

DIOSCORUS OF APHRODITO

Man and Circumstance

Part Two: Chapters IV & V

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Part Two

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CHAPTER IV FLAVIUS DIOSCORUS

(1) EARLY YEARS

(1.1) The generally accepted date for the birth of Flavius Dioscorus is around 520.¹ Unlike his father who had to earn the status designation *Flavius*, Dioscorus always appears in the papyri in possession of that title (whenever a title is expected). Like sons in other well-to-do families in the early Byzantine period, Dioscorus probably studied law abroad.² Although there is no evidence, Alexandria is the most likely place for him to have gone.³ Leslie MacCoull suggests that John Philoponus, the famous

¹ J. Maspero, “Un dernier poète grec d’Égypte: Dioscore, fils d’Apollôn,” *Revue des études grecques* 24 (1911): 457; L. MacCoull, *Dioscorus of Aphrodito: His Work and His World* (Berkeley 1988), 9.

² Maspero 1911, 460; H. I. Bell, “An Egyptian Village in the Age of Justinian,” *JHS* 64 (1944): 27. But also see Alan Cameron, “Wandering Poets: A Literary Movement in Byzantine Egypt,” *Historia* 14 (1965): 473 note 17.

³ See L. MacCoull, “Dioscorus and the Dukes: An Aspect of Coptic Hellenism in the Sixth Century,” *Byzantine Studies* 13 (1986a): 32. Agathias, the prolific poet of Constantinople and about ten years Dioscorus’s junior, studied law in Alexandria. For the academic life in Alexandria from the teacher’s point of view, see the letter from Horapollon found in Dioscorus’s archive: *P.Cair.Masp.* III 67295, in *Catalogue général des antiquités égyptiennes du Musée du Caire: Papyrus grecs d’époque byzantine*, 3 vols. (Milan 1973; reprint of the 1911-1916 editions). For a list of the edited papyri, see J.-L. Fournet, “Liste des papyrus édités de l’Aphrodité byzantine,” in *Les archives de Dioscore d’Aphrodité cent ans après leur découverte. Histoire et culture dans l’Égypte byzantine* (Paris 2008), 307-343. For more on the academic life in Alexandria, see R. Criboire, “Higher Education in Early Byzantine Egypt: Rhetoric, Latin, and the Law,” in *Egypt in the Byzantine World, 300-700*, ed. R. Bagnall (Cambridge 2007), 47-66.

Neoplatonic Christian philosopher, was one of his teachers.⁴

(1.2) Back home in Aphrodito, Dioscorus married—the name of his wife has not survived—and had children. The documents show clearly that his family’s financial wellbeing and safety were a constant concern. Like his father, Dioscorus embarked on a busy career of “involvement in local ‘politics,’ acquisition, leasing and management of agricultural land (his own and others’), defending his own property rights and his village’s claim to rightful collection of its own taxes, free of the pagarch’s interference (*autopragia*).”⁵ Dioscorus’s first dated appearance in the papyri is in the year 543 (*P.Cair.Masp.* I 67087), when he had the assistant of the *defensor civitatis* of Antaeopolis personally examine the damage done by a shepherd and his flock to a field of crops. The land was under his care, but owned by the Monastery of Apa Sourous.⁶ During the years 543 to 547, the papyri show Dioscorus purchasing wool, making a loan to two Aphroditan farmers, leasing land to a priest and his brother, and having land ceded to him from another priest, Jeremiah.⁷ In August of 547, Dioscorus leased one aroura of land to the deacon Psais. This document (*P.Cair.Masp.* II

⁴ L. MacCoull, “Dioscorus of Aphrodito and John Philoponus,” *Studia Patristica* 18 (Kalamazoo 1987a): 163-68; cf. eadem, “Philosophy in its Social Context,” in *Egypt in the Byzantine World*, 67-82. Philoponus was a Neoplatonic γραμματικός (*professor of philology*), who may have had a semi-official position in the Neoplatonic school in Alexandria as editor of Ammonius’s lectures. Philoponus was a Christian. See L.

Westerink, ed. and trans., *Anonymous Prolegomena to Platonic Philosophy*, (Amsterdam 1962), xiii. See also A. Sanda, *Opuscula Monophysitica Ioannis Philoponi* (Beirut 1930).

⁵ J. Keenan, review of *Dioscorus of Aphrodito, His Work and His World*, *BASP* 25 (1988b): 173.

⁶ See the re-edition and analysis of this papyrus by J. Keenan, “Village Shepherds and Social Tension in Byzantine Egypt,” *YCS* 28 (1985a): 245-59.

⁷ *P.Cair.Masp.* II 67127; *P.Eg.Mus.* Inv. S.R. 3733 A6r; *P.Cair.Masp.* I 67108; *P.Cair.Masp.* I 67118.

67128) shows that Dioscorus had by then attained the office of headman of Aphrodito.⁸

(2) PROBLEMS WITH THE PAGARCHS

(2.1) After his father's death in 546/7,⁹ problems with the pagarchs intensified. Dioscorus wrote a petition to the emperor Justinian and a formal explanation of the problem to the empress Theodora, Aphrodito's special patron.¹⁰ Copies have survived. The former, *P.Cair.Masp.* I 67019 v

⁸ Keenan 1985a, 253.

⁹ J. Keenan "Aurelius Apollon and the Aphrodite Village Élite," In *Atti del XVII congresso internazionale di papirologia*, vol. 3 (Naples 1984b), 957 note 1; for a discussion of Maspero's mistaken date of 542, see H. I. Bell, "An Egyptian Village in the Age of Justinian," *JHS* 64 (1944): 27 note 21.

546/7: a Byzantine Egyptian year does not correspond with a modern Western year. The months were calculated according to the Egyptian calendar of twelve months of thirty days each (with five additional days at year end) and began on Thoth 1 (August 29). See R. Bagnall and K. Worp, *The Chronological Systems of Byzantine Egypt* (Zutphen 1978), 46; R. Bagnall, "Practical Help: Chronology" in *The Oxford Handbook of Papyrology* (Oxford 2009), 180-82. The indictional year is one of the standard chronological systems in Egyptian documents. It was based on fiscal concerns and commonly began on May 1. Indictional years were calculated in cycles of fifteen years. Thus a document could carry a date of the first to the fifteenth indictional year. Without any other chronological evidence (such as the number of years from Justinian's first regnal year, the *dies imperii*), it is often difficult to determine in which cycle of fifteen years a document was written.

¹⁰ Traianos Gagos and Peter van Minnen write (9-10): "This independence in tax matters or *autopragia* seems to have been an ancient privilege preserved under the new regime in late antiquity. Yet some time during the sixth century Aphrodito exchanged its independent status for one of direct dependence on the house of the emperor, apparently through the emperor's wife, Theodora. The town requested this change to protect itself." *Settling a Dispute: Toward a Legal Anthropology of Late Antique Egypt* (Ann Arbor 1994), 9-10. Why Gagos and Minnen say that Aphrodito gave up its *autopragia* in

(in poor condition), discusses Aphrodito's *autopragia* status and mentions the pagarch Julian (l. 17). The latter, *P.Cair.Masp.* III 67283, paints a gloomy but generally nonspecific picture of the tax conflict.¹¹ The petitioners, representing much of the male population of the village and including ecclesiastics from several churches in Aphrodito,¹² begin with the complaint that a nobleman has overstepped his powers by threatening to bring them, the petitioners, before the pagarch of Antaeopolis in the matter of the yearly assessment.¹³ Since Aphrodito, however, has the right of *autopragia*, the correct authority in their case would be the duke. Dioscorus then depicts the state of affairs at home. After raids by barbarians,¹⁴ the villagers were trying to lead a quiet and good life. But like a plague, the pagarch and his cohorts attacked. "This papyrus is not able to contain all the unspeakable injuries and injustices, except to describe them

exchange for imperial patronage is not clear. The documents in fact show that Aphrodito maintained its *autopragia* status along with imperial patronage.

¹¹ The first page of this three-page document is incomplete, and the ink everywhere is effaced by mold. Thus there remains no date, no empress' name, and no pagarch's name. It was Maspero who first speculated that the *terminus ante quem* was 548, that the empress was Theodora and not Sophia, and that the pagarch was Julian and not Menas. For his evidence and reasoning, see *P.Cair.Masp.* III 67283, pp. 16-17; cf. Bell 1944, 31. Maspero's restorations and interpretations, which are highly speculative, are accepted without discussion by MacCoull (1988, 19-22). With reservations they are presented here. For a more recent discussion, see G. Ruffini, *Social Networks in Byzantine Egypt* (Cambridge 2008), 177-79.

¹² For a list of the secular and ecclesiastical offices and the number of representatives from each (as determined by the signatures), see Maspero, intro. to *P.Cair.Masp.* III 67283, p. 15; cf. A. H. M. Jones, *The Later Roman Empire, 284-602: A Social, Economic and Administrative Survey*, vol. 2 (Norman, OK, 1964), 847. For a more recent analysis of the signers' occupations and literacy, see Gagos-Minnen 1994, 10-15. Cf. G. Ruffini, *A Prosopography of Byzantine Aphrodito* (Durham, N.C., 2011).

¹³ MacCoull 1988, 21.

¹⁴ The Blemmyes, a nomadic tribe, posed a constant threat to Upper Egypt. Maspero 1911, 469 note 1; Jones 1964, vol. 1, 656-57.

in an unbroken wail.”¹⁵ Dioscorus then declares that “the one, only, sole thing we have left is hope,” which is a literary allusion to Hesiod’s farming epic *Works and Days* 96. And the petitioners conclude by invoking the healing hand of the empress and the ecclesiastical authorities.

(2.2) Although carefully and artistically composed,¹⁶ the explanation to the empress and the petition to the emperor seem to have had no effect. So in 551, three years after the death of Empress Theodora, and ten years after his father Apollos’ trip, Dioscorus was compelled to go to the capital of the empire with a contingent of at least three Aphroditans.¹⁷ The fact that Aphrodito sent a group of representatives all the way to Constantinople to negotiate their grievances makes it clear that the grievances must have been serious. Dioscorus may have spent three years negotiating their problems in the “queen of cities.”¹⁸ Concerning the object of the trip, the delegation from Aphrodito finally obtained an imperial rescript, a draft of which has survived among Dioscorus’ papers.¹⁹ In it, Dioscorus states that while his father had been in Constantinople because

¹⁵ This sentence (page 1, line 10) was partially restored by Maspero.

¹⁶ “In it we can already see many of the elements that are to be characteristic of his developed prose style: ornamental and emotionally expressive nouns, declamatory flourishes, biblical and classical reminiscences effectively interwoven. It builds in a crescendo from a simple opening ... to an elaborate rhetorical close.” MacCoull 1988, 21.

¹⁷ See *P.Cair.Masp.* I 67032.

¹⁸ Maspero (1911, 464) dates his return to 553, to which MacCoull agrees (1988, 11). See *P.Cair.Masp.* I 67094. For such drawn out cases, see Jones 1964, 494-99.

¹⁹ *P.Cair.Masp.* I 67024; see Bell 1944, 31-32. On the verso is a poem by Dioscorus to Saint Senas, followed by a carefully written copy of a portion of the recto. The recto was again copied on another papyrus, *P.Cair.Masp.* I 67025, in a fine cursive hand which does not resemble Dioscorus’s. Dioscorus may have written a draft of the kind of rescript he was seeking and presented this to the Chancery with or without a verbal description of the grievances. The draft would have served as a model for the imperial scribe, and may have been returned to Dioscorus with the actual signed rescript and a copy of it. This, of course, does not explain the carefully written portion below the poem. See the bibliography on these Constantinople papyri in MacCoull 1988, 11 note 35.

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of grievous injustices, a certain Theodosius took advantage of his absence and collected the taxes. Theodosius turned nothing over to the provincial treasury, and the village was still being held responsible for the taxes. Dioscorus had gone once already to Constantinople and had obtained a rescript, which was then ignored by Theodosius. Now in the rescript of 551, Dioscorus requests that the matter of the first rescript be brought to completion. And finally, he claims that Julian, the pagarch of Antaeopolis, was trying to bring Aphrodito under the control of his own pagarchy. The emperor replies to the charges by instructing the duke of the Thebaid to examine the issues and, if justified, to stop the pagarch's aggression.

(2.3) A closer examination of this and the other documents surrounding the visit to the capital reveals Dioscorus's tact as a lawyer and the persistence of the tax-crimes against Aphrodito. Several documents dealing with the confiscation of tax money by Theodosius have been found among the Dioscorian papers. Although the nature of their relationship to one another cannot be established with certainty, Richard Salomon offers a good examination of the evidence and a tentative chronology.²⁰ Around 548, the year of Theodora's death, Dioscorus went to Constantinople with a complaint against Theodosius for having stolen money under the pretext of collecting taxes. The exact office of Theodosius is not known: the

²⁰ R. Salomon, "A Papyrus from Constantinople (Hamburg Inv. No. 410)," *JEA* 34 (1948): 98-108. "In contrast to the Hamburg papyrus neither of the two documents [*P.Cair.Masp.* I 67024 and 67029] is an original written in Constantinople. What they and some other pieces from the same group really are has been the subject of an unfinished controversy. ... The present study cannot aim at a definitive solution of this complex problem" (*ibid.*, 104-05). See also Jones 1964, 407-08; J.-L. Fournet, *Hellénisme dans l'Égypte du VIe siècle. La bibliothèque et l'œuvre de Dioscore d'Aphrodité* (MIFAO 115), vol. 1 (Cairo 1999), 318-19.

surviving papyri call him simply *the most magnificent Theodosius*.²¹ Salomon suggests that Dioscorus, a shrewd lawyer, during his first visit in 548 took two routes simultaneously. He first pleaded his case to the curator of the imperial house and elicited a letter to the duke of the Thebaid to settle the difficulty (*P.Hamburg Inv. No. 410*). Later during the same trip, Dioscorus was able to obtain a rescript from the imperial cabinet (*P.Cair.Masp. I 67029*). The lawyer's intention was to try first a gentle persuasion of the duke; and if the attempt should fail, Dioscorus had the emperor's order in reserve. Both attempts obviously failed.²² Theodosius was able to evade the imperial orders and kept the money.

(2.4) So in 551 Dioscorus returned to Constantinople with a delegation from Aphrodito and obtained a letter from one of the highest officials of the empire (perhaps the *Praefectus Praetorio Orientis*) containing a personal recommendation to the duke (*P.Geneva Inv. No. 210*).²³ Dioscorus also obtained a more strongly worded imperial rescript (*P.Cair.Masp. I 67024*) addressed to the duke of the Thebaid and requesting him to take care of the previous imperial command.²⁴ None of the surviving imperial documents is an original: the original rescripts would have been turned over to the duke. But Dioscorus's archive contains two letters which stem from the imperial palace and which are originals.

²¹ Θεοδόσιον τὸν μεγαλοπρεπέστατον, *P.Hamburg Inv. No. 410*, line 9. The letter cautions against harming Theodosius's reputation, and suggests that Theodosius himself had power to restrain the pagarch.

²² For the problems involved in enforcing imperial rescripts, see J. Keenan, "On Law and Society in Late Roman Egypt," *ZPE* 17 (1975): 243ff.; cf. Jones 1964, 407ff.

²³ This letter has been reprinted as *SB IV 7438* and *Sel. Pap. II no. 431*. See P. Pestman, *The New Papyrological Primer*, 5th ed. (Leiden 1990), no. 78 (with a brief bibliography).

²⁴ Of which there are three surviving copies, *P.Cair.Masp. I 67024* recto, 67024 verso, and 67025. See Maspero, intro. and comments to *P.Cair.Masp. I 67024* and 67025, pp. 53-58.

Whether or not the matter with Theodosius was ever settled cannot be determined from the papyri. The second letter and the second imperial rescript, however, may have had a temporary effect on the pagarch. There is no indication of additional aggression by a pagarch against Aphrodito until after the death of Justinian the Great (565).²⁵

(3) EARLY POEMS

(3.1) It is possible that while in Constantinople, Dioscorus wrote the first of his surviving poems: a carefully crafted *encomium* to Saint Senas.²⁶ It is an *isopsephistic* poem. That is, if the numerical equivalence for each letter is added up (in the Greek language, letters were used for numbers), the total amount of each verse is equal. It is also possible that while in the capital or soon after his return to Aphrodito in 553, Dioscorus composed his first hexameter poems.²⁷

²⁵ Aside from the village's problems, three other papyri suggest that Dioscorus received help in Constantinople with problems concerning his inheritance: *P.Cair.Masp.* I 67026, 67027, 67028. Bell (1944, 26 note 24) finds *P.Cair.Masp.* I 67027 and 67028 very problematic and offers three possible solutions: (1) they are practice translations of Latin imperial rescripts; (2) they concern a different Dioscorus; or (3) they are fictional. MacCoull (1988, 11) says without a discussion that they deal with Dioscorus's inheritance.

²⁶ As mentioned above, the encomium is written on the verso of the draft of an imperial rescript; on the same side of the papyrus as the poem is a partial copy of the draft. For a discussion of the poem, the saint, and the significance of the isopsephistic number, see L. MacCoull, "An Isopsephistic Encomium on Saint Senas by Dioscorus of Aphrodito," *ZPE* 62 (1986b): 51-53.

²⁷ Heitsch 6 and Heitsch 8. The *editio princeps* of a Dioscorian poetry collection was by Jean Maspero, who published thirteen poems in "Un dernier poète grec d'Égypte: Dioscore, fils d'Apollôs," *Revue des études grecques* 24 (1911): 26-81. This article contained the texts of the poems, commentary, French translations, and a long essay on the author's life and poetic style. Wherever possible, I use the standard numbering system of Ernst Heitsch, who in 1963/4 published twenty-eight Dioscorian poems in *Die*

(3.2) It would be surprising if the intense cultural life in Constantinople had not spurred Dioscorus's creativity. During the fourth, fifth, and early sixth centuries, the Thebaid in Egypt was the home of a group of poets who inspired a renaissance in Greek-language poetry. But during the mid-sixth century, due to the patronage of Justinian the Great, Constantinople became the center of this new poetry.²⁸ In 551, Agathias (ten years Dioscorus's junior) had already returned from Alexandria to Constantinople to practice law and continue writing poetry. At an early age Agathias had composed a collection of poetry published under the title *Daphniaca*. Later, as a successful lawyer and important member of the Constantinople circle of poets, he published an anthology of epigrams from some twenty-three contemporary poets. This collection of epigrams came to be known as the *Cycle*, and much of it was later incorporated into an extensive collection of Greek epigrams called *The Greek Anthology* (or *Anthologia Graeca*).²⁹ There is no evidence that Dioscorus ever met Agathias or his literary friends, including Paul the Silentiary. Yet Agathias, Paul, and the other Constantinopolitan authors are indicative of the teeming poetic activity in the capital at the time of Dioscorus's visit in

griechischen Dichterfragmente der römischen Kaiserzeit, vol. 1, 2nd ed. (Göttingen 1963), section XLII, 127-52, and one more poem in vol. 2 (1964), S 10. I also use the numbering system of Fournet, who published fifty-one Dioscorian poems: J.-L. Fournet, *Hellénisme dans l'Égypte du VIe siècle. La bibliothèque et l'œuvre de Dioscore d'Aphrodité* (MIFAO 115), 2 vols. (Cairo 1999).

The chronology here is based upon G. Malz, "Three Papyri of Dioscorus at the Walters Art Gallery," *American Journal of Philology* 60 (1939): 174-75; cf. Fournet 5 (c. 551) and Fournet 1 (c. 551), and Fournet 1999, 319-321.

²⁸ See Alan Cameron, "Wandering Poets," 470-71.

²⁹ It is likely that the *Cycle*, which survives in part in the Palatine and Planudean anthologies, was published between 567-568 and was dedicated to Justin II; see Averil and Alan Cameron, "The *Cycle* of Agathias," *JHS* 86 (1966): 6-25. For *vitae* of Agathias, see *ibid.*, 8-10; Averil Cameron, *Agathias* (Oxford 1970), 1-11. For a discussion of Agathias's education, see Averil Cameron 1970, 140-41.

551.³⁰ Moreover, the Church of the Blessed Virgin (built by the empress Verina) was now resounding with the innovative and powerful hymns of Romanus the Melodist. Paul Maas called Romanus “the greatest poet of the Greek middle ages, indeed ... the greatest poet of the Christian church.”³¹ It is possible that Dioscorus’s poem to Romanus (Heitsch 12, Fournet 4), one of his most splendid in poetic achievement and most elegant in calligraphy, was addressed to the Melodist.³²

(4) MORE PROBLEMS WITH THE PAGARCHS

(4.1) Back in Aphrodito, besides writing poetry, Dioscorus continued managing his estate and, as headman, ministering to the needs of the village.³³ *P.Lond.* V 1661 shows him, in his position as one of the headmen, receiving on behalf of the pagarchs Julian and Menas an agreement concerning taxes written by two “collectors of the public servants” of Aphrodito.³⁴ The collectors acknowledge a debt of twelve *solidi* (“gold

³⁰ For a list and biographical information on the authors of the surviving portions of the *Cycle*, see Averil and Alan Cameron 1966, 8ff. Many of the twenty-three poets were also lawyers.

³¹ P. Maas as quoted by C. Trypanis, “The Metres of Romanos,” *Byzantion* 36 (1966): 621 note 2.

³² For a discussion of Romanus the Melodist as a possible addressee of this poem, see C. A. Kuehn, “Dioskoros of Aphrodito and Romanos the Melodist,” *BASP* 27 (1990): 103-107. Contra, P. van Minnen, “Isocrates and Menander in Late Antique Perspective,” *GRBS* 33 (1992): 97-98; Fournet 1999, 475-77. For a discussion of the first half of the poem, see Minnen 1992, 87-97. H. J. M. Milne includes a photo (plate 7) in his edition of the hexameter portion of the poem, *P.Lond.Lit.* 98, as does Fournet, plate XLII. High resolution images of all the Dioscorian papyri can now be found at: *La banque des images des papyrus de l’Aphrodité byzantine* (BIPAb), ed. J.-L. Fournet (2011): http://www.misha.fr/papyrus_bipab.

³³ For Dioscorus as village headman in 553, see *P.Cair.Masp.* III 67332.

³⁴ The handwriting of the document belongs to the notary Pilatus or one of his assistants.

coins”). Harold Idris Bell explains:

The 12 solidi represent, therefore, the amount at which the village (or the subdivision of it for which these persons were responsible) was assessed for the tax in question, and the document is simply an undertaking by the ἀπαιτηταί [collectors] to collect and pay over this amount. ... The ἀπαιτηταί pledge their whole property as security for the payment, [which shows] that the collectors were themselves held responsible for the tax they were called upon to collect, and that in case of a deficit distraint would be levied upon them.³⁵

It appears to have been a statutory institution in Aphrodito that the headmen acted as intermediaries between the pagarchs and tax collectors. And this and other documents suggest that only if Aphrodito defaulted on its payments could the pagarchs take over direct control of tax-collecting in Aphrodito.³⁶

(4.2) Concerning Dioscorus’s personal affairs in the 550’s, the papyri show that in 553 he rented out a wagon for harvest transport. In 555 and 556 he leased pasture land to a shepherd, George from Psinabla in the Panopolite nome. In 557 he made a loan to the deacon Musaeus, son of Callinicus.³⁷ Then a silence lasting for seven years interrupts the dated documents (557 to 564/5), which gap is possibly the result of the capricious nature of the surviving papyri.

(4.3) In 564/5 Dioscorus wrote a contract for the Monastery of Zminos in the Panopolite nome, by which the monks leased in an orchard

³⁵ Intro. to *P.Lond.* V 1661, in H. I. Bell, ed., *Greek Papyri in the British Museum, Vol. V* (London 1917), p. 25.

³⁶ *Ibid.*, 25; and see *idem*, intro. to *P.Lond.* V 1674, p. 58.

³⁷ *P.Cair.Masp.* III 67303; *P.Lond.* V 1692 a + b; *P.Cair.Masp.* II 67130.

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(*P.Cair.Masp.* II 67170 and 67171).³⁸ And on 7 November 565, Dioscorus sold to the same monastery three arouras of land (*P.Lond.* V 1686) in consideration of their payment of his taxes on his land at Phthla. The payment of these taxes was particularly galling for Dioscorus, as will be seen in the following chapter.

³⁸ For the date of 564/5, see R. Bagnall and K. Worp, "Chronological Notes on Byzantine Documents, V," *BASP* 17 (1980): 19-22.

CHAPTER V ANTINOÖPOLIS AND RETURN

(1) ANTINOÖPOLIS

(1.1) In 565/6 Dioscorus left Aphrodito, not to return for about seven years.¹ Two petitions that Dioscorus drafted later in Antinoöpolis suggest a reason: the threat of violence from the pagarch Menas.² One petition is addressed to the duke of the Thebaid (*P.Cair.Masp.* I 67002); the other (*P.Lond.* V 1677) is addressed to an unidentified *magister* (“master”). The former will be reviewed here,³ because although the pagarch’s violence is vividly described in both, the picture in the petition to the duke is more detailed and comprehensive. The latter petition will be discussed below.

(1.2) *P.Cair.Masp.* I 67002, written by Dioscorus’s hand, was

¹ Fournet 1999, 321-24.

² Antinoöpolis is the traditional spelling of the Byzantine site located behind the village of El-Sheikh Abada, beside Wadi Abada. Its other spellings are Antinopolis and Antinoe. For the dating of these two documents, see Bell, intro. to *P.Lond.* V 1677, p. 69.

³ Maspero first identified the duke as Flavius Marianus and dated the document to 522 or 537; intro. to *P.Cair.Masp.* I 67002, p. 6; idem, “Études sur les papyrus d’Aphrodité,” *BIFAO* 6 (1908): 75-120; *BIAO* 7 (1910): 97-119. Later he identified the duke as Athanasius (“Les Papyrus Beaugé,” *BIAO* 10 [1912]: 138), and revised the date to 566/7 (see Bell, *P.Lond.* V 1663, comment to line 1). The most thorough study of this papyrus is by J. Keenan, who puts it into a larger historical perspective: “‘Tormented Voices’: *P.Cair.Masp.* I 67002,” in *Les archives de Dioscore d’Aphrodité*, 171-80. My description of events follows his narrative closely.

A chronology of the dukes of the Thebaid during Dioscorus’s lifetime has not been established. An early attempt was made by Maspero in “Les Papyrus Beaugé,” 143 (a revision of *BIAO* 7 [1910]: 107-109). A summary of Bell’s conclusions can be found in *P.Lond.* V, “INDEX OF OFFICIALS,” s.v. δοῦξ. More recent attempts can be found at J. R. Martindale, *The Prosopography of the Later Roman Empire* [=PLRE] (Cambridge 1971-92), vol. 3, 1512-14; MacCoull 1986a, 30-40; Fournet 1999, 330-336.

composed probably in 567/8, shortly after Dioscorus's arrival in Antinoöpolis.⁴ It was written on behalf of the property owners and inhabitants of Aphrodito. After an introduction praising the justice of the duke, Dioscorus goes immediately to the heart of the problem: the unspeakable and uncountable sufferings inflicted by the pagarch Menas. Earlier, Menas had confiscated Dioscorus's property near Phthla and allowed his assistant and the shepherds of Phthla to use the land free of rent. As an additional outrage, Dioscorus was being forced to pay the taxes on the seized property (as mentioned in the discussion of *P.Lond.* V 1686 in the previous chapter). Dioscorus then describes the atrocities committed against other Aphroditans. On their annual visit to the great cattle market at the village of Thynis, a group of Aphroditans, for no just cause, were seized by order of a certain Serenus and thrown into a local prison. From there they were transferred to a prison in Antinoöpolis. Although they were able to procure from the duke of the Thebaid an order of release, they were secretly and violently transferred to a prison in Antaeopolis, under the control of Menas. In all the prisons they were tortured. At Antaeopolis they were subjected to outrage and torture for another four months, for a total of six months of incarceration, until Menas extorted 117 *solidi* from them.⁵ Meanwhile, their cattle had been sequestered. The best animals were confiscated outright. The remaining camels and donkeys were starved until they were half dead, and then had to be purchased back by the Aphroditans on very unfavorable terms. Of

⁴ Bell writes that: “[*P.Cair.Masp.* 67002] must have been written in the latter part of 567 or the beginning of 568.” Intro. to *P.Lond.* V 1677, p. 69; cf. idem, intro. to *P.Lond.* V 1674, p. 57; *P.Lond.* V 1663, comment to line 1.

⁵ As a result of the currency reform by Diocletian, the standard coin was the gold *solidus*, weighing four grams. See L. West and A. Johnson, *Currency in Roman and Byzantine Egypt* (Amsterdam 1967), 108.

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even these, Serenus kept five donkeys (and a horse). Serenus's agent Victor robbed them of clothing and gear, and extorted 2 additional *solidi* from one Aphroditan in particular. Furthermore, although Aphrodito under eight pagarchs had never been in arrears with its public taxes, Menas now took the most unjust and cruel measures against the entire village. At the time of the Nile's inundation, he blocked the canal and prevented the irrigation of the fields. After the village was made desperate by this measure, Menas extorted an additional 200 *solidi* from it. Then with a force of pirates, local recruits (the shepherds of Phthla?), and soldiers, Menas attacked. Seven hundred more gold *solidi* were stolen—in the name of public taxes, although none of the amount was later credited to Aphrodito's account. Magnificent old mansions were burned down. Nuns were raped. Menas ravaged the village worse than the barbarians would have done. Instead of irrigation from the Nile, "human blood ran like water over the land."

(1.3) Although only the Aphroditans' side of the story has survived, H. I. Bell is "confident that grave abuses occurred."⁶ It cannot be determined precisely when these abuses occurred.⁷ Menas' climb to the pagarchy had been gradual. The surviving papyri suggest that between 553 (or perhaps already earlier) and 566, Menas was sharing the pagarchy with Julian, but only as a deputy-pagarch.⁸ Menas, a *secretary*, had in fact been delegated to perform the functions of the pagarchy for the actual office-holder,

⁶ H. I. Bell, "An Egyptian Village in the Age of Justinian," *Journal of Hellenic Studies* 64 (1944): 34.

⁷ The only date that is given in the papyrus 67002 is the fifteenth indictional year (566/7), when Menas took over the pagarchy.

⁸ On 24 July 553 Menas was sharing the pagarchy with Julian (*P.Lond.* V 1661).

Patricia; then in 566/7 he obtained the title of pagarch.⁹ Perhaps it was his increase in power and Aphrodito's loss of an imperial patron (with the death of Justinian in 565) that emboldened Menas to commit the violent outrages described in the petition.¹⁰ Whatever, the attack on the village probably took place immediately before or after Dioscorus's departure from his village.

(1.4) Dioscorus's motivation for his move to Antinoöpolis cannot be established with certainty.¹¹ Perhaps it was the pagarch's unbridled ruthlessness or the imminent threat of such ruthlessness that compelled Dioscorus in 566 to leave his village (perhaps accompanied by his wife and younger children) and go across the Nile into self-imposed exile at Antinoöpolis, the capital city of the Thebaid.¹² Maspero states that he fled

⁹ Maspero 1912, 142; Bell, intro. to *P.Lond.* V 1661, p. 25; idem, intro. to *P.Lond.* V 1660, p.22. For more information about this Menas, see PLRE vol. 3, 875-76, s.v. Menas 5, 6. For more on pagarchs, see chapter three and the citations of J. H. Liebeschuetz there.

¹⁰ In addition to *P.Cair.Masp.* I 67002 and *P.Lond.* V 1677, documents which deal with the misdeeds of the pagarch Menas are *P.Cair.Masp.* I 67021 and possibly 67003; see also *P.Cair.Masp.* III 67283 and the discussion of this document above. For letters sent by the pagarch Menas to Dioscorus, see *P.Cair.Masp.* I 67060 and 67061; cf. *P.Lond.* V 1682 and 1683.

¹¹ Maspero (1912, 142) proposed the following sequence of events: Menas was promoted from deputy to actual office holder during the fifteenth indictional year, 566/7 (*P.Cair.Masp.* I 67002.10); Dioscorus was persecuted by Menas and left Aphrodito for Antinoöpolis ("Dioscore, persécuté par lui, s'enfuit d'Aphrodité et se réfugie à Antinoé"); there Dioscorus composed the petition *P.Cair.Masp.* I 67002. These suggestions were accepted by Bell, with the addition that the petitions were written not long after the end of the fifteenth indictional year (566/7); see Bell's introductions to *P.Lond.* V 1660 (pp. 21-22), 1661 (pp. 24-26), and 1674 (pp. 55-58).

¹² Maspero (1911, 463-66), who admits that his chronology is tentative (p. 462 note 1), finds Dioscorus going into exile three times: to Antinoöpolis (551), to Pentapolis (after his return from Constantinople in 553), and again to Antinoöpolis (566). Bell concludes that there was only one stay at Antinoöpolis, from 566-573; intro. to *P.Lond.* V 1674, pp. 56-57; 1944, 33-35. MacCoull dates Dioscorus's only move to Antinoöpolis to 565

the persecutions at home; Bell too believes that Dioscorus fled; and MacCoull speaks of “elements of unrest leading to his move.”¹³

(1.5) The petition discussed above, *P.Cair.Masp.* I 67002, and *P.Lond.* V 1677, discussed below, describe terrible events just before or just after Dioscorus’s move, but they do not prove that he *fled* his village.¹⁴ James Keenan, in consideration of the fact that Antinoöpolis provided better opportunities for Dioscorus’s legal training than did Aphrodito, suggests that the move was a career choice.¹⁵ It is possible that both these factors—the dangers at home and the career attractions of Antinoöpolis—played a role in Dioscorus’s final decision.¹⁶ The suggestion of a career

(1988, 11-12) and 566 (1988, 23-24, 162). Fournet also places the move to 565/6 (1999, 321).

For information about the city Antinoöpolis, see A. Calderini, *Dizionario dei nomi geografici e topografici dell’Egitto greco-romano*, vol. 1, part 2 (Madrid 1966), 69-114. For the excavations since 2000, see G. Rosati, “Amarna Reliefs from El-Sheikh ‘Abadah,” in *Proceedings of the Ninth International Congress of Egyptologists* (Leuven 2007), 1613-1620; P. Grossmann, “Antinoopolis Oktober 2007. Vorläufiger Bericht über die Arbeiten im Herbst 2007” and “Antinoopolis Januar/Februar 2008. Vorläufiger Bericht über die Arbeiten im Fruehjahr 2008,” in *Aegyptus: Rivista Italiana di Egittologia e di Papirologia* (Milan 2008), n.p.

¹³ Maspero 1911, 463-66; idem, “Les papyrus Beaugé,” *Bulletin de l’Institut français d’Archéologie Orientale* 10 (1912): 142; Bell 1944, 34; MacCoull 1988, 12 note 41.

¹⁴ With respect to *P.Lond.* V 1677, Bell writes: “A comparison of ll. 12-15 with *Cair. Masp.* 67002, i, 11-18 makes it quite certain that the occasion was the same as in the latter document; and since that must have been written in the latter part of 567 or the beginning of 568 the date of the present document cannot be much later. It may probably be earlier.” Intro. to *P.Lond.* V 1677, p. 69; cf. idem, intro. to *P.Lond.* V 1674, p. 57; idem, *P.Lond.* V 1663, comment to line 1; MacCoull 1988, 24.

¹⁵ “It is sometimes suggested that the Antinoopolis years were years of quasi-exile, with Dioscorus running away from troubled circumstances back home (problems with the pagarch and unruly shepherds); but it is also possible that the capital presented Dioscorus with a ‘career opportunity’ that he could not turn down.” J. Keenan, review of *Dioscorus of Aphrodito, His Work and His World*, in *BASP* 25 (1988b): 173.

¹⁶ MacCoull too (1988, 24 note 35) points to the social and cultural attractions of Antinoöpolis.

opportunity becomes more plausible when one considers the events in Constantinople at this time. The final years of Justinian's reign were marked by persecutions of Monophysite Christians. Justin II, who reigned from 565 to 578, at first quelled these persecutions. If Dioscorus were a Monophysite, which has not been established and is only a possibility, the first years of Justin's reign would have offered a chance to find employment in the duke's court.¹⁷

(1.6) It is a commonly accepted belief among Dioscorian scholars that already by the autumn of 567, Dioscorus had been appointed as a lawyer on the duke's staff.¹⁸ There is no conclusive evidence, however, for such an appointment.¹⁹ This theory developed, in part, from the request in the poem to Victor, *praeses* of the Thebaid, to be appointed a lawyer (Heitsch 10, Fournet 12).²⁰ The rest of the evidence is circumstantial: Dioscorus was engaged in paralegal activities (writing contracts and petitions, arbitrating family disputes, etc.) and sometimes he worked for dignitaries.

(1.7) Whatever his position, the documents from this period cover a wide range of legal and contractual business. One interesting personal document is the record of a debt that Dioscorus paid off for his late father Apollos and for his brother Senouthes.²¹

¹⁷ Liebeschuetz suggested to me that perhaps Dioscorus went to Antinoöpolis specifically to be registered as one of the barristers permitted to practice at the duke's court; see Jones 1965, 507-10.

¹⁸ Bell, intro. to *P.Lond.* V 1674, p. 56; L. MacCoull, "Dioscorus and the Dukes: An Aspect of Coptic Hellenism in the Sixth Century," *Byzantine Studies* 13 (1986a): 32; eadem 1988, 24, 31, 77, 79; cf. 12. See also Bell's brief discussion (1944, 34) of *P.Cair.Masp.* II 67131 v A; Maspero 1911, 466; idem 1912, 142.

¹⁹ See, however, the argument presented by Fournet 1999, 324, 550.

²⁰ Maspero, *P.Cair.Masp.* II 67131 verso A, comment to line 32; idem 1911, 437 note 2, 466; Bell 1944, 34; idem, intro. to *P.Lond.* V 1674, p. 56; MacCoull 1988, 77, 79 comment to verse 31; Fournet 1999, 549-50.

²¹ *P.Hamb.* III 231; cf. *P.Mich.* XIII 669.

(1.8) Most of his work, however, centered on the concerns of other people. Dioscorus composed at least three marriage contracts in which the bridegroom promises a sum of money to the bride as a wedding present (a *donatio propter nuptias*).²² Marriage contracts from the early Byzantine period are rare, and Dioscorus's records have considerably advanced historians' understanding of this institution.²³ He also composed divorce contracts—which, unlike marriage contracts, are numerous from this period.²⁴

(1.9) He often worked, as mentioned above, for dignitaries, including Flavius John (*P.Cair.Masp.* III 67309) and Flavius Victor (*P.Cair.Masp.* II 67169).²⁵ Perhaps the longest surviving document composed by Dioscorus

²² *P.Cair.Masp.* III 67310, which is a draft for *P.Lond.* V 1711 (which itself is a copy of the original for Dioscorus's reference); *P.Lond.* 1710; *P.Flor.* III 294.

²³ For the rarity of marriage contracts from the early Byzantine period, see Bell, intro. to *P.Lond.* V 1710, p. 139; G. Scherillo, "Studi sulla donazione nuziale," *Rivista di storia del diritto italiano* 2 (1929): 457-506, esp. 473ff. Cf. R. Taubenschlag, *The Law of Greco-Roman Egypt in the Light of the Papyri, 332 B.C. - 640 A.D.*, 2nd ed. (Warsaw 1955), 128-29. For a list of marriage contracts from the sixth century, see C. A. Kuehn, "A New Papyrus of a Dioscorian Poem and Marriage Contract: P.Berol. Inv. No. 21334," *ZPE* 97(1993): 105. Important additions to the list there are the sixth-century marital contracts recently found at Petra, Jordan. See A. Arjava and C. A. Kuehn, "*P.Petra* 1: Agreement Concerning Family Property," in *The Petra Papyri I* (Amman 2002), 23-33 and plates I-IX; T. Gagos and C. A. Kuehn, "*P.Petra* 42: Marriage Contract," and "*P.Petra* 43: Agreement on Marital Property," in *The Petra Papyri IV* (Amman) in press. For marriage, divorce, and other contracts concerning women during this period, see J. Beaucamp, *Le statut de la femme à Byzance (4e-7e siècle); II. Les pratiques sociales* (Paris 1992); A. Arjava, *Women and Law in Late Antiquity* (Oxford 1996).

²⁴ For a list of divorce contracts from Dioscorus's Antinopolite files, see Bell, intro. to *P.Lond.* V 1712, p. 144; updated by Scherillo 1929, 473, 492-97. Cf. Taubenschlag 1955, 122ff.; O. Montevecchi, *La papirologia: ristampa riveduta e corretta con addenda* (Milan 1988), 206-207.

²⁵ For the authorship, see Maspero, intro. to *P.Cair.Masp.* III 67309, p. 81; idem, intro. to *P.Cair.Masp.* II 67169, p. 136. For information on Flavius John and Flavius Victor, see MacCoull 1988, 12-13.

(307 lines) is the final will and testament for the city's Surgeon General, Flavius Phoebammon.²⁶

(2) COPTIC DOCUMENTS

(2.1) Dioscorus was also in demand as an arbitrator, especially for family disputes.²⁷ He arbitrated an inheritance case in which a boot manufacturer, Psates, was being sued by his sisters and brothers-in-law.²⁸ Dioscorus arbitrated another inheritance case in which a sister and brother, Victorine and Phoebammon, were suing their half-sister Philadelphia and their stepmother Amanias for carrying off movable property that should have been evenly distributed among the three children.²⁹ The parties involved in this dispute were Egyptian Copts (not Greeks nor Romans) and the arbitration settlement was written by Dioscorus not in the Greek language, as most of his papyri, but in the Coptic language, his native tongue.³⁰

²⁶ *P.Cair.Masp.* II 67151, 67152. For the authorship of these two documents, see Maspero, intro. to *P.Cair.Masp.* II 67151, pp. 87-88; idem, intro. to *P.Cair.Masp.* II 67152, p. 101. For a discussion and bibliography on this document, see MacCoull 1988, 50-55. For a discussion of the several papyri involving Phoebammon, including recent editions and a recent find, see J. Keenan, "Byzantine Egyptian Villages," in *Egypt in the Byzantine World*, 233-37. The settlement *P.Mich.* XIII 659 is over 360 lines (I have not made a word count); although found in Dioscorus's archive, its author has not been established.

²⁷ For the difference between mediation and arbitration in early Byzantine Egypt, see Gagos-Minnen 1994, 32.

²⁸ *P.Lond.* V 1708. The settlement is 265 lines (I have not made a word count); for its length, see Bell, intro. to *P.Lond.* V 1708, p. 114.

²⁹ *P.Lond.* V 1709; 1728 and 1745 refer to this same dispute. Bell, intro. to *P.Lond.* V 1709, pp. 130-31.

³⁰ For an introduction to Dioscorus's Coptic documents, see L. MacCoull, "The Coptic archive of Dioscorus of Aphrodito," *Chronique d'Égypte* 56 (1981a): 185-193; eadem

(2.2) Also during his Antinopolite years, Dioscorus remained involved in the legal affairs of monasteries and the religious.³¹ The deceased father of the three siblings in the above dispute had been a deacon, possibly attached to the private chapel of the duke.³² Dioscorus twice acted as arbitrator in a case involving two half-brothers who were monks, Anoup and Julius. Here again he recorded the depositions and his decisions in Coptic. Dioscorus had to decide to what extent these two monks were still the owners of property which had been bequeathed to them by their mother but which, since their entrance into the monastic life, had become associated with the monastery. The monastery involved had been founded by Dioscorus's own father: the Monastery of the Holy and Christ-Bearing Apostles. Dioscorus awarded joint ownership of the disputed property to the two monks and Apa Papnute, who was the monastery's steward and legal representative. MacCoull, in her analysis of these latter two documents, makes note of Dioscorus's "gentle tact" and piety. He expresses concern for not only the financial, but also the spiritual wellbeing of the monastery. As a postscript Dioscorus adds an invocation to the Holy Trinity and then requests: "May I receive protection from above through your prayers."³³

1988, 19-20. More recently, see A. Boud'hors, "Du copte dans les archives d'Apollôs," and A. Papaconstantinou, "Dioscore et la question du bilinguisme dans l'Égypte du VI^e siècle," in *Les archives de Dioscore d'Aphrodité*, n.p.

³¹ In addition to the documents discussed below, see *P.Cair.Masp.* II 67162, 67170, 67171; *P.Lond.* V 1686.

³² MacCoull 1988, 45.

³³ For a discussion of these two Coptic documents, *P.Cair.Masp.* II 67176 r + P.Alex. Inv. 689 and *P.Cair.Masp.* III 67353 r (which is difficult to read), see MacCoull 1988, 36-45.

(3) THIRST FOR JUSTICE

(3.1) When the same monastery began to have problems related to the pagarch of Antaeopolis, Dioscorus wrote a petition—as pointless as it may have seemed to him—to the duke.³⁴ This and the petition discussed above (*P.Cair.Masp.* I 67002) are two of at least four petitions composed in Antinoöpolis that address problems relating to the pagarchs of Antaeopolis.³⁵ In the case involving the monastery, it seems that a certain Ezekiel (“a gossip and informer and malicious”) was trying to seize land that had been donated to the monastery as an offering by a widow for her and her late husband’s souls. The embassy of monks who solicited the petition from Dioscorus end it with the following request: “For which reason we, swearing by the Holy Trinity, call upon Your Highness, if disposed, to command the pagarch of Antaeopolis and its warden to turn him [Ezekiel] away from us” (lines 24-25). This request suggests that Ezekiel was not taking the land for personal reasons, but was acting under the jurisdiction of the pagarch and his assistant tax-collector, and was perhaps employed by them. This petition was made circa 566/7, as was the petition *P.Cair.Masp.* I 67002 above.

(3.2) From the same period comes one of Dioscorus’s most powerful and mysterious prose work, *P.Lond.* V 1677: a formal explanation

³⁴ *P.Cair.Masp.* I 67003. MacCoull states (1988, 31): “One wonders, in view of the known behavior of the pagarch of Antaeopolis, just how much attention he will pay to the duke. But it is very much Dioscorus’ job to request that the duke curb the pagarch.”

³⁵ For an examination of the rhetoric, see MacCoull 1988, 16-56, esp. 31. For an analysis and interpretation of the literary and religious allusions in these petitions, see A. Kovelman, “From Logos to Myth: Egyptian Petitions of the 5th-7th Centuries,” *BASP* 28 (1991): 135-52.

addressed to an unidentified *magister* (“master”).³⁶ Again it concerns the cruelty of the pagarch Menas. But unlike the petition *P.Cair.Masp. I 67002*, which was on behalf of all Aphrodito, this petition is on behalf of Dioscorus, his sister’s family, and his own son. What first strikes a reader as strange is that Dioscorus wrote his own name centered on a separate line of the *recto* (“front”) and enclosed it between crosses. And he began the *verso* (“back”) with a cross and the Christian abbreviation χμγ//.³⁷ After two lines of high but general praise, Dioscorus says simply that the master’s benevolence has a universal reputation, and that the master is concerned for everyone’s spiritual wellbeing.³⁸ In the following formal explanation, Dioscorus recounts a crime by Menas that was previously described in the petition to the duke: Menas transferred Dioscorus’s lands at Phthla to his assistant and the shepherds of that village, leaving the tax

³⁶ τῷ ἀλ[η]θινῷ ἀγαθῷ δεσπότη μου ... λαμπροτάτῳ καὶ περ[ιβλ]έπτῳ μαγίστερι (lines 1-2). The term may refer to a political office, the *Magister*; for the many office-holders who were called *Magister*, see Jones 1964, index s.v. *magister*. The title was used for the duke; see F. Preisigke and E. Kiessling, *Wörterbuch der griechischen Papyrusurkunden*, vol. 3 (Berlin 1931) Abschnitt 8, s.v. μαγίστερ; cf. μαγίστρος μαγίστωρ. The salutations, however, show that this document cannot be addressed to a duke; Bell, intro. to *P.Lond. V 1677*, p. 69. Bell suggests (ibid.) that the μαγίστηρ here was an official on the ducal τάξις; cf. *P.Lond. V 1678*, which is addressed to at least two μαγίστερες, one of which is Callinicus. Cf. S. Daris, *Il lessico latino nel greco d’Egitto*, 2nd edn. (Barcelona 1991), s.v. *magister*; LSJ Supplement, s.v. μάγιστερ, μαγίστρος μαγίστωρ; Lampe, s.v. μάγιστρος. See also LSJ and Lampe, s.v. ῥαββί. Μαγίστηρ may, however, be a personal name; see F. Preisigke, *Namenbuch* (Heidelberg 1922, reprint 1988), s.v. Μαγίστερ, Μαγίστωρ.

³⁷ For possible meanings of the χμγ abbreviation, see A. Gostoli, “Una nuova ipotesi interpretativa della sigla cristiana ΧΜΓ,” *Studia Papyrologica* 22 (1983): 9-14; G. Robinson, “ΚΜΓ and ΘΜΓ for ΧΜΓ,” *Tyche* 1 (1986): 175-77; and esp. B. Mandilaras, *The Byzantine Papyri of the Greek Papyrological Society*, vol. 1 (Athens, 1993), 61-63 (*P.Sta.Xyla* 8 comment to line 1).

³⁸ εὐφημ[εῖται] καὶ διαβεβόηται ἐν ἅπασιν παρὰ παντὸς ἀνθρώπου ἢ φιλοκαγαθὸς ὑμῶν [λαμ]πρὰ εὐε[ρ]γεία ἀεὶ σπουδασοῦσα πάντα τὰ λυσιτελῆ καὶ ψυχωφελῆ (lines 5-6).

liability to the poet. Dioscorus now adds that Menas forced Dioscorus's brother-in-law Apollos to take the office of headman of Aphrodito. And then claiming that the village was in arrears in its tax payments, Menas sent a group of men to pillage Apollos' home. The pagarch also handed Apollos' land over to the shepherds of Pthla, and thereby reduced him and his children to poverty. Not content with these crimes, Menas claimed that Dioscorus's own son—an older son who obviously had not gone to Antinoöpolis with his father—was now responsible for the missing taxes. And the pagarch had the son arrested. At the end of the petition, there is an indication that the taxes had been paid, but that the receipts had been stolen with the rest of the belongings in Apollos' home. This petition, although dealing with the same evils, is different from Dioscorus's other petitions in several aspects. In addition to the two peculiarities mentioned above, Dioscorus does not ask for a specific redress. He is doing no more than painfully expressing his personal grief to some higher power.

(3.3) Dioscorus's seven years in the capital city of Upper Egypt were productive creatively. The general consensus is that most of his *encomia* and *epithalamia* were composed here.³⁹ Antinoöpolis, founded during the reign of Hadrian, was second in importance only to Alexandria. It was not only a cultural center, but also the residence and administrative center of the duke.⁴⁰ In 539, according to Justinian's Edict XIII, the two provinces of Upper Thebaid and Lower Thebaid were put under the jurisdiction of one office, the *dux Thebaidis*. The duke, who also carried the title of

³⁹ Maspero 1911, 466-68, 479-80; Bell 1944, 35; Viljamaa 1968, 32-33; MacCoull 1988, 13-14; Fournet 1999, 321-24.

⁴⁰ The duke as *Augustalis* governed free of interference from Lower Egypt. For the structure of the government in Upper Egypt and the importance of Antinoöpolis in the mid-sixth century, see Maspero 1911, 467; Bell 1944, 34; Jones 1964, 281-83, 656-57; MacCoull 1986a, 32.

Augustalis, had both civil and military authority. It has been assumed by most scholars that Dioscorus wrote his poems in praise of several dukes and members of their staffs in order to advance his career and financial situation.⁴¹ Maspero stated this assumption already in his critical essay of 1911, and interpreted verses in several poems as undisguised requests for money.⁴² Perhaps there was more at work in these poems.⁴³

(3.4) Before leaving Antinoöpolis, Dioscorus drafted yet another petition for an embassy of Aphroditans, complaining of new outrages committed by the pagarch.⁴⁴ The petition is addressed to an unnamed new duke, and states that the previous tax rate for the village's arable land and vineyards (two carats per aroura and eight carats per aroura, respectively) had been raised by the pagarch Julian. Julian then promised that no further tax increases would be made. This agreement was not kept and the taxes were raised. When owing to the failure of the inundation the new taxes could not be met, Julian made an agreement that he would be content with payment at the old tax-rate. Yet then with a gang of followers, the pagarch inexplicably attacked the village. He committed many

⁴¹ Maspero 1911, 466-68; Bell 1944, 28, 34; MacCoull 1986a, 32, 36-37; eadem 1988, 12; Fournet 1999, 325 : "C'est que, pour Dioscore, la poésie semble ne se concevoir que dans l'adversité: elle est destinée à obtenir, non à donner."

⁴² "Bon nombre de ses ἐγκώμια se terminent par une demande d'argent non déguisée: il faut croire qu'il en obtenait par ce moyen, puisqu'il y persévéra. Les ducs de Thébaïde eux-mêmes estimaient donc que les panégyriques du versificateur valaient bien une gratification: ils y prenaient plaisir. Leur lecture se faisait à cette petite cour lettrée, dans la ville demi-grecque d'Antinoé, la première d'Égypte après Alexandrie." Maspero 1911, 479-80. Cf. MacCoull 1986a, 36-37; Alan Cameron 1965, 478.

⁴³ See C. A. Kuehn, *Channels of Imperishable Fire: The Beginnings of Christian Mystical Poetry and Dioscorus of Aphroditos* (New York 1995).

⁴⁴ *P. Lond.* V 1674. Bell dates this draft of the petition to c. 570; intro. to *P. Lond.* V 1674, pp. 56-57.

outrages, including violating the women religious.⁴⁵ The petition suggests that these activities by the pagarch were in disregard of the duke, who had granted Aphrodito a remission of taxes.⁴⁶ To confirm the truth of their statements in the petition, the villagers took an oath in the monastery of Apa Macrobius “in the presence of the saints” (*P.Lond.* V 1674, line 73). The Aphroditans further confirm the truth of their statements by a written oath to God and to Christ the King of Kings (lines 83-84).

(4) RETURN TO APHRODITO

(4.1) Before May of 574, Dioscorus had returned to Aphrodito.⁴⁷ The reason for his return is nowhere made clear. H. I. Bell suggests that a new duke was finally able—or wanted—to control the pagarch’s aggression.⁴⁸ Perhaps his return was again related to events in Constantinople. Although in 565 Justin II had tried to reconcile himself to the Monophysites, in 571 he launched a savage persecution and by 573 he was completely insane.

⁴⁵ For interpretations of this document, which has several lacunae, see Bell, intro. to *P.Lond.* V 1674, pp. 55-58; MacCoull 1988, 47-50. It has not been established whether this Julian was the same Julian who was pagarch with Menas in 553 (*P.Lond.* V 1661); who was named in the imperial rescript of 551 (*P.Cair.Masp.* I 67024); who was the pagarch in the *διδασκαλία* to the empress (*P.Cair.Masp.* III 67283); and who was named in the petition to the emperor (*P.Cair.Masp.* I 67019).

⁴⁶ See Bell, intro. to *P.Lond.* V 1674, p. 58, and comment to line 97; idem 1944, 35.

⁴⁷ Maspero dates *P.Cair.Masp.* I 67096 to November 573 – May 574; intro. to *P.Cair.Masp.* I 67096, p. 137. Cf. MacCoull 1988, 14, 29, 134. Fournet dates his return between 570 and 573 (1999, 324).

⁴⁸ Bell 1944, 35. I am reticent to name a particular duke. As mentioned above, the names of the dukes during Dioscorus’s lifetime and the dates of their tenure remain a puzzle. “The list of the *duces*,” writes Salomon (1948, 107), “in spite of the rich-looking material in the Cairo papyri, still is an unsolved riddle. The tentative lists presented by Maspero and Bell, the two masters in the field, disagree on every date.” Cf. PLRE, vol. 3, pp. 1511-14. The situation has not improved since Salomon’s evaluation.

Dioscorus, if a Monophysite, would now have seen a bleak outlook to advance his career at the court of the duke.⁴⁹ Whatever the reason for returning to his village,⁵⁰ Dioscorus appears to have withdrawn from legal and political activities.⁵¹ He composed a contract for the monk Psates from the Monastery of Apa Apollos. The monk was donating a house, and money to enlarge the house, in order to provide a residence for visiting monks.⁵² The rest of the documents after Dioscorus's return were made primarily for mundane rural activities: receipts and disbursements of grain, seed grain, chickpeas, mud for bricks, etc.

(4.2) Creatively, however, Dioscorus was very productive. His two elaborate *encomia* to John (Heitsch 2 and 3, Fournet 20 and 11) are assigned by MacCoull to the post-Antinopolite years.⁵³ It is also likely that

⁴⁹ Perhaps Tiberius as early as 573 ended these savage persecutions, when he effectively, if not officially, took control of the empire. But how could Dioscorus have trusted such a peace? Dioscorus had experienced how the first peaceful years of Justin's rule turned into savage executions and imprisonments. Except for the short interlude during the reign of Tiberius (r. 578–582), the persecutions continued unabated. For a discussion of the religious policies of Justin II, Tiberius I, and Maurice, see W. Frend, *The Rise of the Monophysite Movement: Chapters in the History of the Church in the Fifth and Sixth Centuries* (Cambridge 1972), 317ff., esp. 322-23; Jones 1964, 306-307. In 571 the Monophysite monk and author of *Lives of the Eastern Saints*, John of Ephesus, went into exile. He was later put into prison, where he remained (writing his *Ecclesiastical History*) until his death in 589. The persecutions were originated by the patriarch of Constantinople, John Scholasticus. See John of Ephesus' *Ecclesiastical History*, parts 2 and 3; cf. S. Harvey, *Asceticism and Society in Crisis: John of Ephesus and the Lives of the Eastern Saints* (Berkeley 1990), 30.

⁵⁰ Gagos-Minnen 1994, 21, state: "In Antinoopolis he must have soon reached the limit of his own abilities." They offer no argument or evidence, and it is difficult to figure out what limits Gagos and Minnen imagined. The documents themselves show exceptional legal acumen.

⁵¹ Cf. Maspero 1911, 468; Bell 1944, 35. Maspero even suggests (1911, 468) that Dioscorus, like his father, entered the monastic life.

⁵² Α ξενοδοχείον. See Maspero, intro. to *P.Cair.Masp.* I 67096, p. 137.

⁵³ MacCoull 1988, 14; *contra*, Fournet 1999, 394, 416.

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the many creative works on the verso of *P.Cair.Masp.* I 67097, including the complex and subtle masterpiece “verso F,” were also composed then. Since many of his poems were composed on the backs of documents that had been written in Antinoöpolis and brought back to Aphrodito, even more poetry might have been composed not in the capital but in the village. His last dated document is a contract entered into an eight-page account book written in his hand.⁵⁴ Although the accounts seem to come from a few years earlier, a land lease recorded on one of the leaves bears the date of 5 April 585. And here the archive of Dioscorus of Aphrodito and all we know of his practical affairs come to an end.

⁵⁴ *P.Cair.Masp.* III 67325; the date 585 occurs on page 4 recto, line 5. See the discussions by Bell 1944, 35 note 76; MacCoull 1988, 14.