

Maria Nowak

P. LAUR. IV 169 RECTO & VERSO: RE-EDITION

**AN EPISTULA OF CONSTANTINE I
AND OFFICIAL CORRESPONDENCE***

THE PRESENT PUBLICATION PROVIDES A FULL EDITION of both sides of Biblioteca Laurenziana PL III/684, along with an interpretation in light of the system of publication of imperial *leges generales*. The fourth volume of the *Papiri della Biblioteca Medicea Laurenziana* contains an edition of the recto, P. Laur. IV 169, which James Keenan later improved by identifying the text as a copy of a law of Constantine I.¹ The verso has remained unpublished until now. My edition of both sides is based on the images accessible online,² but Michele Pedone kindly checked my readings against the original.

The recto written along the fibre comprises four lines with a large lower margin of 3 cm. The papyrus was then turned 90 degrees to receive

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¹ J. KEENAN, 'P. Laur. IV 169: Fragmentary constitution of Constantine?', *Zeitschrift für Papyrologie und Epigraphik* 59 (1985), pp. 89–90.

² At <<https://psi-online.it/documents/plaur;4;169>> (accessed 1 December 2023), with the kind permission of the Biblioteca Laurenziana to use them in the publication.

the text on the back, written across the fibres, of which only the upper left corner survives. The verso has a left margin of 2.6 cm and an upper one of 1.5 cm that corresponds to the right side of the recto. Unless the papyrus was cut to receive the later text, the right side of the recto must be close to the original edge, with just a few letters missing, as reconstructed in both the *editio princeps* and my edition. The reconstruction of the dating clause in the two last lines suggests that around 30 letters are missing on the left side of the recto. The papyrus's width from the perspective of the recto is unlikely to have exceeded 20 cm. It is unknown if the letter on the verso spanned the entire length and width of the original papyrus sheet.

The two sides of the papyrus were written with different cursive hands, both of which are professional and standard exemplars of fourth-century palaeography that do not emanate from the imperial chancellery and are probably local productions.³ Among roughly contemporary copies of laws, only one is Greek, and none was written in the imperial chancellery in Constantinople.⁴

The two last lines of the recto provide the date before the kalends of October, consular year, and the location in Nikomedia, a capital of the East from the time of Diocletian. James Keenan identified the papyrus as a subscription of a constitution by Constantine dated to the seventh consulate of Constantine and the first of Constantius II,⁵ but Timothy

³ A small set of contemporary examples written in the imperial chancellery and sent to Egypt have survived among papyri, but they are in Latin: two Latin rescripts addressed to Andreas, comes of the Thebais under Theodosius II, *CbLA* XVII 657 = *CPL* 243 (Syene, 436–450); a famous Latin *adnotatio* of Theodosius II to a Greek petition of bishop Appion, *P. Leid.* II Z = *SB* XX 14606 = *CbLA* XLVI 1392 = *W. Chr.* 6 (Syene, 425–430).

⁴ The other three are: a bottom of a Latin copy of a law of Constantine I dated to 3 February (?) AD 316, *PSI* I 112 = *CbLA* XXV 781 = *CPL* 242 (Fayum?); a Latin copy of the Easter amnesty by the emperor Leo, F. MITTHOF, 'Osterindulgenz. Eine neue spätantike Kaiserkonstitution auf Papyrus', [in:] F. BEUTLER & W. HAMELER (eds.), *'Eine ganz normale Inschrift'... und ähnliches zum Geburtstag von Ekkehard Weber. Festschrift zum 30. April 2005* [= *Althistorisch-epigraphische Studien* 5], Vienna 2005, pp. 449–459; and fragments of a Greek copy of a law on fiscal abuses committed by *exactores*, *P. Nag. Hamm.* 143 & 144 (Nag Hammadi, after 309).

⁵ KEENAN, 'P. Laur. IV 169' (cit. n. 2).

Barnes proposed a date almost 30 years later, namely during the seventh consulate of Constantius and third of Gallus (AD 354).⁶ Simon Corcoran did not exclude the earlier dating of the law, pointing to another law issued in Nikomedia but bearing a date when Constantine was in Italy, *CTh* 9.7.2. The law might have been published later than it was issued.⁷ A closer examination of the papyrus (see below) confirms the earlier date and the identification of the text as a law of Constantine.

The first line contains only a few traces of letters. The next two preserved lines suggest that the text belonged to an imperial *epistula*. In line 3, the original reading [---]εντων αὐτῶν β..νωσιν απ.... was corrected by Keenan to εἰς γνώσιν ἀπα[(with ἀνα[or ἀγγα[also being possible),⁸ which, based on parallels, can be further reconstructed as προτεθέν]των αὐτῶν εἰς γνώσιν ἀπά[ντων. The closest parallel comes from a Greek version of the Latin law enacted by Theodosius II against the Nestorians preserved in the *Acta conciliorum oecumenicorum* (ACO I.1,3, para. 111 p. 68):⁹ ἡ μεγίστη τοίνυν καὶ περιφανὴς σου ἐξουσία ταύτην ἡμῶν τὴν διάταξιν εἰς γνώσιν ἀπάντων τῶν τὰς ἐπαρχίας οἰκούντων διατάγμασι συνήθως ἔλθειν παρασκευάσει, ‘And now your most grand and manifest authority shall arrange that this constitution of ours comes to the knowledge of all inhabitants of the districts in a customary way in (your) edicts’.¹⁰ It is a translation of the Latin ‘publication’ clause often added at the end of imperial letters, by which the emperor instructed the addressee of the letter, usually the *praefectus praetorio*, to publish it in his edicts so it comes to the knowledge of everyone, for instance *NTh* 7.3.2: *Illustris igitur et magnifica auctoritas tua legem perpetuo valituram edictis propositis ad omnium notitiam perferri praecipiat*, ‘Therefore, Your Illustrious and Magnificent

⁶ T. D. BARNES, ‘Structure and chronology in Ammianus, Book 14’, *Harvard Studies in Classical Philology* 92 (1989), pp. 413–422, at 415–416.

⁷ S. CORCORAN, *The Empire of the Tetrarchs: Imperial Pronouncements and Government, AD 284–324*, Oxford 2000², p. 197 n. 116.

⁸ KEENAN, ‘P. Laur. IV 169’ (cit. n. 2), p. 90.

⁹ I am grateful to Lorenzo Livorsi for pointing out this source to me.

¹⁰ The extract of this letter, but without the ‘publication’ clause, was transmitted through the Theodosian Code, *CTh* 16.5.66, addressed *Leontio praefecto Urbi*.

Authority through decreeing edicts shall order the law, which is to be valid for ever, to be brought to everyone's knowledge'.¹¹

The process of promulgating laws is known from other sources in Egypt: they first came to the governor, who sent them on to the *metropoleis*, as in the edict of the prefect Aristius Optatus (AD 297), who ordered local officials to publish the tax law of Diocletian and Maximian, the schedule of new taxes, and his own edict so they were known to everyone.¹² Two later papyri, *CPR* V 10 (Hermopolis Magna, AD 339–340) and *CPR* XVII/1 37 (Hermopolis Magna, AD 340), from the archive of Aurelius Asklepiades (TM Arch 28), mention the entire chain of communication from the emperor Constantius II to the praetorian prefect to the governor to the *strategos* to the *praepositus pagi*. In *CPR* V 10, the *strategos-exactor* of the Hermopolites transmitted to a local *praepositus pagi* the orders of the governor, ἡγεμῶν (l. 4), to deliver recruits for the navy to Antinoopolis, based on the imperial *epistula*, ὡς ἐκ θείου προστάγματος (l. 4), and the writings of the *clarissimus comes*, γραμμάτων τοῦ κ[υρ]ίου μου διασημοτάτου κόμιτος (l. 5).

¹¹ It was not always a part of even complete constitutions, the content of the clause could vary in a significant way, and it did not even have to be placed at the end of the text; P. RIEDLBERGER, *Prolegomena zu den spätantiken Konstitutionen: Nebst einer Analyse der erbrechtlichen und verwandten Sanktionen gegen Heterodoxe*, Stuttgart – Bad Cannstatt 2020, pp. 52–53. Other examples: *NTh* 4.3; 5.1.5.; 5.3.2; 7.1.3; 7.4.10; 8.3; 15.2.4; 17.1.5; 22.2.17; 25.8; *NVal* 3.5; 8, 1, 6; 14.3; 18.1; 21.1.7; 31.7.

¹² *P. Cair. Isid.* I (Karanis), ll. 14–18: προσετάχθησαν δὲ οἱ ἄρχοντες καὶ οἱ προπολιτευόμενοι (l. προπολιτευόμενοι) ἐκά[σ]της πόλεως καὶ τοῦ θείου διατάγματος μετὰ μεγαλοῦ (l. τοῦ) βρεοῦίου τὸ ἀντίγραφον ἔτι τε καὶ τούτου εἰς ἐκάστην κώμην εἴτ' οὖν τόπον ἀποστέλλαι ὑπὲρ τοῦ εἰς γνώσιν ἀπάντων ἢ τάχο[ς] ἐλθεῖν τὴν μεγαλοδωρίαν τῶν Αὐτοκρατόρων ἡμῶν καὶ τῶν Kaisáρων, 'The *archontes* and presidents of the council of each city have been ordered in the edict to dispatch to each village or place whatsoever a copy both of the imperial edict together with the schedule and also of this (edict of mine), so the munificence of our Emperors and Caesars may come as speedily as possible to the knowledge of all' (modified translation of *ed. pr.*). On the publication of laws in Egypt, see C. KREUZSALER, 'Aeneis tabulis scripta proponatur lex. Zum Publikationserfordernis für Rechtsnormen am Beispiel der spätantiken Kaiserkonstitutionen', [in:] R. HAENSCH (ed.), *Selbstdarstellung und Kommunikation. Die Veröffentlichung staatlicher Urkunden auf Stein und Bronze in der Römischen Welt* [= *Vestigia* 61], Munich 2009, pp. 209–248. The process of the publication of letters in the hierarchically lower edicts of central and provincial officials is explained in RIEDLBERGER, *Prolegomena* (cit. n. 11), pp. 54–59.

Although information on the provenance of this piece is unknown, *P. Laur.* IV 169 recto might have been a copy produced at the lowest level of this chain of communication, as suggested by its format.¹³ The text on the verso was written in a different hand and contains part of a letter that mentions τὰ προστεταγμένα, most likely a governor's orders, in line 4.¹⁴ The long address of three lines and use of the *nomen* Aurelius for both writer and addressee suggest that the letter was written in an official municipal context. It might therefore have been connected to the publication or enforcement of Constantine's *epistula*, but since the fragment contains so little text, such a connection is not assured. Perhaps a more likely scenario is that the copy of the imperial letter, having been kept in a metropolite office, for example in the *curia*, was later reused for unrelated official correspondence.

¹³ The catalogue number of our fragment, PL III/684, means that it belongs to a group of some 600 'papii nuovi' acquired with the resources of the Laurenziana, which must mean that they came from the antiquities market; R. PINTAUDI, 'Per una storia della Papirologia in Italia: i Papiri Laurenziani (PLaur.)', [in:] IDEM (ed.), *Miscellanea Papyrologica* [= *Papyrologica Florentina* 7], Florence 1980, pp. 391–409, at 408.

¹⁴ In contemporary papyri, *προστάσσω* in the passive voice refers to issuing edicts or orders by prefects or other officials, also to publish the imperial laws, 'issue through πρόσταγμα'. Examples are more numerous, some of them are: *CPR* XXIII 32 (Heracleopolis, AD 450); *P. Corn.* 20a (Ptolemais Euergetis, AD 303); *P. Flor.* I 95 (Antinoopolis, AD 377 or after); *P. Lips.* I 63 (Antinoopolis, AD 388); *P. Oxy.* XLIII 3126 (Oxyrhynchus, AD 328); LI 3613 (Oxyrhynchus, AD 279); LIV 3758 (Oxyrhynchus, AD 325); *M. Cbr.* 78 (Mothis, AD 376–378). *P. Lips.* II 152 (Euhemeria, AD 250); *P. Meyer* 16 & 17 (Theadelphia, AD 250); *P. Mich.* III 157 & 158 (Theadelphia, AD 250) are famous *libelli* from Dacian prosecution referring only to κατὰ τὰ προσταχθέντα or κατὰ τὰ προστεταγμένα, which would not be such an obvious instance, if we had not known that the sacrifices were introduced by Dacian and executed locally by the governors. See R. SELINGER, *The Mid-Third Century Persecutions of Decius and Valerian*, Frankfurt am Main 2004, pp. 33–39. The substantive πρόσταγμα could be used to denote prefectal edict, even though the main word would be διάταγμα, R. KATZOFF, 'Sources of law in Roman Egypt: the role of the prefect', [in:] H. TEMPORINI (ed.), *Aufstieg und Niedergang der römischen Welt*, II/13: *Recht (Normen, Verbreitung, Materien)*, Berlin 1980, pp. 807–844, at 819–820. On the development of the term between the Ptolemaic and Roman periods, see J. MODRZEJEWSKI, 'The πρόσταγμα in the papyri', *Journal of Juristic Papyrology* 5 (1951), pp. 187–206.

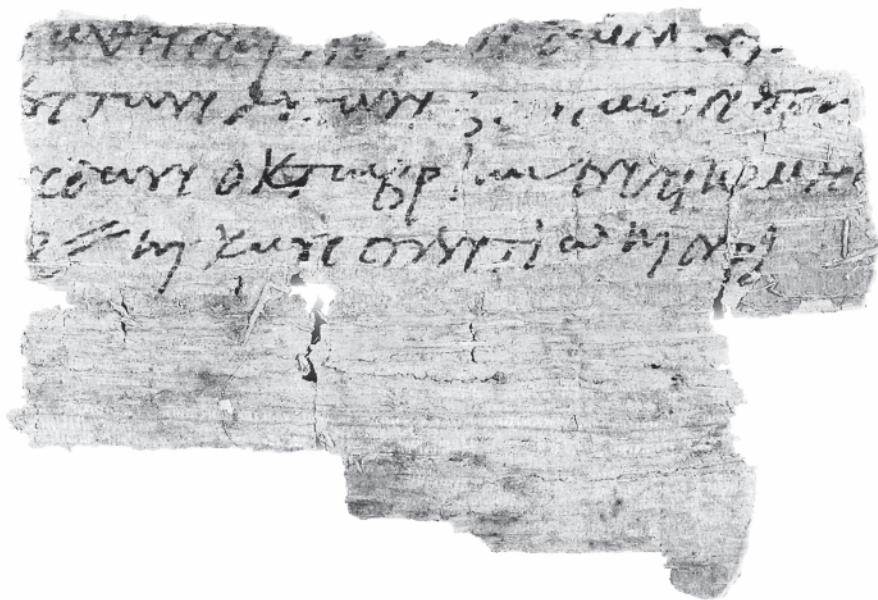


Fig. 1. *P. Laur.* IV 169 recto

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tion much less likely. I do not know any contemporary law with a date in the publication clause, so the line might have belonged to the substance of the letter. If so,]ταχθῆναι may be supplemented by other suffixes, such as ἀπο-, ἐπι-, ὑπο-.

3. προτεθέν]των. The verb προτίθημι is ‘to make publicly known’, ‘to publish’, of which magistrates, such as the prefect, could be a subject. It could refer to the publication of the imperial law, like in the already mentioned edict of Aristius Optatus, *P. Cair. Isid.* 1, ll. 8–10: ἀπὸ τοῦ προτεθέντος θείου διατάγματος καὶ τοῦ αὐτῷ συννηνωμένου (l. συννηνωμένου) βρεοῦίου [οῖς] τὰ ἀντίγραφα τούτου μου τοῦ διατάγματος δημοσίᾳ προύταξα, ‘from the imperial edict which has been published and the schedule attached thereto, to which I have prefixed for public display the copies of this edict of mine’ (translation of *editio princeps*).¹⁵

5. Th *tau* from τ[ὸ α] printed in *editio princeps* and kept by Keenan is not on the papyrus. Perhaps it had been still visible 40 years ago when the papyrus was published for the first time.

¹⁵ More examples can be found in the *Neues Fachwörterbuch* available online at <https://www.organapapyrologica.net/nfwb/*προτίθημι> (accessed 1 December 2023).

verso

- Ἀὐρηλίῳ [---]
 Ἀὐρήλιος Ἀ[---]
 τῷ φιλάτῳ[ω χαίρειν. ---]
 4 τὰ προστετ[αγμένα ---]
 . τῶν ὑπα[---]
 ταύτης π[--- πριμι]
 πίλου τε[---]
 8 τος Σευηρ[---]
 των καλλι[---]

1-3. Line 1 must be the beginning of the letter. The end of the address in line 3 is suggested by τῷ φιλάτῳ, which must agree with Ἀὐρηλίῳ in line 1. It is interrupted by the nominative in line 2 used for the sender, thus 'To Aurelius N.N. – I, Aurelius A... – beloved, greetings'. It is an unexpected pattern, but attested also in *P. Oxy.* VIII 1104 (Oxyrhynchus, AD 306), ll. 3-5.

4. For τὰ προστετ[αγμένα, see the introduction above.

6-7. πριμι]πίλου. The reading πίλου seems clear, the only problematic part may be a stroke on the left going beyond the letter, but another *pi* in line 4 in the word προστετ[αγμένα has a similar stroke visible a bit above the upper arm of the *alpha*. There are not many more possible reconstructions than the genitive of *primipilus*, which is a high military rank, the highest ranking *centurio* of a legion (J. B. Campbell, 'Primipilus', [in:] H. Cancik *et alii* (eds.), Brill's New Pauly, <http://dx.doi.org/10.1163/1574-9347-bnp_e1008520> [accessed 18 December 2023]). It is attested in contemporary papyri, *P. Col.* VII 141 (Karanis, AD 310), ll. 51, 98, 103; *P. Cair. Isid.* 53 (Karanis, AD 314), l. 25; 59 (Karanis, AD 318 or later), l. 34; 60 (Kalu, AD 319), l. 10; 61 = *SB VI* 9048 (Karanis, AD 323), l. 9.

8. τος Σευηρ[. The beginning of the line is somehow problematic. The *omicron* and *sigma* are clearly visible, but of the first letter in the line only the long stroke ascending to the left is discernible. The vertical stroke resembles other *taus* in lines 3 and 4. The long horizontal strokes curved to the left and raised to the right is partially lost, but parts are still visible.

Σευήρος for Σεουήρος is a well attested orthographic variant of the name Severus in the contemporary papyri (TM NamVar 8480).

9. των καλλι[. The adjective καλλίνικος as the imperial epitaph is attested in the chronologically close archive of Aurelius Ammon son of Peteharbeschinis from Panopolis (AD 348; TM Arch 31), *P. Ammon.* II 38, l. 33; 39, l. 1; 40, l. 5; 41, ll. 25 & 46; 45, l. 20, and in oaths *P. Lips.* I 48, l. 7; 49, l. 6; 52, l. 5 (Hypselis, AD 372).

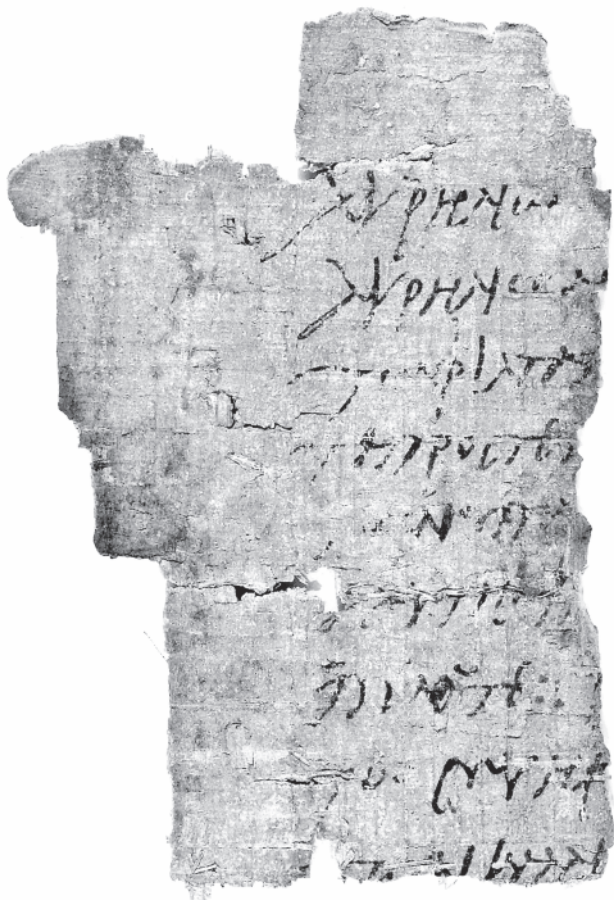


Fig. 2. *P. Laur.* IV 169 verso

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Obviously, there are also other possible reconstructions for καλλι[. It might have started a personal name, such as Kallinikos (TM Nam 3526), or another word, such as καλλιεργία.

Maria Nowak

University of Warsaw
Faculty of Law and Administration
Chair of Roman Law and the Law of Antiquity
Krakowskie Przedmieście 26/28
00-927 Warsaw
POLAND
e-mail: maria.b.nowak@wpia.uw.edu.pl