

TEMI E TESTI

248

“GRAPHIC SYMBOLS, WRITTEN WORDS”

SERIES DIRECTED BY ANTONELLA GHIGNOLI

MANI E SCRITTURE
SIMBOLI E TESTI

RICERCHE SU FONTI DOCUMENTARIE
ED EPIGRAFICHE TARDOANTICHE

a cura di

MARIA BOCCUZZI



ROMA 2024

EDIZIONI DI STORIA E LETTERATURA

GRAPHIC SYMBOLS, WRITTEN WORDS

The Series aims to publish research on pragmatic literacy and the written culture of Late Antiquity and the Early Middle Ages. It is focused in particular on palaeographical and critical analyses of written records that consider both texts and graphic symbols as interrelated facets of written culture in this period.

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PREMESSA

Le testimonianze manoscritte sono oggetti culturali complessi, che veicolano informazioni di rilevanza per la ricerca storica non limitate ai dati direttamente inferibili dal loro contenuto testuale, ma ricavabili altresì dallo studio di aspetti che attengono alla loro *facies* esteriore. I modi e le forme di presentazione di un testo, con particolare riguardo per le scelte compiute in ordine a organizzazione e articolazione del contenuto, soluzioni grafiche, *mise en page*, formati, supporto materiale, costituiscono elementi indiziari di pratiche e contesti di produzione, fruizione e trasmissione delle testimonianze scritte, nonché dei loro attori e delle funzioni assolte nei *milieux* in cui esse furono concepite e conservate.

Tali aspetti più strettamente inerenti alla sfera materiale costituiscono epistemologicamente il campo di indagine di discipline – o per meglio dire di scienze storiche¹ – come la paleografia e la diplomatica, che se ne servono non solo per la ricostruzione del percorso evolutivo di scritture e forme del libro e del documento ovvero per mera opera di decifrazione, datazione e localizzazione delle fonti manoscritte. L'esame dei dati formali, se condotto tenendo conto della forte correlazione esistente fra piano materiale e piano contenutistico, risponde anche allo scopo di portare avanti una riflessione sul significato storico dei fenomeni grafico-documentari-librari e più latamente culturali attestati dalle evidenze, con importanti acquisizioni in relazione alla tradizione dei testi e alla dimensione sociale della scrittura.

Invero, nuovi indirizzi di ricerca «materially oriented»² si stanno via via facendo largo anche in ambiti scientifico-disciplinari aventi ad oggetto

¹ Osservazioni in tema di rivendicazione dello statuto di 'scienza storica' per la paleografia si leggono in P. RADICIOTTI, *I papiri e le scritture greca e latina*, «Atene e Roma», n.s., III (2009), pp. 97-119, in part. pp. 97-98.

² Su tale svolta negli studi papirologici si soffermano K. BENTEIN – Y. AMORY, *Introduction: Developing a Historical Social-Semiotic Approach to Communication Practices in Antiquity*, in *Ibid.* (ed. by), *Novel Perspectives on Communication Practices in Antiquity. Towards a Historical*

ugualmente le fonti scritte, ma statutariamente vocati allo studio e all'edizione di testi, come la papirologia e l'epigrafia. Difatti, i più recenti studi papirologici ed epigrafici manifestano un interesse inedito per la genesi e la forma dei *written artifacts*, nella crescente consapevolezza che la disamina di tali aspetti, non disgiunta dall'interpretazione del testo, consenta di penetrare le ragioni a fondamento di precise scelte formali incidenti sul significato e la funzione dello scritto; in tal modo, si può pervenire ad una comprensione più profonda del contenuto trådito e più in generale dell'oggetto nel complesso.

In questo clima s'inscrive la pubblicazione di una certa varietà di contributi scientifici incentrati per l'appunto sulla 'materialità dei testi scritti' e l'emergenza, particolarmente nel versante degli studi papirologici, di concetti come quello di *paléographie signifiante*, che si deve a Jean-Luc Fournet: tale proposta di approccio formale allo studio delle evidenze papiracee promuove la meticolosa osservazione di componente grafica, *layout*, formato e supporto scrittorio, come presupposto per comprendere la varietà di fattori che, oltre le considerazioni di ordine pratico, ne condizionano le caratteristiche, ossia: il sistema di convenzioni che in un dato tempo e in un certo luogo regola le pratiche scrittorie, il contesto di scrittura, il profilo culturale e socio-professionale dei soggetti coinvolti nella redazione dello scritto, la natura e lo scopo di un testo³.

Parimenti, si deve registrare la sempre più frequente apparizione di lavori specificamente volti alla disamina delle forme grafiche (e in generale dei segni) occorrenti nelle iscrizioni e delle strategie d'impaginazione delle scritte incise; tali elementi illuminano momenti fondamentali della storia di un'epigrafe in sé come della scrittura *lato sensu* e contribuiscono a precisare gli ambienti socioculturali di produzione e il ruolo attribuito in tali contesti al *medium* grafico.

In quest'ottica, il *material turn* registrato nel campo di studi papirologico ed epigrafico sta incoraggiando lo sviluppo di indagini sistematiche su interi *corpora* di testimonianze o comunque su nuclei rappresentativi di fonti, opportunamente selezionati per osservare, in senso sincronico o diacronico, nell'ambito di uno o diversi contesti, la configurazione di certe caratteristi-

Social-Semiotic Approach, Leiden-Boston, Brill, 2022 (Papyrologica Lugduno-Batava, 41), pp. 1-14, in part. pp. 1-2.

³ Basti il rimando al più recente contributo dello studioso sull'argomento, J.-L. FOURNET, *Beyond the Text or the Contribution of "Paléographie signifiante" in Documentary Papyrology. The Example of Formats in Late Antiquity*, pubblicato alle pp. 17-28 del volume di cui *supra*, n. 2.

che formali con riferimento a una o più tipologie testuali. Oltre al crescente numero di edizioni di fonti e repertori disponibili, giova allo scopo il proliferare di database di settore consultabili online; tali piattaforme offrono grandi quantità di *records* descrittivi di papiri e/o testimonianze su supporti durevoli, con relative digitalizzazioni, e consentono di impostare una pluralità di chiavi di interrogazione anche combinabili fra loro. Si dischiudono così molteplici possibilità di ricerca e analisi di una varietà di fonti e relativi dati, circostanza che spinge il dibattito scientifico a misurarsi, per l'appunto in un'ottica di studio *evidence-based*, con temi di storia sociale e culturale, quali: lo status degli attori della scena grafica (siano essi scriventi attivi o individui variamente partecipi del processo di scrittura); il ventaglio di competenze scritte attestato dalle fonti e quindi le varie gradazioni dell'alfabetismo – o degli 'alfabetismi' – rilevabili; i tempi e i luoghi, in senso geografico e sociale, di applicazione di certe scelte formali e le finalità comunicative che ne rendono ragione; il rapporto con la scrittura in determinate società.

Tanto vale particolarmente ove si considerino fonti di testi non letterari tra quelli attestati nelle collezioni di papiri ed epigrafi, ossia documenti e più in generale scritturazioni del quotidiano. Simili materiali, che per loro natura forniscono un'ampia gamma testuale espressione di svariati usi funzionali e di contesti diversi (atti emanati da autorità civili, religiose o militari, contratti, testamenti, lettere, ricette mediche, ricevute, rendiconti, esercizi di scrittura, preghiere, etc.), restituiscono all'occhio dello storico un discreto spaccato sociale; inoltre, lasciano intravedere sia le molteplici declinazioni della *pragmatic literacy* sia gli usi invalsi nella prassi giuridico-documentaria rispetto alle prescrizioni della norma vigente.

L'apertura verso testimonianze scritte epigrafiche e papiracee di natura pragmatica è comune agli storici della scrittura; d'altra parte, la storia delle tipologie grafiche di ambito non librario, come affermava Alessandro Pratesi, «non esiste avulsa da quella del fenomeno grafico nel suo complesso, che è strettamente unitario al di là del contenuto del testo, al di là della materia alla quale i segni grafici sono affidati, al di là dello scopo per cui i segni sono stati vergati»⁴. Così come negli ultimi anni si registra una discreta fioritura di studi paleografico-diplomatistici volti a considerare le evidenze che rimontano all'antichità e ancor più a quella fase densa di trasformazioni tra lo spirare dell'età antica e l'avvento del pieno medioevo che è la tarda antichità. E tale interesse investe ormai anche la produzione non libraria, che

⁴ A. PRATESI, *Ancora sulla paleografia greco-latina (A proposito degli atti di un convegno di paleografia greca)*, «Scrittura e civiltà», IV (1980), pp. 345-352 (citazione a p. 349).

in epoca tardoantica risente dei mutamenti in atto sotto il profilo delle tecniche, della testualità, della scrittura, della lingua, come pure sul piano dei modelli culturali, condizionati da emergenti assetti politici, istanze religiose, codificazioni giuridiche. Di qui il proposito di rimarcare le soluzioni di continuità rispetto alle pratiche scrittorie e documentarie di epoche precedenti e successive ovvero di risalire alle radici remote di usi residuali, reminiscenze e sviluppi seriori.

I campi di indagine delle varie scienze dedite allo studio delle fonti scritte vengono così a porsi in contatto con sempre maggiore frequenza, favorendo occasioni d'incontro e possibilità di dialogo che, negli auspici di un numero considerevole di progetti di ricerca di taglio interdisciplinare promossi negli ultimi anni, offrono l'opportunità di valorizzare i mutui contributi scientifici.

I saggi raccolti nel presente volume si pongono sulla scia di tali orientamenti di ricerca improntati alla considerazione 'globale' delle testimonianze scritte, nelle loro declinazioni formali e contenutistiche. Essi costituiscono l'esito dei diversi rivioli di ricerca scaturiti dal NOTAE *Project*, acronimo di *NOT A writtEn word but graphic symbols. An evidence-based reconstruction of another written world in pragmatic literacy from Late Antiquity to early medieval Europe*⁵. Il progetto si è posto l'obiettivo di studiare e raccogliere, organizzandole in una base di dati complessa di tipo relazionale, le attestazioni superstiti di simboli grafici tracciati da individui (alfabetizzati e non) in testi di natura pratica prodotti nella tarda antichità greco-latina e nell'alto medioevo occidentale.

Le ricercatrici che, in qualità di membri ufficiali del team del progetto, hanno condotto l'attività scientifica prevista, coordinate dalla Principal Investigator Antonella Ghignoli, hanno avuto occasione di vagliare un numero ingente di fonti scritte greche e latine, siano esse di ritrovamento archeologico o di conservazione archivistica. Il lavoro di studio e descrizione delle testimonianze ha sollecitato una serie di interrogativi di ricerca intorno a MANI e SCRITTURE, SIMBOLI e TESTI – come recita per l'appunto il titolo di questo volume –, e più precisamente sulle ragioni storico-sociali profonde alla base di certe scelte formali. I percorsi d'indagine intrapresi per darvi risposta hanno imboccato la direzione degli approcci di studio paleografico-diplomatistico e, più recentemente, papirologico-epigrafico sopra rievocati, facendo leva sul rapporto di forte interrelazione esistente tra la forma del

⁵ Il progetto NOTAE, avviato nel luglio 2018 e giunto al termine nel giugno 2024, è stato finanziato con un 'Advanced Grant' dallo European Research Council (ERC) nell'ambito del programma di ricerca e innovazione Horizon 2020 dell'Unione Europea.

documento, le funzioni che lo scritto è chiamato ad assolvere e il contesto dal quale la testimonianza promana e di cui è espressione. Pertanto, i singoli casi di studio che si presentano in questa raccolta sono esemplificativi del tentativo di rischiarare per l'appunto usi funzionali e contesti (di scrittura, professionali, personali, socioculturali, geopolitici, cronologici, etc.) sottesi alla redazione di certi nuclei documentari, sempre nel riflesso delle MANI dei vari scriventi in essi intervenuti (o non), delle soluzioni adottate in ordine alle SCRITTURE, del tipo e del valore dei SIMBOLI grafici occorrenti nella trama dello scritto, delle forme di presentazione e organizzazione dei TESTI.

Si considerino i modi con cui i TESTI si presentano nell'ambito dei vettori materiali che li tramandano: la loro evoluzione è specchio dei mutamenti della prassi, e dunque strumento attraverso cui leggere le trasformazioni dei processi di redazione dei documenti e dei contesti professionali a ciò deputati. Così lo studio condotto da Lucia Colella sul fenomeno della duplice scritturazione del documento (*Doppelurkunde*), persistente in contratti greco-latini provenienti dall'Egitto romano, offre l'occasione di precisare il quadro dello sviluppo diacronico degli espedienti formali adottati nella prassi a garanzia dell'autenticità delle scritture contrattuali. In questa direzione si interpreta la convivenza di due versioni dello stesso testo in un'unica evidenza documentaria (*scriptura interior* e *scriptura exterior*), la quale prende forma in modi che variano nel tempo in rapporto alla graduale riduzione delle tipologie contrattuali in uso, al rafforzamento del ruolo del *tabellio* e alla progressiva adozione di sistemi di registrazione dei contratti nei pubblici archivi. L'incursione nell'Egitto romano permette, quindi, di riflettere sul successivo esaurirsi del fenomeno nella tarda antichità, quando per l'appunto mutano ambienti e forme di redazione e autenticazione delle scritture contrattuali.

Sulla medesima scia, nel contributo di Livia Briasco i papiri sono assunti come testimoni diretti della prassi giuridica e particolarmente di fenomeni grafico-documentari fortemente connessi con l'ambiente di produzione. Attraverso la lente rappresentata da MANI, SCRITTURE e SIMBOLI rilevabili nelle sottoscrizioni finali ai contratti tardoantichi della Tebaide, sono messi a fuoco il contesto di scrittura dei documenti notarili e le strategie di lavoro attuate localmente dai professionisti dell'*instrumentum*. In modo particolare, le *completiones* sono osservate per tutti quegli aspetti che ne determinano la *facies*: la loro *mise en page*, le peculiarità e gli atteggiamenti grafici che le caratterizzano, il livello di accuratezza e competenza scrittoria che attestano, le soluzioni eventualmente esperite per conferir loro un certo grado di stilizzazione rispetto al corpo del testo, le morfologie e le funzioni dei simboli grafici che vi figurano. Tutti tali elementi, di cui si intravedono tendenze sincroniche e sviluppi diacronici, danno adito al ripensamento di alcune at-

tribuzioni, ma soprattutto consentono di tracciare il profilo professionale degli scribi che hanno preso parte al processo di stesura di un contratto, siano essi tabellioni *stricto sensu* e/o altro genere di collaboratori occasionali.

In tale prospettiva, le fonti investigate possono restituire l'immagine di scriventi all'opera, non limitata però ai soli responsabili della redazione dell'atto. Così nel contributo di Aneta Skalec il *focus* nell'indagine intorno alle pratiche documentarie e al profilo dei relativi attori è spostato sull'apporto dei testimoni, come documentato dalle relative sottoscrizioni. L'orizzonte geostorico scelto per ricostruirne gli sviluppi sincronici e diacronici e suggerirne possibili ipotesi interpretative è quello tracciato dai contratti tardoantichi dell'Ermopolite. Campo di osservazione e insieme strumenti di questo studio sono elementi quali: la disposizione della SCRITTURA nello specchio grafico; le forme, il posizionamento e l'uso funzionale dei SIMBOLI; le variazioni in ordine al formulario adottato e al numero di testimoni coinvolti in rapporto alla natura dei TESTI contrattuali; i riferimenti alla provenienza geografica dei testimoni e alle categorie professionali e sociali di appartenenza, quali fatti indiziari dei criteri che guidavano la scelta degli individui chiamati a testimoniare.

Le sottoscrizioni al documento tardoantico sono ancora al centro del contributo di chi scrive, ma con uno spostamento dell'asse di osservazione verso le evidenze perlopiù di conservazione archivistica dell'Occidente latino. Ancorché assai esigua, tale documentazione, come già nei propositi dello stesso progetto NOTAE, offre l'occasione di raccordare in chiave dialettica la produzione documentaria greca e latina, in cui si pongono problemi analoghi o si manifestano fenomeni che, pur nelle comprensibili differenze, presentano qualche elemento di consonanza. Inoltre, lo studio si volge a considerare le sottoscrizioni di MANO degli autori oltretutto dei testimoni di contratti e testamenti, sia che i loro gesti grafici prendano corpo in SCRITTURE di vario livello esecutivo, sia che essi si esauriscano in meri SIMBOLI. Nel riflesso di tali attestazioni e seguendo la chiave di lettura suggerita da alcune fonti indirette, si cercano le ragioni profonde che nella prassi spingono *contrahentes* e *testes*, quandanche *illitterati*, ad assicurare il proprio apporto autografo al documento, al di là delle prescrizioni della norma. In tal senso, le sottoscrizioni consentono di sconfinare dai circuiti in cui la competenza grafica è esercitata a fini professionali, per lasciar scorgere il mondo delle pratiche grafiche correnti e illuminare il rapporto della società con la scrittura, e segnatamente la funzione che le si attribuisce.

Di tale relazione è indiziario, dunque, l'intero universo dei segni di cui si compone la trama grafica dei testi: da quelli alfabetici – che danno forma alla parola scritta – a quelli non alfabetici – come i simboli grafici che non rap-

presentano parole ma comunque portatori di significati e valori –, passando attraverso i segni che hanno la funzione di rappresentare, abbreviandoli, i vocaboli o parti di essi. Agli elementi grafici adoperati a scopo abbreviativo guardano specificamente i contributi di Nina Sietis e Anna Monte, ancora in ottica di studio delle pratiche di SCRITTURA attuate in determinati contesti testuali, geografici e sociali.

Nina Sietis indaga, in particolare, la varietà delle strategie abbreviative messe in atto in un *corpus* scelto di papiri greci, l'archivio degli Apioni. Per la vastità, l'ampia cronologia e le numerose tipologie documentarie delle evidenze papiracee in esso annoverate, tale nucleo offre un campione alquanto rappresentativo di abbreviazioni e pone le premesse per una ricerca tragiurata a indagare le pratiche abbreviative *tout court* del periodo bizantino. Lo studio non si configura come mera analisi morfologica limitata alla dimensione puramente descrittiva, ma si apre a una serie di interrogativi sulle relazioni esistenti fra determinate abbreviazioni e le categorie grammaticali delle parole interessate dal fenomeno abbreviativo, le parti del documento in cui maggiormente se ne registra la frequenza, le tipologie documentarie in cui occorrono principalmente, allo scopo di ricostruire un quadro credibile del loro uso e sviluppo. E ciò nella prospettiva di addivenire ad una più salda collocazione storica delle diverse pratiche abbreviative, con riferimento agli ambiti di applicazione e alle categorie di scriventi in grado di metterle in atto.

Lo studio di Anna Monte verte, invece, sull'uso di specifiche abbreviazioni, non di rado travisate e fra loro confuse nelle edizioni di papiri: i monogrammi *chi-iota* e *chi-rho*. La combinazione delle lettere *chi* e *rho*, in particolare, ha conosciuto svariate applicazioni, dando origine ad abbreviazioni di diversa valenza quando non a veri e propri simboli grafici. Tra i possibili impieghi di questa coppia di segni come anche del monogramma *chi-iota*, il contributo si sofferma segnatamente sulle occorrenze atte ad abbreviare il vocabolo *χειρόγραφο*. Anche in questo caso, per interpretarne più a fondo la valenza, si va oltre l'analisi descrittiva delle diverse morfologie con cui si presentano i monogrammi, per far luce sulla rete delle connessioni fra certi segni grafici e il *locus* testuale, geografico e cronologico di impiego. Pertanto, si tiene in debita considerazione la varia natura dei TESTI trāditi dalla tipologia documentaria dei *χειρόγραφα*; inoltre, si osserva la distribuzione cronologica e geografica delle coppie *chi-iota* e *chi-rho* nei papiri greci di epoca bizantina, anche evidenziando come queste possano caricarsi di una valenza diversa al variare dei tempi e dei luoghi d'uso ovvero a seconda delle parti del documento in cui se ne registri l'occorrenza (note dorsali o corpo del testo).

In ultimo, l'incursione di Marta Marucci nel mondo dei materiali epigrafici in prosa dell'Egitto tardoantico si profila come un tentativo di esplorare

gli ulteriori sviluppi delle pratiche grafiche e documentarie attestate in papiri e tavolette, sospingendo lo studio oltre il campo di osservazione delineato dal progetto NOTAE. Le variazioni che hanno interessato le modalità tecniche di realizzazione, le strategie di impaginazione delle SCRITTURE all'interno dello specchio epigrafico, le forme e le funzioni di segni paratestuali e SIMBOLI grafici, se posti in correlazione con le tipologie di TESTI, rappresentano la cartina al tornasole dei processi culturali che le hanno determinate. Gli espedienti grafico-visivi atti a guidare la fruizione di un'iscrizione, infatti, testimoniano gli ambiti di ricezione cui si rivolge il messaggio epigrafico, lasciandone emergere, per esempio, l'impronta religiosa.

Tutti i contributi, in conclusione, affrontando casi di studio anche molto diversi fra loro, muovono dal medesimo proposito, coerentemente con le finalità del progetto NOTAE: considerare le fonti scritte come oggetti culturali e non solo come veicoli di contenuti, per coglierne il valore di testimonianze per la storia materiale delle manifestazioni di scrittura e, più ancora, per la storia della cultura scritta⁶.

MARIA BOCCUZZI

⁶ Sul concetto di 'storia della cultura scritta', si fa riferimento all'accezione datane da A. PETRUCCI, *Prima lezione di paleografia*, Roma-Bari, Laterza, 2002, p. vi, il quale promuoveva uno studio delle fonti scritte che, tenendo salda l'applicazione del metodo d'indagine formale, si configurasse in senso più ampio come una «storia della produzione, delle caratteristiche formali e degli usi sociali della scrittura e delle testimonianze scritte in una società determinata». Ma per comprenderne le ragioni storiografiche e l'origine della sua presenza negli studi in Italia, si deve ricordare il seminario tenutosi a Perugia il 29-30 marzo 1977 dal titolo *Alfabetismo e cultura scritta nella storia della società italiana*, con i relativi atti, oltreché i contributi di A. BARTOLI LANGELI, *Premessa* e A. PETRUCCI, *Per la storia dell'alfabetismo e della cultura scritta*, in *Alfabetismo e cultura scritta: metodi, materiali, quesiti* («Quaderni storici», XXXVIII, maggio-agosto 1978), rispettivamente pp. 437-450 e 451-465. La vivace stagione di studi caratterizzata proprio dal tentativo di superare il metodo e l'oggetto tradizionali della paleografia e agganciare lo studio della scrittura alla storia della società è ripercorsa in D. BIANCONI, *Paleografia: riflessioni su concetto e ruolo*, in ID. (a cura di), *Storia della scrittura e altre storie*, Roma, Accademia Nazionale dei Lincei, 2014, pp. 7-29, contributo al quale si rinvia anche per le riflessioni sul rapporto tra storia della scrittura 'e altre storie' (per l'appunto della società, ma anche dei testi e delle culture).

AVVERTENZE EDITORIALI

Le edizioni papirologiche citate nei contributi sono in tutti i casi abbreviate secondo le convenzioni della *Checklist of Editions of Greek, Latin, Demotic, and Coptic Papyri, Ostraca, and Tablets*¹.

Le edizioni epigrafiche sono citate conformemente alla *List of Abbreviations of Editions and Works of Reference for Alphabetic Greek Epigraphy*².

Nel corpo delle note dei singoli saggi figurano i rimandi alle schede descrittive allo stato attuale pubblicate nelle sezioni *Documents, Persons, Graphic Symbols* della banca dati relazionale *NOTAE System*³. Tali *records* raccolgono i dati relativi rispettivamente alle testimonianze censite dal progetto NOTAE, agli individui che eseguirono un qualche intervento grafico in dette fonti, ai simboli grafici in esse rilevati. In accordo col sistema di citazione proposto nel *NOTAE System*, ogni *record* è richiamato mediante indicazione della sigla rappresentativa della sezione in cui esso è pubblicato (NOTAE Doc, NOTAE Per, NOTAE GS), seguita dallo *stable unique numeric identifier* (ID) che identifica la scheda in maniera univoca sulla piattaforma⁴.

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¹ <https://papyri.info/docs/checklist> (07/2024).

² <https://www.aiegl.org/grepiabbr.html> (07/2024).

³ A partire dall'8 luglio 2024 consultabile in versione pubblica al link: <https://notae-erc.eu> (07/2024).

⁴ Si vedano le indicazioni *How to cite* presenti nel saggio introduttivo di ogni singola sezione: <https://notae-erc.eu/documents>; <https://notae-erc.eu/persons>; <https://notae-erc.eu/graphicsymbols> (07/2024).

⁵ <https://www.trismegistos.org> (07/2024).

LUCIA C. COLELLA

NOTES ON THE USE AND DISAPPEARANCE OF THE DOUBLE DOCUMENT IN EGYPT AFTER ROMAN CONQUEST

1. *From the Hellenistic to the Roman period.*

The ‘double document’, which is commonly designated with the German term *Doppelurkunde*, is a type of authenticated legal document that was widespread in the ancient world. In this paper I shall deal with evidence from Roman Egypt, but it needs to be remembered that this documentary practice was known in other cultures too, such as those of the ancient Near East¹. The defining characteristic of the *Doppelurkunde* is the presence of two versions of the same text: the *scriptura interior* (inner script) is enclosed and sealed and the *scriptura exterior* (outer script) is open and available for consultation.

This is the first type of standardized Greek legal document from Egypt, and the evidence is very ancient. Indeed, the earliest dated document on papyrus to come from the Ptolemaic kingdom is a marriage agreement, P.Eleph. 1², dating to 311/310 BCE (pl. 1). Other early examples of double documents also come from Elephantine in southern Egypt, and they date to the fourth to third century BCE³.

During the Ptolemaic period, the double document was employed for the usual Hellenistic contract, the so-called *syngraphe hexamartyros* (six-witness contract)⁴. Seals were added both by the two contracting parties and by the six witnesses to this type of contract. Originally it was a private document that could be entrusted to a *syngraphophylax* (one of the

I would like to thank the anonymous reviewer for his/her valuable comments.

¹ KOFFMAHN 1968; COTTON 2003; cf. KUNKEL 1936; WOLFF 1978, pp. 61 ff.; RUPPRECHT 1994, pp. 135-136.

² BL Konk. I 59-60; BL IX 78; XI 76; XII 66.

³ YIFTACH-FIRANKO 2008, pp. 203 ff. See PORTEN *et al.* 1996 and the lists in BILABEL 1924, p. 156 and 1925, pp. 95, 102, 105; KUNKEL 1936, pp. 431-433.

⁴ WOLFF 1978; AMELOTTI – MIGLIARDI ZINGALE 1985.

witnesses), who had the task of keeping it and producing it as evidence in the event of a legal action. Eventual copies (*antigrapha*) were available to both parties⁵.

From the material perspective, the document was written twice on a piece of papyrus. The *scriptura interior* was written on the upper part, and the *scriptura exterior* on the lower part. A white space was left between the two versions of the contract, and there the sheet was cut horizontally as far as half of its width. The inner script was rolled up from top to bottom and then folded and sealed; for this reason this type of contract is listed by K. Vandorpe among those cases in which only a portion of the document was sealed⁶. To these material aspects must be added one that as a rule is not sufficiently remarked in the scholarly literature, viz. the arrangement of the sheet *transversa charta*: the papyrus was written on the *recto*, i.e. on the surface normally used for writing, but against the fibers after the sheet had been turned 90 degrees. The use of the papyrus *transversa charta* was accurately described by E. Turner, who emphasized the importance of this feature for the identification of the hitherto known double documents⁷.

The practice of having the contract signed by witnesses and in the safe-keeping of a *syngraphophylax* was important in a moment when there did not yet exist an efficient public archive system, something that only began to be active in Egypt towards the close of the third century BCE⁸.

At that time contracts could be redacted no longer only privately as double documents, but also as public contracts (the so-called ‘agoranomic documents’) that were written up by the *agoranomos* without the intervention of witnesses. In the second century BCE the *scriptura interior* of the ‘agoranomic instruments’ is really an official note of registration that contains only some particulars of the contract (*scriptura exterior*)⁹; it is written on the left of the sheet, sealed with only one seal, i.e. that of the notary. These

⁵ E.g. WOLFF 1978, pp. 57-59; RUPPRECHT 1995, esp. p. 45; AMELOTI – MIGLIARDI ZINGALE 1985, p. 130 n. 7, with bibliography. The *syngraphophylax* is absent in P.Eleph. 1; for its possible introduction in the 280's, see YIFTACH-FIRANKO 2008, p. 203 n. 2.

⁶ VANDORPE 1996, pp. 232-234.

⁷ TURNER 1994, pp. 23-64.

⁸ WOLFF 1978; VANDORPE 1996; YIFTACH-FIRANKO 2008.

⁹ WOLFF 1978, pp. 80 and 190-194 (see esp. pp. 184-221 on the problematic interpretation of the *katagraphē* in the Ptolemaic and Roman periods); VANDORPE 1996, pp. 235-237. YIFTACH-FIRANKO 2008 argues that this evolution of the *scriptura interior* was connected to the introduction of the registration of the double documents in the *grapheia*. For late Ptolemaic double documents with unusual features, see CLAYTOR 2014.

deeds, as Wolff and Vandorpe have observed, often are improperly termed 'double documents'.

According to the common opinion, the appearance of public archives led to a progressive loss of importance in some of the characteristics of the double document, and eventually resulted in its disappearance with the Roman conquest¹⁰. In fact, when a copy of the contract was registered and preserved in the archives, the *scriptura interior* was no longer needed to guarantee the authenticity of the *scriptura exterior*. Thus, the inner script becomes a relic of the past and is often partial and hard to read. In the passage to registration in the archive, therefore, even certain diplomatic characteristics of the document change, in so far as the inner script not only becomes an excerpt of the contract, but is also often written with less care and in handwriting that is compressed and crabbed¹¹.

U. Yiftach-Firanko has emphasized the need to distinguish textual content (*scriptura interior* no longer contains a complete version of the contract) from palaeographical aspect (*scriptura interior* is written with less care)¹². He has remarked that the presence of a more compressed *scriptura interior* (which is not necessarily inaccurate) can be seen in the first half of the second century BCE, whereas only in the last quarter of the century do we find examples of inner script containing an excerpt of the contract, wherein only the principal details are noted (as a rule: the contracting parties, the object of the contract, and often the *syngraphophylax*). He believes that this was due to the new system of registering contracts via the *anagraphe*¹³.

According to the current view, the double document disappeared after the Roman conquest, since as of the reign of Tiberius contracts, which were written directly in the village archive (*grapheion*), no longer had the *scriptura interior*, but only what was previously the *scriptura exterior*. Moreover, we find subscriptions of the contracting parties and a note of registration by the *grapheion*. This new public document, which competed with the agoronomic document, has been seen as an evolution of the private double document entrusted to the *syngraphophylax*¹⁴.

¹⁰ KUNKEL 1936; SCHÖNBAUER 1918; WOLFF 1978.

¹¹ These palaeographic features are also found in texts whose inner text is not an abstract, e.g. P.Tebt. III.1 819 (171 BCE; BL Konk. I 262; BL VIII 496; XII 282).

¹² YIFTACH-FIRANKO 2008; cf. YIFTACH-FIRANKO – VANDORPE 2019; YIFTACH-FIRANKO 2020.

¹³ YIFTACH-FIRANKO 2008, p. 214.

¹⁴ *Ibidem*, p. 217.

In reality, it is important to emphasize that the double document itself does not completely disappear after the Roman conquest. Rather it is well attested in the Latin and Greek documentation which is for the most part concerned with Roman citizens. This is not, however, the Hellenistic double document, but rather a new form that is called the Roman double document (*diploma*). The spread of this document type in Roman Egypt has not been adequately studied to date, and some double documents have not been identified as such¹⁵. Moreover, there is confusion between the characteristics of the Greek double document and the Roman double document: in fact, it has been claimed that, whereas in the Near East the *Doppelurkunde* remained in use until the III century CE, in Egypt it disappeared soon after the Roman conquest¹⁶. In reality, we shall see that examples from the imperial period are not lacking for Egypt and that they, like parallels of the same date from the Near East, are different from the Hellenistic double document. Even in the understanding of the material aspects of these documents and their layout, there exist problems.

2. *The Roman double document on papyrus in the Egyptian evidence.*

As opposed to the Hellenistic double document, the first difference that is immediately visible is the standard number of subscriptions (seven and not six)¹⁷, since, as has been underlined by Wolff in particular, it is not a case of Greek *syngraphai hexamartyroi*, but of Roman *testationes*¹⁸. From the material perspective, the Roman double document on papyrus was written likewise on the *recto* against the fibers (*transversa charta*). In many cases it seems that this type of double document is an adaptation on papyrus of the diptyches of wax tablets, which are nonetheless not unknown in Egypt in the imperial period¹⁹.

¹⁵ See for instance Nielsen's list of 'duplicate papyri' (where double documents are also considered): NIELSEN 2000.

¹⁶ YIFTACH-FIRANKO 2008, pp. 203-204. At p. 204 n. 3 the scholar lists among Greek double documents of the Roman era found outside Egypt texts that are actually to be identified as Roman double documents.

¹⁷ See already KUNKEL 1936.

¹⁸ WOLFF 1978, p. 78 f.; cf. TURNER 1994.

¹⁹ E.g. P.Mich. III 166 (birth declaration, 128 CE; BL Konk. I 123; BL XII 120); P.Mich. III 169 (birth declaration, 145 CE; BL Konk. I 123; BL VIII 211; XII 120); CPL 214 (acceptance of inheritance, 170 CE; BL IX 170); CPL 215 (acceptance of inheritance, 170 CE; BL IX 170); SB III 6223 = CPL 202 (appointment of a guardian, 198 CE; BL XIII 195); M.Chr. 362 (manumission of a slave, 221 CE; BL VIII 226; XI 137; XII 130).

The writing on the *recto* against the fibers seems to be a characteristic feature of this format, to such a degree that its absence led D. Rathbone, in his re-publication of the Latin PSI XI 1183²⁰ (pl. 2) that he offered in P.Thomas 6 (47/48 CE), to question its identification with a *Doppelurkunde*.

However, there are some differences regarding the arrangement of the witnesses' subscriptions.

The observation of these characteristics leads to the recognition of two types of Roman double document: in the first, the witness subscriptions are placed on the *recto*, beneath the *scriptura exterior*; in the second, they are written on the *verso* against the fibers, in correspondence with the *scriptura exterior* on the *recto* (the papyrus being rotated 90 degrees).

2.1. Documents with subscriptions on the *recto*.

Next we shall analyze surviving instances that can be assigned to the first type. To begin, let us look at the documentation in Latin. The best preserved example, where the *scriptura interior* is not visible because it is still rolled up and sealed, is a deed of sale of a slave: P.Lond. II 229²¹, dating to 166 CE (pl. 3). In this instance, the *scriptura exterior* is in handwriting that is clear, large and well legible and has a careful layout, as can be seen from the fact that some paragraphs begin in *ekthesis*. Beneath the outer script we find seven autograph subscriptions, which probably correspond to the seven seals that are still to be seen. According to Marichal, the portion of papyrus still rolled up would not have been sufficient for a complete version of the contract, but only for a brief version or one written in a smaller script²². However, the simple hypothesis of more compressed handwriting is perhaps enough.

An example of this type of double document might be PSI VI 729²³, dating to 77 CE (pl. 4). It is the oldest known testimony (if we accept that P.Thomas 6 is not a double document)²⁴ and contains the deed of sale for a horse. According to the editors, Fr. *b* ought to be identified with the *scriptura interior*, since it lacks the number of the legion, which is instead present in the better preserved Fr. *a*²⁵; this latter, therefore, would be the

²⁰ BL Konk. I 236; BL VIII 408; IX 320; X 247; XII 255.

²¹ BL Konk. I 102; BL VIII 175; IX 127; XI 57.

²² Introd. to ChLA III 200; a detailed description in TURNER 1994, pp. 27-29.

²³ BL Konk. I 231; BL VIII 400; IX 317; XII 252.

²⁴ See above, § 2.

²⁵ [Ruf]o (centurione) leg(ionis) XX[I]I (l. 2).

scriptura exterior, whereas Fr. *b* would contain a reduced, rough version of the contract²⁶. The *verso* of both fragments is blank; in particular, the *verso* of Fr. *a*, almost entirely preserved, was certainly lacking in writing (whereas it cannot be excluded that there was writing on the back of Fr. *b*, which is extremely fragmentary). If the identification of Fr. *a* with the *scriptura exterior* is correct, it would be necessary to hypothesize that the witness subscriptions were on the *recto* beneath the body of the contract, in a portion of papyrus that is now lost. However, the regular edge of the upper margin of Fr. *a* suggests that it may have been the upper margin of the entire sheet; in that case Fr. *a* would contain the *scriptura interior* of the document. Moreover, it is worth noting that the number of the legion seems to have been added to Fr. *a* afterwards. At any rate, the fact that neither a handwriting of lesser size or smaller interlinear spaces can be seen in either of the two fragments renders a certain solution impossible.

Also a *Doppelurkunde* is another text that has unfortunately been lost, but which is reproduced in the *Chartae Latinae Antiquiores* (ChLA XLVI 1364)²⁷. Dating to 92 CE, it is the sworn declaration of a soldier, T. Flavius Longus, *optio* of the *legio III Cyrenaica*. The provenance of the papyrus is unknown. It was acquired at Medînet el-Fayum (ancient Arsinoe) in 1914. In this case, the difference in graphic appearance between the two versions is clear: the editor remarks that the handwriting of the *scriptura exterior* (text B) «is much larger (*sc.* than the *scriptura interior*, *i.e.* text A) and very clear, formal and distinct», with frequent use of *interpunctio*²⁸. The *scriptura exterior*, moreover, appears more complete also from the textual perspective, as can be seen in detail from a comparison between text A, l. 2, and text B, ll. 3-4. This document, too, was written on the *recto* against the fibers (*transversa charta*). Since the *verso* – according to what is reported in the edition – was blank, we must hypothesize that also in this case the witness subscriptions were placed on the *recto*, beneath the *scriptura exterior*, which is mutilated at the bottom.

Other possible instances of Roman double documents in Latin from Egypt have been identified by Turner in P.Ryl. IV 611²⁹ (87/88 CE) and P.Mich. VII 443³⁰ (II century CE), which were both written on the *recto*

²⁶ PSI VI, pp. 171-172; ChLA XXV, p. 28; TURNER 1994, pp. 39-42, 57-60.

²⁷ The description provided here is based on the *ed. pr.*: BARNES 1949, nr. 2.

²⁸ BARNES 1949, pp. 296-297.

²⁹ BL Konk. I 175.

³⁰ BL Konk. I 126.

against the fibers, possibly *transversa charta*³¹. Mutilated on its sides and at the bottom, the first text comes from the antiquities market and preserves a veteran's statement that he had received the right of *conubium* from the emperor Domitian, which was perhaps necessary for the procedure of *epikrisis*³². The *verso* of this fragment is blank. The second papyrus, acquired by M. Nahman at Cairo in 1925, preserves the remains of 5 lines, which the editor thinks belonged to the petition of a soldier or veteran. As Turner himself remarks, the only evidence for identification of these fragments with *Doppelurkunden* might be the fact that they were written against the fibers, but this is not enough, especially for the second document, which exhibits a text that is in such parlous condition. In both cases, even if we were dealing with double documents, we could not be certain that the subscriptions were at the bottom on the *recto*, for only a single *scriptura* survives.

Lastly, a further example of this format is perhaps provided by the deed of sale for a slave woman that is preserved in P.Oxy. XLI 2951, which dates to 267 CE³³. The transaction takes place in the winter camp of the *legio II Traiana fortis* between the purchaser Aurelius Apollonios and the seller Marias Barsimes, son of Barsimes Bassus. The latter has a name of Semitic origin, which fact has led to the inference that their unit had an origin similar to that of the *ala IX cataphractaria Philippiana*, which was recruited primarily in Mesopotamia³⁴. The body of the contract, which is mutilated at the start, is in Latin (ll. 1-18). It is followed by the subscriptions (in Greek) of the seller and his father – through whom he acts – and by that (in Latin) of the *equus* Aurelius Heraclianus *alias* Makarios, *conductor librariae kastrorum legi(onis) s(upra) s(criptae)*. The text was written on the *recto* against the fibers (*transversa charta*). For this reason Turner suggested that the surviving fragment belonged to a double document that had lost its *scriptura interior*³⁵. The edition reports the presence of a list of names (among which Marias) on the *verso*, but its classification as a double document cannot at the moment be verified, for the papyrus is mounted on cardboard and the *verso* is not visible³⁶.

³¹ TURNER 1994, pp. 38-40.

³² WAEBENS 2012, p. 143.

³³ See P.Oxy. XLI; BL VIII 263; IX 198; XI 166; XII 148.

³⁴ P.Oxy. XLI, p. 19; on the name of the purchased slave woman, see DANIEL 2007.

³⁵ TURNER 1994, p. 29; cf. WOLFF 1978, p. 78 and STRAUS 2003.

³⁶ P.Oxy. XLI, p. 20: «Subsequently the *verso* was used for a list of names. This list, which will be published in a later volume, was written in the Oxyrhynchite nome and refers once to a Marias (col. IV, 3)».

It is to be observed that the (nearly certain) single Latin instance of this type of Roman double document, which has witness subscriptions on the *recto* beneath the *scriptura exterior* is P.Lond. II 229, which was found in Egypt (in the Arsinoites), but written at Seleukia Pieria (Syria)³⁷.

Examples in Greek are also known.

P.Turner 22 (142 CE) preserves the sale of a female slave³⁸. The papyrus was acquired on the antiquities market, but probably comes from Egypt, since both parties are Alexandrian. The contract, however, originated at Side in Pamphylia³⁹. The *scriptura interior* has an informal appearance and is 'squeezed' against the upper margin, which is virtually absent. As is usual in deeds of sale, the inner text also includes the subscriptions of the seller and the *fideiussor*. The *scriptura exterior* is written in a more legible and larger handwriting, and the spaces between lines are twice the height of the letters; it is separated from the *scriptura interior* by a wide blank space. The sheet is mutilated at the bottom. Seeing that the *verso* is blank, it is likely that the witness subscriptions were situated beneath the *scriptura exterior* and in the portion that has been lost.

BGU III 887 (pl. 5), which is another deed of sale of a female slave, was probably found in the Egyptian Fayum, but it, too, was written at Side in Pamphylia in 151 CE⁴⁰. In this document, the *scriptura interior* shows a thicker tracing and was written in a hand that is less elegant than the *scriptura exterior*. In addition, the spaces between lines are tight, and the upper margin is virtually absent. The subscriptions are located on the *recto* beneath the *scriptura exterior*, but as is customary those of the seller, Lucius Iulius Protoktetos, and of the guarantor, Hermias son of Hephaistas, likewise appear in the *scriptura interior* after the body of the contract.

BGU III 913 (pll. 6-7) attests another sale of a female slave; it, too, was probably found in the Fayum, but has a non-Egyptian origin as it was written at Myra (in Lycia) in 206 CE⁴¹. The writing against the fibers confirms Turner's tentative identification of the fragment with a *Doppelurkunde* on

³⁷ See above, p. 5.

³⁸ P.Turner 22; BL VIII 498; XI 285-286; XII 284. The papyrus is cited by TURNER 1994, p. 39, as P.Colon. inv. 6211; cf. N. Lewis in P.Yadin, p. 8 n. 8.

³⁹ On the role of Side and Alexandria in the slave trade of the imperial period, see D. Hagedorn in P.Turner 22, p. 109 n. 2.

⁴⁰ BL Konk. I 29; BL VIII 36; XI 21; XII 16.

⁴¹ BL Konk. I 29-30; BL XI 22. A contract for the sale of a female slave, which was found at Oxyrhynchus but originated in Telmessus (Lycia), has recently been published in P.Oxy. LXXXVI 5567 (290 CE). However, in this case the body of the contract was written along the fibers.

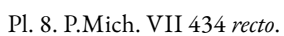
Pl. 2. PSI XI 1183 *recto*.

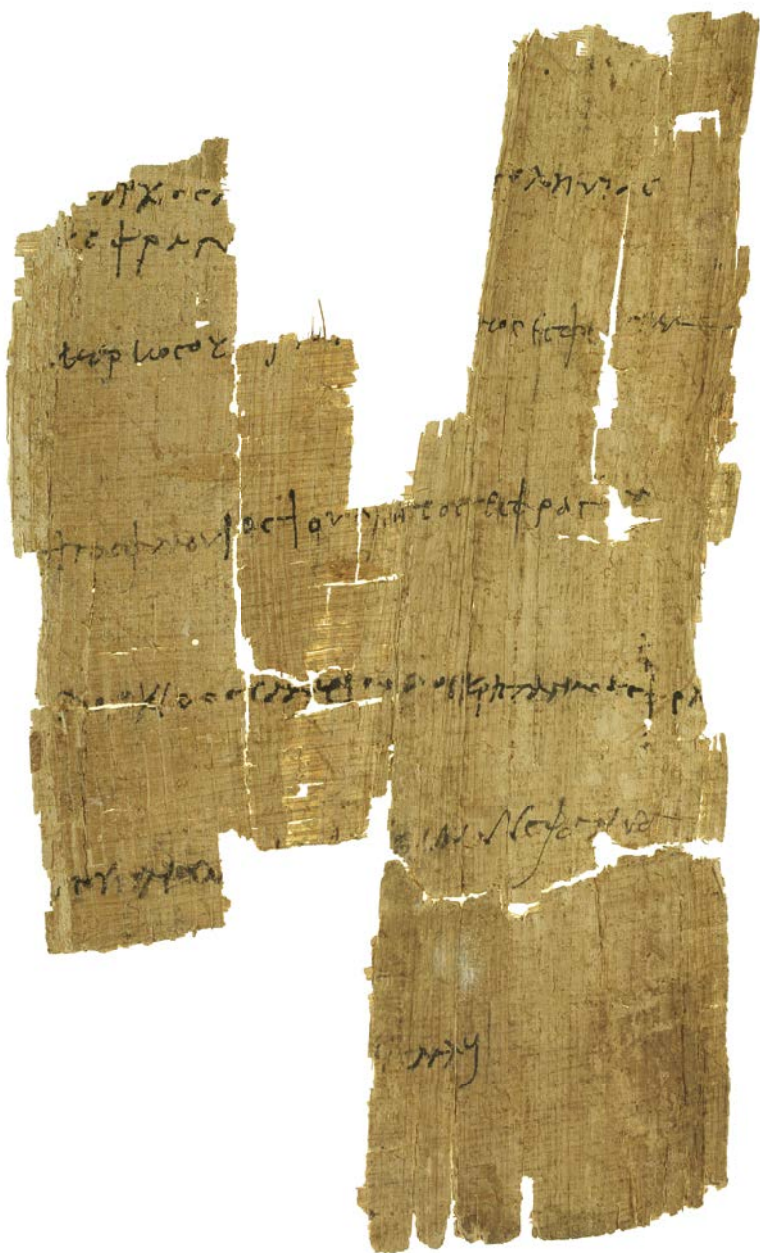
Pl. 3. P.Lond. II 229 *recto*.



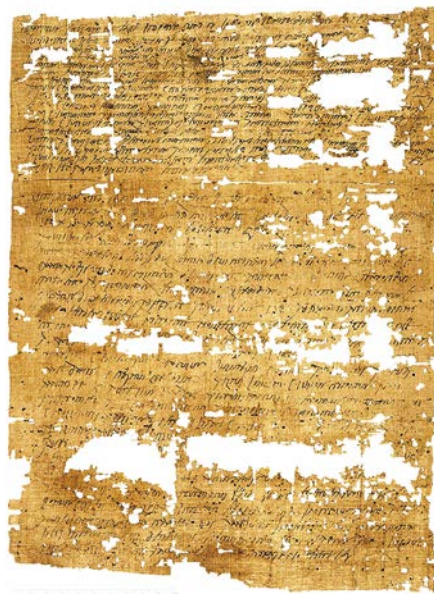
Pl. 6. BGU III 913 recto.

Pl. 7. BGU III 913 verso.





Pl. 9. P.Mich. VII 434 *verso*.



Pl. 10. PSI IX 1026 *recto*.

the basis of the fact that in the text itself the document is labelled a *diploma* (l. 3)⁴². The limited upper margin, the evident haste with which it was written, the tight interlinear spaces, and the presence of a wide lower margin might make one think that we are dealing with the inner text and that the lower margin of the fragment corresponds to the space left blank between the two *scripturae*. On the *verso*, moreover, there are still visible traces of its having been sealed. Naturally, its attribution to this type, which is based on the absence of writing on the *verso*, is uncertain, given the item's fragmentary condition. Indeed, if the preserved text was the *scriptura interior*, it would not be possible to rule out the presence of subscriptions on the *verso* of the *scriptura exterior*.

Another uncertain case is that of P.Oxy. L 3594⁴³ (238-244 CE), which was found at Oxyrhynchus, but written at Rhodes. The text presents the remains of the place and date, together with two subscriptions, but not the body of the deed. Therefore, the type of document is unclear. The writing was done on the *recto* against the fibers, a feature that led the editor to identify it with the fragment of a double document. The *verso* is blank.

If the testimonies considered thus far are no later than the III century, that is not the case with P.Oxy. LXIII 4359, which is a fragmentary deed of sale that dates to 324 CE. In this document the purchaser is a soldier of the *legio VI Ferrata*, a detachment of which was stationed at Syene, but the seller is from Syedra in Isauria. The writing is against the fibers, and the *verso* is blank. As in the case of BGU III 913, its likely identification as a double document is supported not only by the layout of the sheet *transversa charta*, but also by the fact that the text is termed a *diploma* at l. 3.

The late date of P.Oxy. LXIII 4359 might provide support for Turner's proposal to identify as a double document the deed of sale for a slave preserved in BGU I 316⁴⁴ (359 CE), which was acquired at Cairo in 1879 but originated at Askalon⁴⁵, even though (in the absence of other elements) the writing against the fibers at this late date is not sufficient reason in and of itself.

The witness subscriptions in the famous 'diploma of the boxer', P.Lond. III 1178 = Pap.Agon. 6⁴⁶ (200-212 CE)⁴⁷, are likewise on the *recto* and at the bottom of the document. Originating at Neapolis and found at Hermopo-

⁴² TURNER 1994, p. 40.

⁴³ BL VIII 272.

⁴⁴ BL Konk. I 17-18; BL VIII 23; IX 18; XI 16-17; XII 12.

⁴⁵ TURNER 1994, p. 40.

⁴⁶ BL Konk. I 109; BL VIII 186; IX 141; XII 103.

⁴⁷ BL IX 141.

lis, this document was written for Herminos *alias* Moros of Hermopolis (l. 1). It is, however, a case apart: on the one hand, there are not two identical versions of the same text; on the other the *rotulus* consists of 6 sheets, and in sheets 2-6 the writing runs against the fibers, whereas in sheet 1 (probably the *protokollon*) along the fibers⁴⁸.

2.2. Documents with subscriptions on the verso.

There are, however, other Roman double documents that have a different arrangement, where the parties' and the witnesses' subscriptions are written on the *verso* against the fibers, perpendicular in relation to the text on the *recto* (the papyrus being rotated 90 degrees) and next to the seals. Even in the Ptolemaic double document, the subscriptions are often located on the *verso*, but in some cases at the same point as the *scriptura interior*, not the *scriptura exterior*, and they are parallel with the text on the *recto* (rotated 180°)⁴⁹.

An example of this sort of Roman double document is provided by a marriage agreement, ChLA IV 249 (II century CE), fragments of both the *scripturae* of which have been found and published respectively as P.Ryl. IV 612 (*scriptura interior*) and P.Mich. VII 434 (*scriptura exterior* – pll. 8-9)⁵⁰. The seals have been lost, but the regular white spaces between the subscriptions show that each subscription was accompanied by a seal to the left.

The arrangement of the subscriptions recalls that of diptychs on wax-covered wooden tablets, where on the same page (p. 4) there is on one side a list of witnesses (on the right) and on the other side the *scriptura exterior* (on the left, at a right angle), which if need be could continue to page 1. The parallel with the diptychs on *tabulae ceratae*, however, has been, I believe, misinterpreted. The first editors of P.Mich. VII 434 thought that the layout of the tablets had been adapted to the papyrus support by folding the papyrus sheet in its middle, as if it were a *bifolium*, which was then to be sealed at its edges. In this way, on the inner right-hand page (p. 3), there would be the *scriptura interior*, perpendicular to the bottom of the page, whereas the witnesses' subscriptions (p. 4) and the *scriptura exterior* (p. 1) were on the outside, with page 2 being left empty⁵¹. Thus, however, the witnesses' names would have

⁴⁸ For the structure of this roll, see also OLIVER 1989, pp. 99-106, with further bibliography, and in particular TURNER 1994, pp. 25-27.

⁴⁹ See e.g. P.Cair.Zen. I 59001 (274-273 BCE; BL VII 36; IX 48; X 36).

⁵⁰ BL XII 122 (P.Mich. VII 434) and 170 (P.Ryl. IV 612); XIII 137.

⁵¹ WOLFF 1978, p. 474 (cf. p. 79 n. 117) and H. A. Sanders (cf. P.Mich. VII, p. 26; P.Ryl. IV, p. 101). This reconstruction is adopted by AMELOTI – MIGLIARDI ZINGALE 1985, p. 127; VANDORPE 1996, pp. 239-240, with illustrations and bibliography.

been located on the back of the *scriptura interior* and not the *scriptura exterior*. Another oddity of this reconstruction lies in the supposition that only Latin marriage agreements had a layout that was different from that of other Roman double documents on papyrus. Thanks to the rediscovery of P.Ryl. IV 612, which contains the *scriptura interior*, R. Marichal was able to show that P.Mich. VII 434 contained the *scriptura exterior* of the deed, and that the entire document was a papyrus *rotulus* written *transversa charta*, with the *scriptura interior* at the top, rolled up and sealed⁵².

It is worth observing that all the Latin or Latin-Greek papyri from Roman Egypt that contain marriage agreements or possibly deeds of divorce⁵³ were written on the *recto* against the fibers. There are five documents (all from the II century CE)⁵⁴, two of which have been recently identified. In the three that were already known (PSI VI 730⁵⁵; P.Mich. VII 442⁵⁶; ChLA IV 249), the witnesses' subscriptions are located on the *verso* against the fibers; they can be identified with certainty as double documents, even if only in the case of ChLA IV 249 do we possess both versions of the text, whereas the surviving version of PSI VI 730 and that of P.Mich. VII 442 can be identified with the *scriptura exterior*, precisely because of the presence of the witnesses' subscriptions on the *verso* against the fibers, the papyrus being rotated 90 degrees⁵⁷. The nature of double documents, however, is not certain for ChLA V 306 and P.CtYBR inv. 4233, which do not show subscriptions on the *verso*. The first is a document that I re-edited in 2021, which previous editors had not identified as a marriage document; its *verso* is blank⁵⁸. P.CtYBR inv. 4233 is a marriage agreement recently published by A. Bernini, and on its back-side there are preserved traces of Greek writing going with the fibers, perhaps belonging to another document⁵⁹. Since both ChLA V 306 and P.CtYBR inv. 4233

⁵² R. Marichal in ChLA IV 249, followed by TURNER 1994; cf. P.Mur. II, p. 245.

⁵³ P.Mich. VII 442 (the document type is still open to debate).

⁵⁴ PSI VI 730 is perhaps from the late I century CE (see *ed. pr.*).

⁵⁵ BL Konk. I 231; BL VIII 400; IX 317.

⁵⁶ BL Konk. I 126; BL VIII 214.

⁵⁷ For the importance of this textual arrangement in identifying double documents in the Roman period, see esp. TURNER 1994, pp. 26-53. In the Near East, transversal subscriptions on the back of the sheet are found on material supports other than papyrus: see P.Euphr. 6-7 = SB XXIV 16167-16168 (249 CE; BL XII 241) and P.Euphr. 10 = SB XXIV 16171 (250 CE; BL XII 241); odd, instead, is the layout of the parchment of Dura-Europos (see P.Dura, p. 14), with the exception of the Syriac contract of sale of a female slave, P.Dura 28 (243 CE).

⁵⁸ COLELLA 2021b.

⁵⁹ BERNINI 2020.

were written on the *recto* against the fibers, I believe that it is possible to think that in both cases we are dealing with one of the two *scripturae* of a double document, which had the witnesses' subscriptions at the bottom on the *recto* as in the case of P.Lond. II 229. Whereas ChLA IV 249 was written in the village of Philadelphia (Arsinoites), the origin of PSI VI 730, ChLA V 306 and P.CtYBR inv. 4233 is not known⁶⁰; P.Mich. VII 442, instead, was composed in Caesarea (Mauretania).

Therefore, even though scarce, the surviving documentation suggests that Latin matrimonial agreements were (often) redacted as *Doppelurkunden*. This seems confirmed by the way in which sources refer to marriage agreements, *i.e.* with the term *diploma*, which in fact indicates a double document⁶¹. In BGU II 388, the protocol of a trial held by the *idiologos*, the *nomikos* Flavius Iulius *alias* Sarapion asserts that he redacted marriage diplomas (δι|πλώματα γά[μων]) for one of the accused and kept copies of them⁶². A new instance of the term can be found in a Roman will written in Greek, P.Diog. 9⁶³: at lines 16-17, to be precise, where the previous editor read «ἀκολού||θως τοῖς δι|και|ώμασι τοῦ γάμου συντιμηθε[ῖσαν, I propose ἀκολού||θως τοῖς δι|πλ|ώμασι τοῦ γάμου συντιμηθε[ῖσαν»⁶⁴.

Another example of a Roman double document that has hitherto gone unrecognized as such is P.Oxy. XII 1466⁶⁵. It displays some unusual features. The first oddity is its documentary typology, since it is not an act between private individuals, but a petition to the prefect of Egypt regarding the assignment of a *tutor mulieris*. Moreover, the text dates to 245 CE, whereas most of the other Latin examples belong to the II century CE.

The *petitiones tutorum*, like the *agnitiones bonorum possessionis*, were addressed to the governor in Latin. However, we also have Greek translations that were likely redacted for the benefit of the parties, who will not have had a mastery of Latin⁶⁶.

P.Oxy XII 1466 has been described as a 'one-of-its-kind' having three sections: (1) an excerpt from the petition in Latin followed by some items

⁶⁰ For the possible connection of PSI VI 730 with the Arsinoites, see COLELLA 2021a.

⁶¹ TURNER 1994, pp. 26-53; MEYER 2004, p. 190; YIFTACH-FIRANKO 2008.

⁶² Col. II, ll. 31-33 (Alexandria, ca. 157-159 CE: BL XI 17); see HAENSCH 1996, p. 468 n. 94; MEYER 2004, pp. 234-236. In Latin legal texts, there is talk of *tabulae* (or *tabellae*) *matrimoniales*, *nuptiales*, *dotis* (or *dotaes*): see the sources cited at MEYER 2004, p. 41 n. 101. See BL Konk. I 19; BL XI 17; XIII 20.

⁶³ BL X 63.

⁶⁴ See COLELLA 2024, nr. 12.

⁶⁵ BL VII 139; X 142; XI 150; XIII 152.

⁶⁶ Listed in COLELLA 2022, pp. 92-94.

in Greek (Graeco-Egyptian dating; the numbers of the sheet – *kollema* – and roll – *tomos* – in which the petition had been archived); (2) a complete Greek translation; and (3) the prefect's decision, which is also in Greek. Each of these three sections would have been written in a different hand. Thus the *editio princeps*. I believe, however, that the document has only two sections⁶⁷: (1) the Latin excerpt, followed by the date and the archival numbers in Greek; (2) the Greek translation of the entire original petition, including the prefect's response, which was copied by the same hand. The material aspect and the layout of the document suggest, moreover, that the initial Latin abstract was used as a sort of *scriptura interior* containing the essential parts needed to identify the petition in the prefect's archive: the request in the original language, the date, and the numbers of *kollema* and *tomos*. That it is a special type of double document is in fact confirmed by the writing on the *recto* that goes against the fibers as well as by the presence of subscriptions on the *verso* (written against the fibers, the papyrus being turned 90 degrees), at the point of the seals, which are today missing but have left holes at regular intervals on the upper margin of the *recto* and in the white space between the Latin abstract (*scriptura interior*) and the Greek translation (*scriptura exterior*). The traces on the *verso* were, by contrast, interpreted in the first edition as the remains of another document, perhaps an account.

A similar case can be recognized in P.Oxy. LXXXV 5513 (253-256 CE), a very small fragment of a petition that was, however, written on the *recto* against the fibers, with traces of subscriptions on the *verso* against the fibers, and perhaps also in P.Oxy. XXXIV 2710⁶⁸ (261 CE), the *verso* of which is blank. The use of the double document for the translation of Latin petitions after the *Constitutio Antoniniana* may suggest that we are dealing with a sort of authenticated translation that the Greek-speaking petitioner needed. One might speculate that the use of the double document in this context could be the result of the decision to resort to a format that was more familiar to the Roman authorities.

The use of this format for authenticated copies (not translations) of petitions in Greek that were addressed to the prefect, with his *subscriptio* at the bottom, is in fact well known⁶⁹.

⁶⁷ *Ibidem*, p. 98.

⁶⁸ BL VII 152; IX 197.

⁶⁹ See the list of documents cited by G. Bastianini in the introduction to P.Horak 13; cf. HAENSCH 1994, pp. 499-505; N. Gonis, introd. to P.Harris III 258.

In the examples of Egyptian provenance, in some cases the *scriptura interior* and *exterior* are identical⁷⁰: indicated at the outset are the date (in extended format) and the successful procedure of authentication in the presence of witnesses; there follow the petition and the prefect's response in the form of a *subscriptio*, which is introduced by the date (in synthetic format). In other cases the *scriptura interior* is shorter and does not contain the initial statement of authentication⁷¹.

In addition to the Greek examples, there is the Latin PSI IX 1026⁷² (pl. 10), which is another papyrus purchased at Cairo (in 1927), but originating at Caesarea (Palaestina). It is an authenticated copy (*descriptum et recognitum*) of a petition that twenty-two veterans addressed to the provincial governor in 150 CE, complete with his *subscriptio*. In this case, too, the two versions are equivalent (despite minor differences), even if from the graphic perspective the *scriptura interior* is compressed and takes up less space than the *exterior*. The main text is written on the *recto* against the fibers (*transversa charta*). The witness subscriptions are situated on the *verso* (written against the fibers, the papyrus being turned 90 degrees) of the *scriptura exterior*.

Aside from authenticated copies of petitions, the documents in Greek that have witness subscriptions on the *verso* include texts such as P.Col. VIII 221⁷³ (143 CE), which is an authenticated receipt for the *deposita* of a soldier that was written at Ophieion (Thebes)⁷⁴ and described as a *diploma* (l. 1). The upper and inner texts are written on the *recto* against the fibers, *transversa charta*. The *scriptura interior* is not a brief version and the witness subscriptions (one of which is in Latin) are written on the *verso* against the fibers of the *scriptura exterior*, with the papyrus turned 90 degrees. A decade later is the sworn declaration of six veterans preserved in SB V 7523⁷⁵ (153 CE), which was written in the Arsinoites. In this case particularly visible is the graphic difference between the *scriptura interior* (written in a small but clearly legible cursive, and with an interlinear addition) and the *scriptura exterior* (in a round majuscule of much larger dimensions).

⁷⁰ See part. BGU III 970 *int.* + II 525 *ext.* (Arsinoites, 177 CE; BL Konk. I 22 and 30; BL VIII 38; XIII 29); P.Oxy. XVII 2131 (Oxyrhynchus, 207 CE; BL Konk. I 152; BL VIII 254; XI 159; XIII 156).

⁷¹ P.Oxy. LXV 4481 (Oxyrhynchus, 179 CE; BL XI 174; XII 154); BGU XI 2061 (orig. Alexandria, 210 CE; BL Konk. I 41; BL XI 30; XIII 35).

⁷² BL Konk. I 234; BL VIII 404; IX 319; XII 254.

⁷³ BL IX 60-61; XI 64.

⁷⁴ The find-spot is uncertain; it was bought in 1925 together with other papyri, most of which came from the Fayum (GILLIAM 1967, p. 233).

⁷⁵ BL Konk. I 201; BL VIII 328; XI 202.

A case apart is P.Oxy. LXXXVI 5560, which is a contract of sale for a slave that was discovered at Oxyrhynchus, but concluded in a *municipium* outside Egypt (217 CE). It survives in two non-joining fragments written on the *recto* against the fibers, *transversa charta*. As the editor asserts, it is likely that ll. 1-6 correspond to the *scriptura interior* of a double document, which was separate from the *scriptura exterior* by a blank space. Some subscriptions seem to be preserved on the *verso*. However, it is worth noting that, unlike what we have seen thus far, these go with the fibers⁷⁶. It is also worth noting that the *scriptura interior* was realized in this instance with especial care for the graphic aspect: there are wide spaces between the lines, the formula «[ἀγαθῇ] τύχη» is more or less centered in the first line, and lines 2 and 3 are in *ekthesis*.

From the basic review that we have conducted thus far, it is possible to observe that the format that situates the subscriptions on the *recto* beneath the *scriptura exterior* is, especially as far as the documents in Greek are concerned, apparently widespread in texts originating outside Egypt, and these are contracts of sale for the most part.

By contrast, the format with the subscriptions on the *verso*, the papyrus being turned 90 degrees, is used in Egypt, in the Latin and Latin-Greek documentation, for business documents, marriage agreements, and translations of petitions ‘certified’ in the presence of witnesses. In the Greek texts of Egyptian provenance, it is reserved primarily for authenticated copies of petitions, but also for receipts, and for sworn declarations.

By contrast, there is no corroboration for Turner’s tentative hypothesis regarding the use of the double document in the testamentary praxis of the imperial period⁷⁷. Moreover, this scholar did not clearly distinguish local *diathekai* of the Roman period (in some cases written against the fibers, without this implying their redaction as double documents) from the Roman testaments (which prior to Late Antiquity were not written *transversa charta*⁷⁸; in addition, before Severus Alexander the originals were drawn up on codices of wax tablets rather than on papyrus⁷⁹).

In the context of preference for the format that has the subscriptions on the *verso*, it is particularly interesting to examine the Latin documentation.

⁷⁶ They are therefore parallel with the text on the *recto*: they are rotated 180° rather than being at the usual 90° angle.

⁷⁷ TURNER 1994, pp. 43-44.

⁷⁸ It is mistakenly claimed in ChLA XLVII 1413 that P.Oxy. XXXVIII 2857 (BL IX 197; XI 165) was written *transversa charta*.

⁷⁹ Cf. TURNER 1994, p. 44, who wonders whether the authenticated (Roman) will, if inscribed on papyrus, was written *transversa charta* in the form of a *diploma*.

If in the third century this format is used for the translations of petitions, in the first and second centuries, it was used for acts between private individuals in Latin. The choice of Latin is in and of itself of interest, as it was a legal requirement neither for sales and purchases nor for marriage agreements (as opposed to, for example, wills and birth certificates and, perhaps, petitions for a *tutor mulieris*). However, that this choice was not dictated by a greater familiarity of the parties with Latin is shown by the strong presence of a vocabulary with Greek origins (in the marriage agreements, especially as regards dowry goods and *parapherna*) as well as by some subscriptions in Greek. The use of Latin in these documents is likely due to ideological motives tied to the possible Roman citizenship of the contracting parties. Consequently, it is possible to posit that the use of the format typical of Roman legal document (viz. the double document) was a choice dictated by the desire or the need to conform with Roman praxis⁸⁰.

3. *The disappearance of the double document.*

Unlike what happened under the Principate, in Late Antiquity the double document disappears. In the papyri, moreover, the arrangement of the sheet *transversa charta* (especially between the V and VI century) becomes widespread. In particular, particularly as of the middle of the VI century, the format *transversa charta* is used for tax receipts and letters, also outside Egypt, according to the common view as a result of the increasing length and complexity of the Byzantine documents⁸¹. It is especially interesting that in this period some types of documents – petitions in particular – preserve the tradition of writing along the fibers. The antithesis between the two different formats has been explained by J.-L. Fournet also as an antithesis between private and public⁸².

The disappearance of the double document is linked in general to the profound changes that took place in the documentation of contracts as of the early IV century.

In the early Byzantine period, we witness the disappearance of the variety of documents that was to be seen in the Hellenistic and Roman periods. Two fundamental forms survive: the *hypomnema*, which was now used above all for rents, and the *cheirographon*, in its reformed version (the

⁸⁰ Cf. MEYER 2004, pp. 187-215. On the praxis of other eastern provinces see: KOFFMAHN 1968; COTTON 2003; MEYER 2007; HARTMAN 2016.

⁸¹ See esp. FOURNET 2022.

⁸² FOURNET 2007; 2009 and 2022, pp. 27-28.

so-called ‘new *cheirographon*’⁸³: its authenticity was guaranteed by the participation of a notary (*tabellio*), who added his own subscription (*completio*). In the later Byzantine period, the *tabellio*-document becomes predominant. It had a precise structure, with the date at the beginning (as of 591 CE this was preceded by an invocation of Christ, then the Trinity, the Virgin, and the saints), the formula of greetings by the parties (with the indication of their names, patronymics, and eventually professions), the body of the contract in a subjective redaction using the first person, and the final clauses (the so-called *kyria* clause and the stipulation); lastly there came the subscriptions of the parties (eventually written in their place by another person, the so-called *hypographeus*) and the notary’s *completio*⁸⁴. On the other hand, if one considers the West too, the *tabellio*-document *publice confectum* constitutes an alternative to two possibilities still in existence: the public document and the private document. The public document was reserved for certain types of deeds, but next to this there was the procedure of *insinuatio* in the *gesta*: the document was read before the competent authority, at his request, and was recognized by the issuer, with the redaction of the minutes inserted in the *gesta*, an authenticated copy of which could be released. More interesting for our purposes is the private document (*instrumentum privatum*), the authenticity of which, as in the double document of the Principate, is guaranteed by the witnesses’ intervention. In this case, however, the *subscriptiones* gave way to the seals in terms of importance, and the redaction (objective, in the third person) contemplated a single *scriptura*⁸⁵. This is the type of document that we still find in Vandalic Africa, after the end of Roman dominion, for deeds of sale, but also for a marriage agreement very similar to the Egyptian ones of the first and second centuries CE: T.Alb. I 1, probably dating to the reign of Gunthamund like the other texts of this archive⁸⁶ (17 September 493 CE?), contains a *tabula* or *tabella dotis*, but without the double *scripturae*. In this case (probably because the document is incomplete), the witnesses’ subscriptions are also missing, even though they are present in other texts of this archive, e.g. in the deed of sale recorded in T.Alb. I 4 (494 CE). The change that has taken place in the redaction of documents is quite clear if we compare T.Alb. I 1 with the marriage agreements of Roman

⁸³ See YIFTACH-FIRANKO 2014, pp. 46-49; YIFTACH-FIRANKO – VANDORPE 2019, p. 185; cf. KOVARIK 2013.

⁸⁴ DIETHART – WÖRPER 1986; KOVARIK 2010 and 2023.

⁸⁵ AMELOTI – COSTAMAGNA 1975, pp. 19-30.

⁸⁶ TM Arch 670.

Egypt: whereas the structure of the document is visibly different (it suffices to think of the presence of the date at the start of T.Alb. I 1), at the level of word-choice and formulae there are noteworthy similarities, such as the declaration of the statement that the procreation of legitimate children is the aim of the marriage («[inf]antium sponsum procreandorum cause», cf. *liberorum procreandorum causa*) prior to the list of the dowry goods⁸⁷.

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⁸⁷ WESSEL 2003; see esp. PSI VI 730 and ChLA IV 249.

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