

Reworking Petitionary Vocabulary in Late Antiquity

This paper reveals certain aspects of how Christian identity and concepts of pious living gained legitimacy and social utility in disputes at the local level in the fourth century. It especially addresses how certain of these new claims and practice were translated into existing legal categories of offense and innocence. Analysis centers on the archive of Aurelius Sakaon and his family in the Egyptian village of Theadelphia, a set of papyri that preserves a couple of petitions made against the very keeper of the collection. Both petitions concern accusations of assault and kidnapping arising within two separate disputes over women and dowries: in the first, a man named Melas complained that Sakaon had kidnapped his son's wife and claimed that the young woman's bride-price had never been paid (P.Sakaon 38—Aug. 17th, 312). In the second (P.Sakaon 48—April 6th, 343), Melas' son Zoilus accused the same of kidnapping his son's wife and of stealing certain flocks his sons had leased. For our purposes, the crucial difference between the narratives presented is the fact that Zoilus used the language of *apragmosyne* (“retirement,” or “inexperience”) in conjunction with his position in the Christian diaconate in order to force Sakaon to restore those animals allegedly stolen in the course of the dotal dispute, a claim and tactic of negotiation that was unavailable to his father's generation.

A survey of the usage of *apragmosyne* in papyri shows that the word was quite elastic in its meaning and could imply that its claimant possessed privileged liturgical exemptions, was inexperienced in using legal channels of redress or was otherwise retired from public life. Zoilus found this word useful precisely because of its elasticity in legal contexts and repurposed it to fit his own lifestyle as a Christian deacon and to gain persuasive force against an old opponent. Finally, the timing of the latter petition in early April suggests that the validity of his claim to a “retired style of life” was not simply due to his position in Christian circles but also to his

observance of the Lenten fast; indeed, the petition may even imply a claim to the privileged status for clerics and their *familiae* bestowed by Constantius II (CTh. 16.2.8–14). This case study thus reveals an early moment in which the new religious confession and its practices were inserted into preexisting legal categories. It tells us specifics regarding clergy like Zoilus in the years after Constantine, especially their increased array of options for effecting desired outcomes in financial disputes in the late Roman countryside.

Select bibliography

Barns, John Wintour Baldwin (1957) “A Fourth-Century Deacon’s Petition from Theadelphia.”

Studia Patristica 1:3–9.

Bowman, Alan (2008) “Oxyrhynchus in the Early Fourth Century: ‘Municipalization’ and

Prosperity.” *Bulletin of the American Society of Papyrologists* 48:31–40.

Bryen, Ari (2013) *Violence in Roman Egypt: A Study in Legal Interpretation*. Philadelphia:

University of Pennsylvania Press.

Frank, Georgia (2007) “From Antioch to Arles: Lay Devotion in Context.” In *Cambridge*

History of Christianity, vol. II, ed. Augustine Casiday and Frederick W. Norris, 531–47.

Cambridge. Cambridge University Press.

Grey, Cam (2011) *Constructing Communities in the Late Roman Countryside*. Cambridge:

Cambridge University Press.

Kelly, Benjamin (2011) *Petitions, Litigation, and Social Control in Roman Egypt*. Oxford:

Oxford University Press.

Parassoglou, George (1978) *The Archive of Aurelius Sakaon*. Bonn: R. Habelt Verlag.

Pruneti, Paola (1994) “L’archivio di Aurelios Heras, praepositus pagi.” *Aegyptus* 74:33–6.