Phi\lambda(\alpha \circ \iota(\omega))$) as well as under $\Phi\lambda(\alpha \circ \iota(\omega)) \Phi\iota\lambda \circ \xi \dot{\epsilon} \nu \omega$ in l. 7, there are illegible traces of writing in thicker strokes of lighter colour. According to the *ed.pr.*, the traces nearby l. 5 should be read upside down as $\Pi \tau \circ \lambda$ $\Pi \tau \circ \lambda$ (= *ed.pr.*, l. 14), but we cannot follow this reading. It is evident that the traces described are not related to the exercises, as they even cross it, but are probably only scribbles. Therefore we chose not to transcribe the traces in the edition (note that the scribbles under l. 7 correspond to l. 8 of the *ed.pr.*).

1	Φλ(αουίψ) Φιλοξένψ τῶ λογιωτάτψ ἐκ̞δ̣ίκ̣[ψ]
2	Φλ(αουίω) Φιλοξένω τῷ λογιωτάτῳ ἐκδίκω τῆς Ἡρακλ[έους]
3	Φλ(αουι-) Φιλοξ
4	μετὰ τὴν [ὑπα]τίαν Φλ(αουίων)καὶ .[
5	Φλαουίψ Φιλοξένψ τῷ λογιωτάτψ ἐκδίκψ των των
6	Πτολ
7	Φλ Φλ(αουίψ) Φλ Φλ(αουίψ) Φιλοξένψ τῷ
8	λογι[ωτ]άτω
9	+ Φλαουί $ω$ Ἀπίωνι τ $\tilde{ω}$ μεγαλοπρ(επεστάτ $ω$) Φλ(αουί $ω$) Ἀπίωνι τ $\tilde{ω}$ λο[γι] $ω$ [τάτ $ω$] ἐκδ[ί]κ $ω$
10	{λο} λόγος λήμματος Φλ(αουίψ) Ἀπίωνι τῷ με[γα]λ[οπρ(επεστάτψ)]

1–3; 7; 9–10 Φλ
 β Pap. 4 *l*. ὑπατείαν Φλλί Pap. 9 μεγαλοπρ
ί/ Pap.

1 ἐκ̞δɨ́κ.[ω]: 'Spuren' (*ed.pr.*). The reading is palaeographically uncertain, although probable in light of l. 2 and 5. Both κ (of the second survives only the lower part of the vertical) reach far below the line; ε , δ and ι are very faint. It is not probable

that the writer continued the titulature as in l. 2: the sheet seems to be complete on the right. A *defensor civitatis* called Philoxenus is not otherwise attested. For the office cf. the literature given by N. Poget, P.Gen. IV 182, 1 comm.

2 τῷ λογιψτάτψ ἐκδίκψ τῆς Ἡρακλ[έους]: τῷ λογιψτάτψ 'Spuren' (*ed.pr.*). The reading ἐκδίκψ is quite certain (cf. l. 1 and 5), although the first letters of the word are crossed by two unexplained oblique strokes and spots of ink. In Ἡρακλ[έους] the first diagonal stroke of λ is directly attached to the cursively written κ, cf. the λ in Ἡρακλεοπολί[τη in P.Vindob. G 35278a, 3 edited by Palme, Flavius Flavianus, 168–169 with plate. After this only a minimal horizontal stroke in the middle of the line is visible, probably the other diagonal of the λ. The other letters seem to be abraded, if the name has not been abbreviated after λ. As the sheet seems to be complete on the right, it is probable that Ἡρακλ[έους was not followed by πόλεως, cf. e.g. P.Oxy. XXVII 2480, 64 (565–566).

3 Φλ(αουι-) Φιλοξ vacat: Φλ(αουι-) Φιλοξ 'Spuren' (*ed.pr.*). The traces visible at the end of the line are probably only ink impressions. No ending of the name seems to have been written by the scribe, unless it has been completely abraded. In light of l. 1, 2, 5 and 7 (referring to the same Philoxenus) as well as 9 and 10 (referring to Apion), the dative should probably be understood.

4 μετὰ τὴν [ὑπα]τίαν (Ι. ὑπατείαν) Φλ(αουίων) καὶ : Μετὰ τὴν [ὑπα-] τίαν (l. ὑπατείαν) Φλ(αουίου) Spuren καὶ λ (ed.pr.). The traces after φ and the distance to the abbreviation mark (f) suggest that two lambdas had been written here. For the ornaments in kappa in $\kappa \alpha i$ cf. the same letter in $\Pi \epsilon \kappa \upsilon \sigma i \sigma \upsilon$ in P.Rain. Unterricht 81, 19 with Tafel 26. The consuls' names cannot be deciphered with certainty. The scarce remains allow to read different letters. The only trace of the second consul's name is a curved stroke on the line level after καί, read as a lambda in the edition, which in our opinion could belong to ε , σ , ω , λ , β , but maybe also σ or µ. However, this letter might still have been preceded by a very small letter like iota. According to the traces and the space, the name of the first consul should consist of 6–8 letters, and might begin with α . As the choice is reduced to a pair of civil consuls whose first one should have a relatively short name, many possibilities especially in the last quarter of the fifth century with imperators prevailing as consuls, can be excluded. Although the remaining possibilities are still many (for example the consuls of 436 Anthemius and Senator, of 467 Puseus and Ioannes and of 469 Zenon and Marcianus), the paleographically best solution seems to us the consuls of the year 431 and the reading $\Phi\lambda(\alpha o \nu(\omega v) Av\tau[\iota] \delta \chi o \nu \kappa \alpha B [\alpha \sigma \sigma \sigma v)$ τῶν λαμπροτάτων]. If this integration were right (but we are reluctant ourselves in regard of the way too scarce traces of writing), 431 would be the terminus post quem for this exercise. The long time span between this date and the presumed date of the writing exercises (cf. above) is not surprising, cf. the discussion of fictitous and anachronistic datations in this 'dossier' of exercises in Palme, Flavius

Flavianus 156–158: He recognizes in P.Rain. Unterricht 95 a distance of at least 20 years (maybe even more than 30) between the postconsulate of 400 (of Fl. Theodorus, consul in 399) mentioned in l. 3, and the actual formulation of this exercise, and in P.Rain. Unterricht 63, 38 an even longer time span between the postconsulate of Monaxius (consul in 419) and the composition of the exercise around 445.

5 Φλαουίφ Φιλοξένφ τῷ λογιωτάτφ ἐκδίκφ των των: Φλαουί(φ) Φιλοξένφ τῷ λογιωτάτφ ἐκδίκφ των των (*ed.pr.*). The line is preceded and then partially crossed by some writing whose meaning is obscure. It probably belongs to a later phase of reuse of the papyrus, which was not related to the original writing exercise, cf. above, intro. and below, comm. to l. 7–8 and 10 με[γα]λ[οπρ(επεστάτφ) (?)]. As in the space between ἐκδίκφ and των the vertical fibers are missing for the greater part, it cannot be excluded that something was written here.

The fact that the *gentilicium* is written out until at least the iota suggests that the last trace visible before the next φ – a little oblique stroke in the upper part of the line ascending towards the right – should be read as φ , not as an abbreviation mark, cf. l. 9. The horizontal trace above the ω is not easy to explain: a ligature stroke? After $\dot{\epsilon}\kappa\delta \hat{\kappa} \phi$ there seems to be a couple traces, which might be only impressions of ink. The meaning of the last two words – probably articles in genitive plural – is obscure, but cf. above, intro. to the new edition.

6 Πτολ: Πτολ (*ed.pr.*). The lower part of the first stroke of λ reaches far below into the middle of φ of the second Φλ of l. 7. Although the scribe left the word uncomplete (cf. already *ed.pr.*, index IVa, p. 183, s.v. Πτολ< >), it is very probable that he meant the personal name Ptolemaeus. For the possible identity of this person – brother of Flavianus and uncle of Apion I – cf. above, intro. According to the *ed.pr.* the name was written also between l. 4 and 5 (= *ed.pr.*, l. 14) in the opposite direction to the main text, but cf. above, intro.

7–8 Φλ Φλ(αουίψ) Φλ Φλ(αουίψ) Φιλοξένψ τῷ | λογι[ωτ]ἀτψ: 'Spuren' Φλ(αουίψ) Φλ(αουίψ) Φλ(αουίψ) Φλ(αουίψ) Φιλοξένψ | 'Spuren' | λογι[ωτά]τψ (*ed.pr.*, l. 7–9). The line is preceded and then crossed by writing traces whose meaning is obscure. Further traces are also visible under and on Φλ(αουίψ) Φιλοξένψ. All these traces probably belong to a later phase of reuse of the papyrus, which was not related to the original writing exercise, cf. also above, intro. to the new edition; comm. to l. 5 and below, comm. to l. 10 με[γα] λ[οπρ(επεστάτψ)].

The first and the third $\Phi\lambda$ in l. 7 do not seem to be followed by any abbreviation marks. At the end of the same line there are traces of ink: in light of the following attribute in l. 8 (= 9 of the *ed.pr.*, cf. above, intro. to the new edition) it seems possible that they hide the article in dative.

The peculiar position of $\lambda \circ \gamma_{!}[\omega \tau] \dot{\alpha} \tau \dot{\omega}$, right below the second $\Phi \lambda(\alpha \circ \nu \dot{\omega})$ and not at the beginning of the next line, is probably due to the wish of the writer to keep the attribute close to the rest of the formula. Such a choice influenced also the position of the second half of l. 9 and 10, cf. below, comm. *ad loc*.

9–10 On the identification of this person with the famous Apion I of the Apiones family and on the titulature he is addressed with in this papyrus cf. above, intro.

9 Φλαουίψ Ἀπίωνι τῷ μεγαλοπρ(επεστάτψ) Φλ(αουίψ) Ἀπίωνι τῷ λο[γι]ω[τάτψ] ἐκδ[[ἰ]κψ: Φλαουίψ Ἀπίωνι τῷ μεγαλοπρ(επεστάτψ) | Φλ(αουίψ) Ἀπίωνι τῷ λογ[ι]ω[τάτψ] 'Spuren' (*ed.pr.*, l. 10–11). The second half of the line Φλ(αουίψ) Ἀπίωνι τῷ λο[γι]ω[τάτψ] ἐκδ[[ἰ]κψ has been written on a slightly lower level than the first one, probably because of the presence of λογι[ωτ]ἀτψ in l. 8, cf. above, comm. to l. 7–8. That does not mean in our opinion that the writer intended to put the ἕκδικος-formula in a different line, as implied in the *ed.pr*.

ἐκ̞δ[ί]κῷ at the end of the line is a probable reading both for content-related and palaeographical reasons. On the one hand, the attribute λογιώτατος is typical of the *defensores* as for instance in l. 1–2 and 5, cf. also Azzarello, Vecchi e nuovi personaggi, 37–38 with footn. 29. On the other hand, the letters, although faint and incomplete, seem to us quite certain. The iota – not visible anymore – could have been written under the line as a continuation of the vertical stroke of δ.

10 {λο} λόγος λήμματος: λωλλογοολημμος (*ed.pr.*, l. 12). The reading seems to us quite plausible: however, the second λ is crossed by an oblique stroke, whose meaning is not easy to understand. It is possible that it should be interpreted as a correction: the λ might have turned out to be too large, as its second stroke even crossed the following *omikron*. Therefore the scribe could have adjusted his mistake by writing again the second stroke so that the letter became narrower than it was before. Such a correction, along with the (inexplicable) repetition of the first two letters, suggests that the phrase might belong to a writing exercise. The phrase seems to refer to a list of incomes, cf. e.g. SB XX 14299, 1 (Hermopolites; early 4th cent.): λόγος λ[ή]μματος [οὐcία]ς Βησοδώρου.

μξ[γα]λ[οπρ(επεστάτψ)]: μ[εγαλοπρ(επεστάτψ)] (*ed.pr.*, l. 13). Most letters of the word are missing due to the loss of fibers at the end of the line. Of the ε we believe to see a little trace of the upper part on the left below the ω of λ o[γι]-ω[τάτψ] (l. 9). Furthermore, the little oblique stroke visible further on the line could belong to a λ . It is probable that the adjective was abbreviated like in l. 9. Under μ there seems to be a trace, similar to the beginning of a λ , which is written in a fainter ink: it is possible that it belongs – like the traces in l. 7–8 – to a later phase of use of the papyrus, cf. above, comm. to l. 5 and 7–8, and intro. to the new edition.

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