

On Domitian's letter in *ChLA* X 417 (P.Berol. inv. 8334*)

P.Berol. inv. 8334 = *ChLA* X 417¹ illustrates a type of Latin document that is rarely attested in Roman and Byzantine Egypt: communication – including letters, constitutions, rescripts, legal production – from the imperial chancery in Rome². More precisely, it is the copy,³ – written probably in Egypt, of a letter of appointment, from an Emperor to a ‘Maximus’, who has been plausibly identified with Laberius Maximus, prefect of Egypt AD 83–4. This in turn requires the Emperor to be Domitian. The left and right margins are missing; therefore we do not know how much the text stretched in both directions and consequently how much has been lost. In what remains of the document, Domitian profusely praises Maximus; he announces that, after having raised a certain Iulius to an unspecified but exalted rank (*amplissimus ordo*), a rank this Iulius wished most intensely for (ll. 5–7), he turned to Maximus and his virtues and has made him a colleague of a Fuscus, with whom the Emperor desires Maximus to be friendly and obliging (ll. 7–10). Eventually, the Emperor asks Maximus to come to him as soon as possible (l. 12 *ut primum pot[uer]is*).

The papyrus has undergone several attempts at reconstruction and interpretation based on the already available historical data, as well as used to elucidate events concerning Domitian's reign, his courtiers or Laberius Maximus' prefecture. The bibliographical record for this manuscript is considerable⁴. The prevailing interpretation is that of A. Piganiol. In his view,

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¹ TM 69919.

² Here are some of the most relevant members of this set: *BGU* II 628 (I AD, TM 69917); *P.Iand.* IV 68 (II AD, TM 78415), rescript on the *χειρίσται*; P.Berol. inv. 8866 (AD, TM 69921), rescript of Marcus Aurelius and Commodus on the privileges of veterans; *PSI* I 111 (AD, TM 20155), imperial rescript; 112 (AD, TM 70004), imperial rescript; *P.Lips.* I 44 (AD, TM 22353); rescript of Diocletian and Maximian; *SB* XX 14604 (AD, TM 23768), rescript of Theodosius II; *ChLA* XVII 657 (AD, TM 69999), two imperial rescripts; *ChLA* XLIV 1301 (AD 465–7, TM 70088), imperial constitution.

³ At l. 1, in *eisthesis* – almost as a deliberate attempt to put the title at the centre of the first line – one can read an unabridged *exemplar codicillorum*. Here *exemplar* is probably to be construed in its broader sense as a synonym of *apographum* ‘copy from a source’ or *exemplum* ‘copy’, rather than, more properly, as ‘sample’, ‘model’, ‘paragon’ (see *ThLL* V.2 1324–5 s.v. *exemplar* III B 2). The choice of this word is noteworthy, as while drafting a Latin text on papyrus or any other support one would normally have picked *exemplum*, variously abbreviated, to signify a copy from any written document: see the abovementioned *BGU* II 628 *recto*, l. 1 *exemplum edicti*; *P.Mich.* VII 433, l. 1 *exemplum tabulae togipur[orum]* (AD 110, TM 78520); *ChLA* I 12 ll. 23–5 *iope scripsi me recepissee res · s(upra) · s(criptas) | [- - a Corneli]o Germ[a]no cuius [e]xemplum | epistules habio* (AD 167, TM 69871); *P.Oxy.* VIII 1114, l. 14 *secundum testation[e]m de hac re factam cuius exemplum subieci* and 16 *exemplum testationis* (AD 237, TM 21736); *ChLA* XII 521, l. 3 *exemplum mancipation[is]* (III AD, TM 69993); *ChLA* XLIII 1248, col. I l. 15 and col. II l. 15 *exemplum* (AD 395–6, TM 12866); and most likely, *P.Dura* 60 letter b l. 4 *ex(emplum)* (AD 208, TM 44782); *P.Diog.* 10, l. 1 *exempl(um) test(amenti)* (AD 211, TM 10689); and *ChLA* III 213 *recto*, l. 1 *exempl(um) l(itterarum)* (V AD, TM 99306). The only other attestation of *exemplar* in Latin texts from the East is in *ChLA* XLI 1191 (I–II AD, TM 70012), a leather packet on which someone wrote *exemplar | hordei missi per Chae[re]monam Anubionis | gubernatorem · ex no[m]mo Memphite a metro[poli]n*: here, however, the meaning must be ‘sample’, not ‘copy’.

⁴ The first edition was published in Kortenbeutel, H. (1940) ‘Ein Kodizill eines römischen Kaisers’, *Abhandlungen der Preussischen Akademie der Wissenschaften* 13: 3–16. Further editors have been R. Marichal in *ChLA* X 417 + XLVIII 417 (1979+1997); and P. Cugusi in *CEL* I 85 (1992). References to this papyrus or studies on its historical meaning and/or textual status are here given in chronological order: Stein, A. (1940) ‘Zu dem kaiserlichen Ernennungsschreiben in P. Berol. 8334’, *Aegyptus* 20: 51–60; Castiglioni, L. (1941) ‘Heinz Kortenbeutel, *Ein Kodizill ...*’ (review), *Athenaeum* 19: 197; Préaux, C. (1941a) ‘Heinz Kortenbeutel, *Ein Kodizill ...*’ (review), *CE* 31: 144–5; Préaux, C. (1941b) ‘A. Stein, *Zu dem kaiserlichen ...*’ (review), *CE* 31: 145–6; D’Ors, A. (1943) ‘Heinz Kortenbeutel, *Ein Kodizill ...*’ (review), *Emerita* 11: 228–30; Piganiol, A. (1947) ‘Le codicille impérial du papyrus de Berlin 8334’,

Domitian has raised to the rank of senator – the *amplissimus ordo* – Iulius Ursus, who was first prefect of Egypt before Maximus – in fact, around 76–7, according to later research⁵ – and then, before entering the Senate, praetorian prefect. Since one position in the prefecture is now vacant, Domitian decides to put there none other than Laberius Maximus; his colleague prefect will be Cornelius Fuscus, who would later perish heroically during the Dacian Wars in AD 86–7. This paper does not aim at challenging this interpretation; instead, following a direct inspection of the papyrus in Berlin, in view of a re-publication I undertook within the frame of the PLATINUM project, it provides four textual remarks on the text itself. Whereas the first set (1.) allows a better understanding of the text by elucidating two passages in it, the second (2.) triggers a more general re-assessment of the text (3.), particularly concerning the amount of textual loss and the extension of the lacunae on the right and left side of the manuscript.

1. Two textual remarks: *tutissima fides* and *tutela*

At l. 7, from Kortenbeutel onwards editors have read *ad [deu]otissimam*, which matches well with *fidem*: ll. 5–8 *cum Iulium ... in amplissimum [o]rdinem transtu[li]s[em - - -]⁷ - - - de]siderantem, statim ad [deu]otissimam fi[dem - - -]⁸ - - -] am respecxi (sic!) etc. ‘...after having raised Iulius ... to the most exalted rank ... since (?) he so wished, I immediately turned my gaze to your most devoted loyalty’. Only after personal inspection I realized that *deuotissimam* is too long to fit the space on the papyrus; traces are very faint, but one can safely read *ad [t]utissimam*.*



Comptes rendus de l'Académie des Inscriptions et Belles-Lettres: 376–87; Pflaum, H. G. (1950) *Les Procurateurs Équestres sous le Haut-Empire Romain*. Paris: 156–7; Stein, A. (1950) *Die Präfecten von Ägypten in der römischen Kaiserzeit*. Bern; Pflaum, H. G. (1951) ‘A propos des Préfets d’Égypte d’Arthur Stein’, *Latomus* 10: 471–7; Della Corte, M. (1954) *Casa ed abitanti di Pompei*. Napoli; Syme, R. (1954) ‘Die Präfecten von Ägypten in römischer Zeit by A. Stein’ (review), *JRS* 44: 116–19; Colin, J. (1956) ‘Le Préfet du Prétoire Cornelius Fuscus: un enfant de Pompei’, *Latomus* 15: 57–82; Garzetti, A. (1957) ‘A. Lappio Massimo prefetto d’Egitto sotto Domiziano?’, *Aegyptus* 37: 65–70; Bastianini, G. (1975) ‘Lista dei prefetti d’Egitto dal 30 a.C. al 299 d.C.’, *Zeitschrift für Papyrologie und Epigraphik* 17: 263–328; Castren, P. (1975) *Ordo populusque Pompeianus: Polity and Society in Roman Pompeii*. Rome; Cugusi, P. (1991) ‘Papiri latini e critica testuale’, *AnPap* 3: 33–83; Bagnall, R., Bülow-Jacobsen, A., and Cuvigny, H. (2001) ‘Security and water on the Eastern Desert roads: the Prefect Iulius Ursus and the construction of *praesidia* under Vespasian’, *JRA* 14: 325–33; Cugusi, P. (2001) ‘Note esegetiche, linguistiche e testuali su papiri latini’, *Aegyptus* 81: 307–21.

⁵ A completely re-assessed Upper Egyptian inscription rules out Iulius Ursus as a successor of Laberius Maximus, and locates it around AD 76/77, not only before Tettius Africanus, but even earlier, probably between [S]eptimius Nu[] and C. Aeternius Fronto (see Bastianini 1975: 276–7; and Bagnall, Bülow-Jacobsen, and Cuvigny 2001: 326; 331–3).



After the *m* of *statim*, blurred but clearly visible in the left corner of the picture, one can see:

- the first stroke of *a*, trespassing the writing line from below;
- a speck of ink in the upper part of the line, matching the left edge of *d*;
- one vanished letter;
- a cup-like stroke facing up, which might be either *u* floating in the middle of the writing line (see l. 1 *codicillorum*), or the right ornamental stroke of *u* (see l. 6]*sum*);
- finally, the *tiss* of *-tissimam*.

The match between *tutus* ‘safe’, ‘secure’ and *fides* is rare in Latin, but attested in poetry: VERG. *Aen.* 4, 373 *nusquam tuta fides*; and in prose: LIV. 1, 21, 4 *ad id sacrarium flamines bigis curru arcuato uehi iussit manuque ad digitos usque inuoluta rem diuinam facere, significantes fidem tutandam sedemque eius etiam in dexteris sacratam esse*; ZENO 1, 62, 5 *sola enim fides deambulat inter gladios tuta, inter esurientes feras amica, in ignibus frigida*.

The end of l. 12 (see the image below) is usually left blank by editors. The earliest editor, Kortenbeutel, felt too uncertain and resorted to underdots (*ab* []); Marichal contented himself in noticing that *b* was likelier to be *d*; and Cugusi (1991: 49) proposed a supplement: *ad [me valde spero, et te | Romae la]teris mei* etc. The sequence can be read as *ad tu tela[m*, which probably refers to] *teris mei* in l. 13 as the genitive directly linked to the accusative – perhaps *ad tu tela[m - - - l]qteris* ‘at my side in my defence (lit. in defence of my side)’, as Kortenbeutel, Piganiol and Cugusi hypothesized.



One can see, as Marichal rightly pointed out, the lower stroke of *a* and the circular stroke of *d*; then clearly a *t*; dot-like traces of two letters at the bottom of the writing line, compatible with *u* and *t*; then the top of an *e* (two out of its three horizontal strokes can be seen), the unmistakable curled top of *l*, and blurred traces of the lower stroke of *a*.

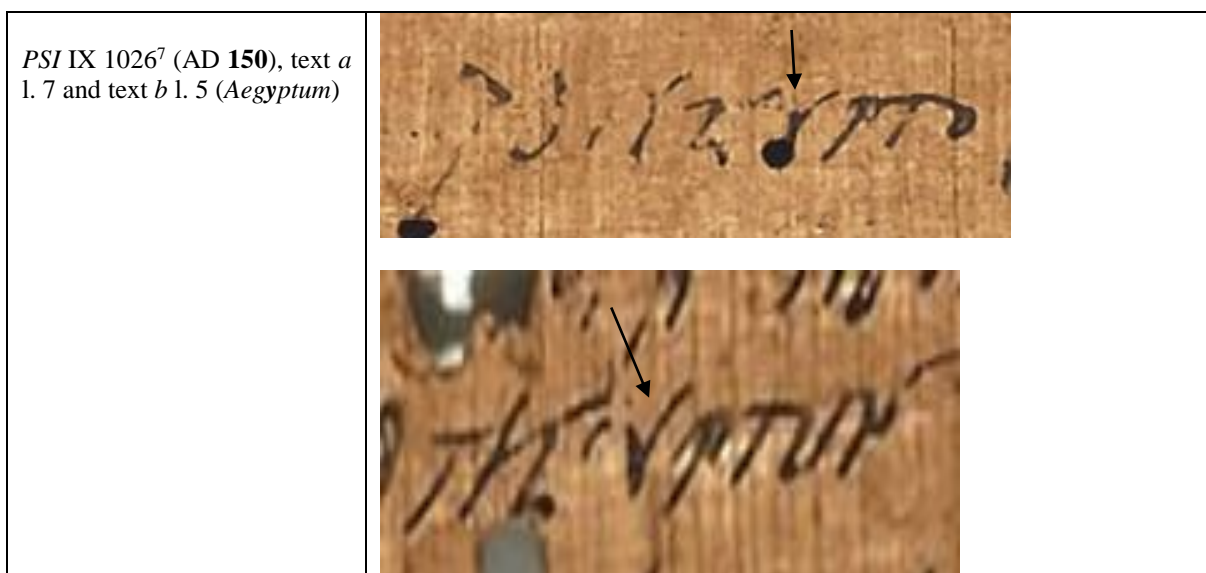
2. Further textual remarks: *Aegypti/-acam* and *Cor[nelio]*

The following notes will be crucial in discussing the final issue of this paper concerning the size of the lacuna between the lines of this document; later on we will come to that.

In ll. 4–5, Domitian states that the office of prefect, though brilliantly discharged, is a field not large enough for Laberius Maximus' virtues to be tested: *n]on fui contentus dignitat[e]m t[u]am .e . [- - | - - - pr]aefecturam consummasse* 'I was not satisfied that your honour ... to have brought to completion the prefecture'. Kortenbeutel's supplement, tentatively given, runs as follows: *rela[tione usque ad | Aegypti pr]aefecturam* etc. 'in relating (your charges?) up to the prefecture of Egypt'.

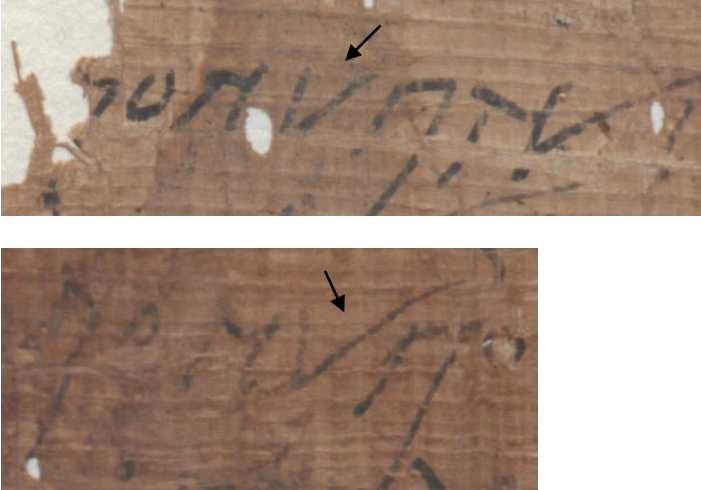





A closer inspection raises doubts about the sequence *rela*[. The first letter is similar to *r*, but has a visible third stroke protruding from the second oblique one. A vestigial third stroke is normally seen in the earliest samples of old Roman cursive, no later than I AD, and is exclusively associated with *a*. In this document, *a* shows sometimes a small third stroke, drawn immediately after the second without removing the tip of the pen from the sheet: see e.g. *Maxime* (l. 1), *[r]e[c]uparast[i]* (l. 2), *consummasse* (l. 5), *]aturum* (l. 11). Then, after *e* (whose top only is visible), if one accepts *la*, one does not know what to do with the final descender (an upright) before the lacuna, which does not match *t*; moreover, the stroke after *e* seems too low for *l* (or at least, no taller than *e* itself). One might be, in fact, seeing a *g* after *e*. *G* can have in this document a long and almost upright lower stroke: see e.g. the sequence *eg* in *ç[on]legam* (l. 8⁶). The trace of ink between this letter and the final descender might be interpreted as a final ornamental (or accidental?) speck at the right edge of the horizontal stroke of *g*. In short, one might suspect that after *t[u]am* lies nothing else but *Aeg̃y[pti]* or *Aeg̃y[ptiacam]*, directly modified by *pr]aefecturam*. The upright stroke, on the border of the surviving sheet, can fit the requirements for *upsilon*. No other *upsilon* are visible in the manuscript, so a comparison is impossible; but the rare *upsilon* found in Latin papyri during AD I-III are normally drawn as arrow-like letters open at the top, sometimes wide, sometimes narrower, and this is not incompatible with the traces on this papyrus.



⁶ A very different lower stroke can be seen in *dignitat[e]m* (l. 4) or *]go* (l. 12).

⁷ TM 17460.

<p>ChLA XLIV 1300 recto⁸ (II–III AD), l. 10 (<i>Dionysiae, Dionysio</i>)</p>	
<p>P.Dura 56⁹ letter b (AD 207–8), l. 5 (<i>coh [P]almyr'</i>)</p>	
<p>P.Dura 100¹⁰ (AD 219), col. I l. 2 (<i>Danymus</i>)</p>	
<p>P.Oxy. VIII 1114 (AD 237), ll. 7; 12 (<i>gymnasiarchus</i>)</p>	

The passage might be construed as follows: Domitian cannot be satisfied that the Egyptian prefecture (subject of the infinitive clause) has brought to perfection – i.e. to an end (*consummasse*) – Laberius Maximus' honour (*dignitatem*): the long trail of Laberius' successes must not be interrupted here (in fact, a praetorian prefecture would be a fit sequel). The verb *consummare* can govern the simple accusative, meaning 'to bring something to perfection'¹¹:

⁸ TM 70087.

⁹ TM 44776.

¹⁰ TM 44832.

¹¹ Cf. *ThLL* IV 1. 599–604 s.v. *consummo* II. 'ad summum perducere'.

see e.g. SEN. *dial.* 5, 31, 2 *cooptatus in collegium sum, sed cur in unum? consummauit dignitatem meam, sed patrimonio nihil contulit; ea dedit mihi quae debebat alicui dare, de suo nihil protulit*; 10, 20, 1 *quosdam, cum in consummationem dignitatis per mille indignitates erepsissent, misera subiit cogitatio laborasse ipsos in titulum sepulcri*.

In l. 8 one finds the riddle, now solved, of the man who will be colleague to Maximus. In the following l. 9,]usco instead of]isco is quite certain, and Kortenbeutel was right in reading *F]usco*. But what of the preceding words? The structure is clear: *feci te conlegam* + dative, *Fusco*: ll. 8–9 *et feci te c[on]legam co . [- - |⁹ - - - F]usco, cum qu[o] t[i]bi spero* etc. One is at a loss as to what lies between *conlegam* and *Fusco*. Supplements are available from several scholars: *con[sulatus mei cum Pedanio F]usco* (Kortenbeutel); *con[sulatus Iulio Pr]isco* (Stroux *apud* Kortenbeutel; Stein); *con[paremque / con[iunxique Cornelio F]usco* (Piganiol); *[con]legam con[sulatus Iavoleno Pr]isco* (Garzetti); *con[paremque (?) Cornelio F]usco* (Marichal).



One can definitely agree with *c* and *o*; but the last letter is undoubtedly the long first stroke of *r*, ending exactly where the lacuna begins; and there are faint traces of a further letter. Which makes: *Cor̄n[elio]*, immediately preceding *F]usco*. This further strengthens Piganiol's reconstruction and confirms the presence here of Cornelius Fuscus, the praetorian prefect in office between AD 81 and 86, who died while fighting the Dacians.

3. What the latter remarks entail

As pointed out above, the right and left margins of the papyrus are lost; therefore, one must assume that a certain quantity of text has been lost as well from the beginning and the end of all the lines. At first sight, it is impossible to tell; scholars have so far shared Kortenbeutel's initial opinion, that the loss is not an exceeding one. On account of this, reconstructions either of

the whole text or of the most perspicuous passages have been proposed by scholars. That of Kortenbeutel, here given for the sake of the argument, runs as follows:

|¹ Exemplar codicillorum.
|² **Virtutis caus**]a et pietatis tuae, mi Maxime, e t[. . . . qu]ae [enotuerunt
|³ **multifar**]iam mihi, semper etiam per me recupa[r]ast[i] **praemia**.
|⁴ **Attamen n**]on fui contentus dignitat[e]m t[u]am rela[tione usque ad
|⁵ **Aegypti pr**]aefecturam consummasse, se[d cum et] Iuliu[m] **Ursum pre-**
|⁶ **-cibus tuis u**]sum in amplissimum ordinem transtu[lissem iam diu
|⁷ **id de**]siderantem, statim ad [deu]otissimam fi[dem] **tuam ac**
|⁸ **industr**]iam respecxi et feci te [con]legam **con[sulatus mei cum**
|⁹ **Pedanio F**]usco, cum qu[o] t[i]bi spero [mox non ta]ntum [dili-
|¹⁰ **-gentissime o**]ffici, sed etiam aman[tissim]e futurum [inter
|¹¹ **utrumque a**]equalem consortium. [Advol]aturum, [mi Maxime,
|¹² **fauente pel**]ago te ut primum po[tuer]is ab
|¹³ **Romam la**]teris mei non dubito cupidissimum [fore. Datum Romae ...

However, in view of the textual remarks in 2. there can hardly be anything between *Aegypti* or *Aegyptiacam* (l. 4) and *praefecturam* (l. 5) and between *Cornelio* (l. 8) and *Fusco* (l. 9). These syntagms would normally go together in Latin. It is theoretically possible for a verb to intervene between *Aegypti/-acam* and *praefecturam*, but here the relevant verb (*consummasse*) is clearly attested. One may conclude that the loss, especially in the left section of the manuscript, is in fact minimal and therefore reconstruct the original text as follows:

|¹ Exemplar codicillorum.
|² . .]a et pietatis tuae, mi Maxime, e . [.] e [. .
|³ [.] am mihi, semper etiam per me [r]e[c]uparast[i] ...
|⁴ **At n**]on fui contentus dignitat[e]m t[u]am **Aegy[pti/-acam**
|⁵ **pr**]aefecturam consummasse, se[d] c[u]m Iuliu[m]
|⁶ **Ur]sum** in amplissimum [o]rdinem transtu[li]s[sem]
|⁷ **de**]siderantem, statim a[d t]utissimam fi[dem]
|⁸ **t]uam** respecxi et feci te c[on]legam **Corn[eli]o**
|⁹ **F]usco**, cum qu[o] t[i]bi spero [. . . non ta]ntum [. . .
|¹⁰ o]ffici, sed etiam [.]m ri [.]e futu[rum]
|¹¹ a]equalem consortium. [.]aturum, [mi Maxime,
|¹² [e]rgo¹² te ut primum pot[uer]is ad tutela[m]
|¹³ [l]ateris mei non dubito cupidissimum [.]

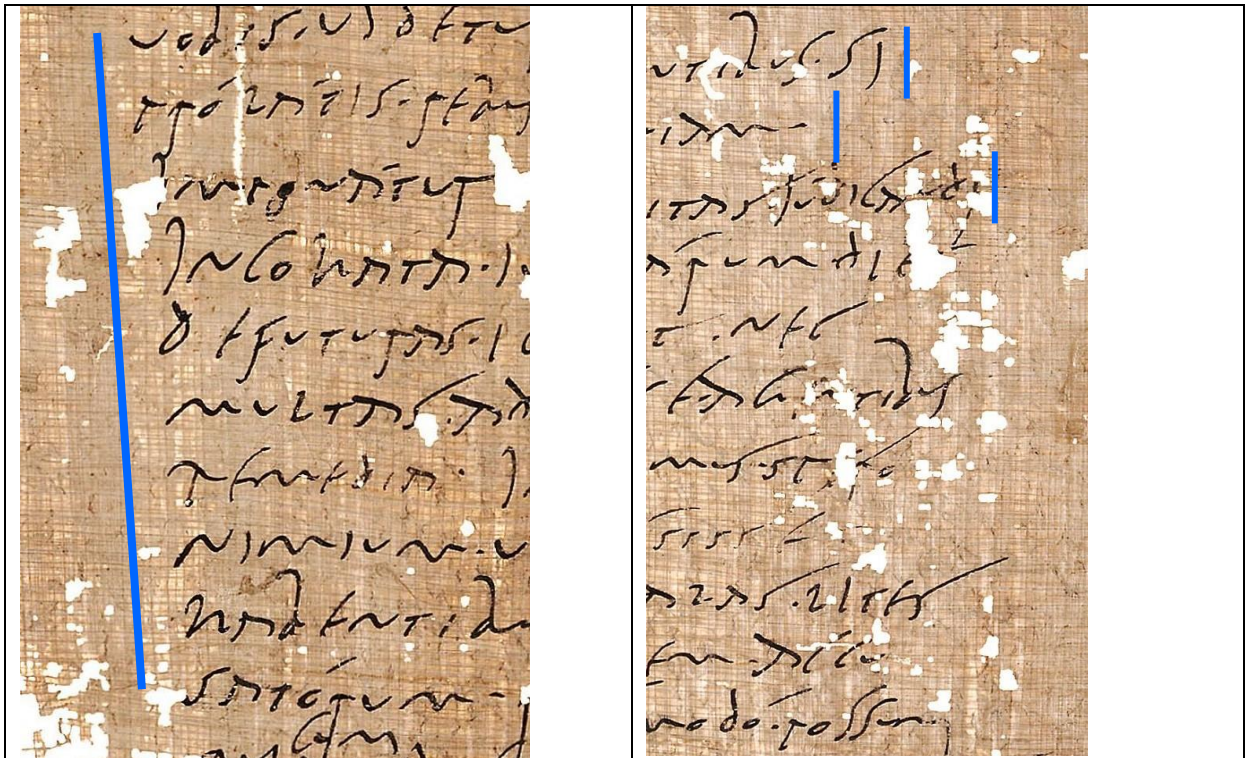
‘Copy of the decrees.

... and of your devotion, my Maximus, and ... to me, you always have obtained ... through me ... I could not content myself that the Aegyptian prefecture (*or*: the prefecture of Egypt) had brought to perfection your honour; instead, after I had transferred to the most magnificent rank Iulius Ursus who wanted (it), I immediately looked at your most secured loyalty, and I made you a colleague to Cornelius Fuscus, with whom, I hope, from your side ... not only ... duty... but also ... will be ... equal... partnership. ... my Maximus ... therefore you, as soon as you can, to the protection of my side, I do not doubt you most passionately ...’

¹² This supplement, and the following [l]ateris (l. 13), both already proposed by Kortenbeutel, though not certain, are strongly likely and are here offered *exempli gratia*.

Some notes to this textual arrangement.

a) Despite the apparent match between ll. 5–9, it is clear that in sections between ll. 3 and 4, or 9 and 10, much more text is needed than a few letters to form complete Latin sentences. Yet in Latin official documents it sometimes happens that justification in the right margin is less rigorous than in the left one; i.e., that words in the right margin of the writing frame are less perfectly aligned than in the left margin. While the scribe maintains a straight vertical line when writing the beginning of his lines, he is free to make longer or shorter lines when finishing them, trespassing an imaginary line with four or five letters more or less than what he is expected to do. A typical instance of that is in *BGU II 611*¹³, the renowned *oratio Claudii*. Here is a sample of line margins from col. II:



Additional instances can be seen in *P.Mich. III 159*¹⁴, *P.Dura 60*¹⁵ and *P.Dura 64*¹⁶. This increases the number of letters one might imagine in the right lacuna and at least partially solves the problem.

b) In the very beginning of the text, the]a preceding *et pietatis tuae* (l. 1) strongly suggests *caus]a*, as Kortenbeutel already surmised; and before *caus]a*, there must have been another genitive. It is possible that the first line of the main text was in *ekthesis*. Once again,

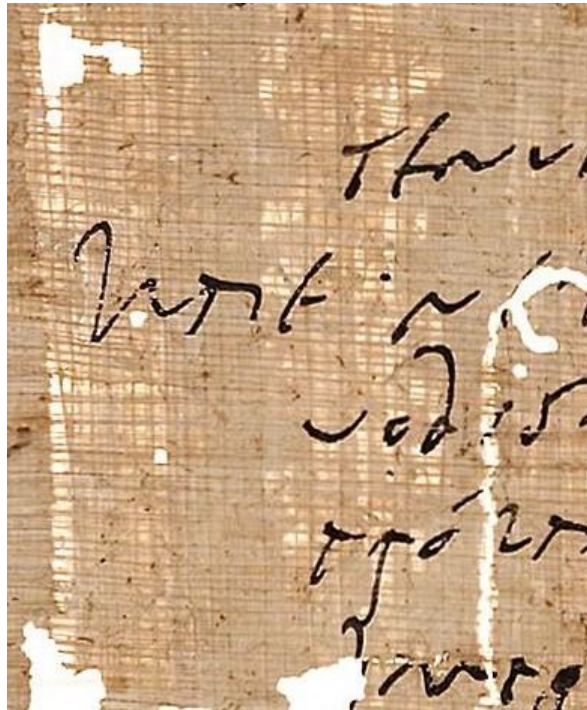
¹³ TM 66432, I AD (AD 39–61).

¹⁴ AD 37–43, TM 78513.

¹⁵ AD 208 c., TM 44782.

¹⁶ AD 221, TM 44792.

BGU 611 can be of help in providing a parallel (col. II l. 2 *hae* etc.). The first word of a new paragraph or sentence, which the scribe wanted to make prominent, is placed slightly in *ekthesis*:



c) In l. 11, either *aequalem* is connected with something in the lacuna, as Kortenbeutel already surmised; or, if it is governed by *consortium*, the scribe has mistakenly added an *m* to the correct neuter form of the adjective (*aequale*). Otherwise *consortium* is in fact the genitive plural of *consors* (see Kortenbeutel 1940: 7).

d) There is no real need to have *mi Maxime* in the lacuna at l. 11. This rhetorical device probably came to Stroux's mind (*ap.* Kortenbeutel, who proposes it only *exempli gratia*) because of the blank space and the oblique stroke between *consortium* and [.]*aturum*, which mark a pause in the flow of sentences, and renews the direct address. The syntagm was kept in subsequent editions (*ChLA* and *CEL*), but it can be dropped as not belonging to the original text with any certainty.

e) After *cupidissimum* (l. 13), one might as well have something like *e.g.* [*mei uisendi*, and let the adjective be governed by *te* in l. 12 as a joint participle, instead of supposing an infinitive clause with *fore* (as Kortenbeutel does).