THE SCRIBE OF THE *PAGUS*: NEW EVIDENCE FOR THE ADMINISTRATION OF FOURTH CENTURY OXYRHYNCHOS

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It has been frequently remarked that the fourth century AD saw a number of changes to the administration of the Egyptian nomes, and in particular to patterns of landholding¹. Within the context of this fourth century administrative climate, there is a little known administrative official who warrants further examination. The scribe of the pagus, ὁ τοῦ πάγου γραμματεύς, only appears in the following five texts: P.Macq. inv. 566 (mid IV, Oxyrhynchos?)²; P.Oxy. LX 4091 (352, Oxyrhynchos); SB III 6294 (= P.Freib. II 11; 336, Oxyrhynchos); PSI V 451 (after 341, Oxyrhynchos); and P.Oxy. LXVII 4607 (362/363, Oxyrhynchos). Besides the relatively few attestations of this office, the similarity of the date and provenance of these texts is immediately apparent. Of the five texts, three are dated securely to 336, 352 and 362/363, while the others are certainly from some point in the fourth century based on palaeographic and contextual criteria. Furthermore, all but the Macquarie papyrus can be assigned to the Oxyrhynchite nome. Before considering this proximity further, it is necessary to briefly consider what can be learnt about the functions of the office from the texts themselves.

Of the five texts, P.Macq. inv. 566 is perhaps the most informative on its own. This papyrus contains the last seven lines of a petition from Aurelius Areion, a prophet, to an unnamed official³. As this papyrus has not been published elsewhere, a preliminary transcription is reproduced here.

ε faint traces [......]...[...]
ἐκείνους δὲ καρποῦςθαι. τούτου χάριν τήνδε τὴν ἀξίωςι[ν]
προςφέρω τῆ ςῆ εὐςθενεία, ἀξιῶν ἐπιςταλῆναι τὸν τοῦ
πάγου γραμματέα Παμοῦνιν ὑπεύθυνον ὄντα τῆ παραδόςει
τῶν γηδίων, ἐπὶ τὴν αὐτοψίαν παραγενέςθαι καὶ ταὐτ[ην]
μέτροις περιβαλεῖν καὶ ἐκ πλήρους μοι παραδοῦναι τὴν
γὴν ἀκολούθως τοῖς τοῦ κήνςου βιβλίοις. Αὐρήλιος
᾿Αρείων προφήτης ἐπιδέδωκα.

... but to enjoy the use of those things. For this purpose I put forward this petition to Your Mightiness, asking that orders be given to the scribe of the pagus, Pamounis, who is responsible for the transfer of the plots of land, to be present for the purpose of the inspection and to measure this and to give to me, in full, the land in accordance with the books of the census. Aurelius Areion, prophet, has presented (this petition).

It would seem that there has been a dispute about the boundaries of the land, following which Areion asks that the scribe of the *pagus* be sent to inspect the land and to return it to him on the basis of a census that had taken place at some point in the past, most likely that

See generally Rostovtzeff (1957) 512–514; Lallemand (1964); Bowman (2005); Derda (2006) 6–7; on Constantine's reforms, see Teall (1967); Maresch (2002) 245–246 characterises the fourth century as the period in which the large estates of the Byzantine era start to emerge, whereas Bowman (1985) 137–138 and 155 believes that there are changes in this period, but suggests that it would be premature to see the beginnings of the large estates in these changes.

A preliminary transcription and translation of P.Macq. inv. 566, a previously unpublished papyrus from the Macquarie University collection, appears below; a fuller edition of this text will appear in a later publication.

Based on P.Oxy. LX 4091, most likely the *strategos* of the nome.

conducted in $297/298^4$. It is noteworthy that the scribe of the *pagus* is specifically stated to be responsible for the $\pi\alpha\rho\acute{\alpha}\delta$ ocic, « transfer », of land.

P.Oxy. LX 4091, a letter from both the scribe of the first pagus and a γεωμέτρης to the strategus of the Oxyrhynchite nome, presents a similar picture to the Macquarie papyrus. The scribe and γεωμέτρης write that they were ordered to make a transfer of land consequent on a petition presented to the strategus by Aurelios Theon⁵. A number of points are of particular interest. Firstly, the scribe was subordinate to the strategus in this text. Secondly, the use of παράδοςις for « transfer » in line 9, specifically relating to the function of the scribe of the pagus, builds on the picture presented by P.Macq. inv. 566, as does the presence of the γεωμέτρης with the scribe at the inspection of the land. Finally, the presence of the words κῆνςος in line 15 and ἀναμέτρηςις in line 17 is reminiscent of the terminology (6: μέτροις περιβαλεῖν; 7: κῆνςος) of the Macquarie papyrus. It is unfortunate that this section of the text is too damaged to tell whether the use of « census » here is similar to its use in the Macquarie text or whether the « measurement » refers specifically to the acts of the scribe of the pagus and the surveyor.

In the third document, SB III 6294, one Aurelia Thaesis from the village of Phoboou in the fifth pagus petitions the public advocate of the Oxyrhynchite nome. Thaesis is having trouble with her neighbours, who have committed physical abuse against her tenants; the petition chiefly seeks punishment for the aggressors. It is of interest here that, in the preamble to her complaint, Thaesis mentions a previous petition to the praefectus concerning the boundaries and transferral of her land: γῆς μου πολλῷ χρόνῷ ὑποκλεπτομένης, ὑπὲρ ἦς ἐξ ὕκοθεν (l. οἴκοθεν) τὰ εὐςεβῆ τελέςματα ὑπομένω, ἀνήνεγκα περὶ ἀφοριςμοῦ καὶ παραδόςεως ταύτης τῆ ἐπαρχεικῆ ἐξουςία καὶ ἀκολούθως τοῖς προςταχθεῖςι παρεδόθη μοι ἀκολούθως προςφωνῆ Τιτόου γραμματέως τοῦ πάγου [κ]αὶ τῶν ῥ[ιπ]αρ[ίων .] . [. δημοςί]ου γεωμέτρου⁶. It seems that Thaesis had submitted a previous petition to the praefectus concerning a boundary dispute. Presumably her neighbours were infringing on the land and following her petition she received a report from the scribe of the pagus, the riparii and the public surveyor, whereupon she regained her land and moved to rent it out in the following year. Her neighbours, probably unhappy with the verdict, then cause the trouble which is the subject of the present petition.

Given that we do not know who this previous petition was submitted to, this document need not complicate the assumption that the scribe was subordinate to the *strategus*, as was the case in P.Oxy. LX 4091. On two occasions, Thaesis also takes pains to mention her tax liability. In the first instance, she claims to have continued to pay taxes on land which was being infringed upon, and in the second that the prefect should heed her petition so that she can meet her tax obligation. This is significant because it may indicate the importance of the function performed by the scribe of the *pagus* and consequently why the office was instituted. Note again that, as in the previous documents, the term $\pi\alpha\rho\dot{\alpha}\delta$ ocic (8) is used in relation to land and the functions of the scribe of the *pagus*. Of further interest is the involvement of both the scribe and the $\gamma \epsilon \omega \mu \dot{\epsilon} \tau \rho \eta c$, as in P.Oxy. LX 4091, and a specific reference to boundaries (7: $\dot{\alpha}\phi \rho \rho \iota \iota \mu \dot{c} c$) in relation to the scribe of the *pagus*, a connection which is only assumed in the other texts.

See the introduction to P.Cair.Isid. 1. Other fourth century documents referring to this census in relation to land are P.Amh. II 83 (301–307); P.Col. VII 175 (339); BGU III 917 (348); P.Col. VII 181 (342). It is notable that all these documents come from the Arsinoite nome, whereas P.Macq. inv. 566 and the other documents discussed here are presumably from the Oxyrhynchite nome.

² Revel Coles, the editor of this text, was somewhat hesitant about his reconstruction of γραμματέυc as the title of the office. However, the similarity of the language and content of this text to the others mentioned here must make this reading certain.

SB III 6294, 5–12. At line 12, δημοςί]|ου γεωμέτρου was proposed in Korr. Tyche 424 (*Tyche* 17 [2002] 247).
 SB III 6294, 6–7 and 21–22.

The final two texts are the two fragments published as PSI V 451 and P.Oxy. LXVII 4607, which both mention one Horion, scribe of the fourth *pagus*. PSI V 451 is from a councillor of Alexandria, Aurelius Ammonianus, to the governor of Augustamnica concerning a petition made against Horion regarding the $\pi\alpha\rho\delta$ ocic of some lands. This text is quite damaged, and consequently no new information can be taken from it regarding the functions of the scribe. We can, however, note the presence of $\pi\alpha\rho\delta$ ocic (10). Finally, the same Horion scribe of the fourth *pagus* appears in P.Oxy. LXVII 46078. This document is a list of municipal wine contributions for the military and consequently not particularly informative on the duties of the office.

It is clear from the texts that the scribe of the *pagus* functioned primarily in one area; land disputes. His involvement would presumably be as follows: once a petition concerning a disputed boundary had been submitted, the scribe would be ordered to go to the area in question with a γεωμέτρηc in order to inspect and measure the land. The presence of the surveyor in P.Oxy. LX 4091 and SB III 6294 indicates that the scribe's purpose was not the measuring of the land. Rather, the evidence of the texts suggests that the scribe of the *pagus* was to compare the findings of the surveyor with the public records of property holdings for his *pagus* and make a report concerning who was legally entitled to the disputed land. This is most clearly seen in both P.Macq. inv. 566, when Aurelius Areion asks that the land be given to him ἀκολούθως τοῖς τὸυ κήνςου βιβλίοις, and SB III 6294, in which Aurelia Thaesis writes that she is renting out her land consequent on the report of the scribe of the *pagus*. It is to this process, specifically the checking of land ownership in the records and the subsequent report on the findings, that the forms of παράδοςις, which appear in all the documents except the list of wine contributions, must refer.

This « transferral » then, is the primary function of the scribe of the *pagus* evidenced by the papyri. It is evident from his title and the texts that the scribe was only responsible for his *pagus* and not the entire nome, but it should not be concluded that the office was so limited in scope as to deal only with land disputes. There is a good case for arguing that the scribe of the *pagus* would likely have been responsible, not only for checking the records in cases of dispute, but also for the regular upkeep of the land register of his *pagus*. This supposition is supported when one considers which official was performing these duties before the fourth century.

The illegal expansion of boundaries is an act technically termed παρορίζεςθαι⁹. Referring to this act in documents from the second and early third centuries, such as BGU II 616 (late II/III) and P.Ross.Georg. II 21 (before 155/156), Taubenschlag demonstrates that in these centuries the κωμογραμματεύς and ὁριοδείκτης performed the duties which, as shown in the texts above, were performed by the scribe of the *pagus* and the γεωμέτρης in the fourth century Oxyrhynchite nome. The κωμογραμματεύς temporarily disappears from view in the middle of the third century; the last securely dated attestation to the office from Oxyrhynchos is P.Oxy. XLII 3047 (AD 245). The first attestation of the scribe of the *pagus*, however, is not until 336 and it is unclear who checked the land records in cases of dispute in the meantime.

One possibility is the κωμάρχης, who is commonly considered to be the replacement for the κωμογραμματεύς. Lewis, for example, describes the situation as such, although he qualifies this statement by adding « in most places », and Derda argues the κωμάρχης « must have assumed a greater part of his duties »¹⁰. Borkowski and Hagedorn argue a similar situation for the Arsinoite nome. Although they argue that in this nome the briefly attested ἀμφοδοκωμογραμματεύς followed directly from the κωμογραμματεύς with the

⁸ Col. ii, 9 reads ['Ω]ρίων γραμ(ματεὺο) δ" πάγο[υ] ξ(έσται) ι. He donates only 10 xestai which, since most other surviving numbers on the list range between 100 and 600, seems quite modest.

Taubenschlag (1955) 255.

¹⁰ Lewis (1997a) 35; Derda (2006) 183.

κωμάρχης taking over after that ¹¹. The situation is more complex than a simple name change. Indeed, as Bonneau has pointed out, the κωμάρχης and κωμογραμματεύς are attested simultaneously in the third century, albeit in different nomes ¹². Likewise in the fourth century Oxyrhynchite nome, the κωμάρχης and the scribe of the pagus – who, we have established, was also performing functions of the κωμογραμματεύς – are attested simultaneously ¹³. The κωμάρχης, then, is unlikely to have taken on the role of the κωμογραμματεύς in relation to boundary disputes, and a preliminary search through the papyri has not revealed any documents which indicate otherwise.

Another possibility is suggested by P.Wisc. II 86 (244–246). This petition, addressed to the $\delta \epsilon \kappa \acute{\alpha} \pi \rho \omega \tau \sigma \iota$, concerns land which has been incorrectly recorded in the village register. The petitioners ask that the $\delta \epsilon \kappa \acute{\alpha} \pi \rho \omega \tau \sigma \iota$ be accompanied by the $\pi \rho \alpha \gamma \mu \alpha \tau \iota \kappa \acute{\alpha} \sigma \iota$ and the $\delta \rho \iota \iota \sigma \iota$ when a personal inspection is made and that the latter two officials make an accurate measurement of the land.

There are, then, three officials connected with land inspection and measurement in this document of which one, the ὁριοδείκτης, was certainly not performing the functions of the scribe of the pagus. The δεκάπρωτοι were clearly connected in some way to the measurement and inspection of land and their attested dates, 242–302, fill the gap in our knowledge well¹⁴. The content of this petition, however, shows that their duties in relation to boundaries and those of the scribe of the pagus do not directly overlap. Rather, in this document it is the village πραγματικός who is asked to accompany the ὁριοδείκτης in the manner Taubenschlag demonstrated the κωμογραμματεύς had, whereas the δεκάπρωτοι are the recipients of the petition as the strategus was in P.Oxy. LX 4091¹⁵.

Furthermore, it was the πραγματικός who incorrectly recorded the land in the first place, further strengthening this official's ties with the village land register¹⁶. As a term, however, πραγματικός means « official » generally and can often mean κωμογραμματεύς specifically, of which either usage is not well attested beyond the middle of the third century¹⁷. This avenue leaves us no better off for identifying the immediate predecessor of the scribe. Visibly, the administrative changes of the third century that saw a departure from the κωμογραμματεύς were not straightforward. Curiously, it is clear that these changes were occurring at different speeds and in different manners in different nomes.

The κωμογραμματεύς was thus a predecessor of the scribe of the *pagus*, if not the immediate one. The presence of κωμογραμματεῖς in the fourth century documentation, including from Oxyrhynchos, is not a hurdle for this supposition, as Derda rightly argues that such attestations bear no relation to the second and third century κωμογραμματεύς. It is demonstrable that, at least in the Ptolemaic period, the κωμογραμματεύς was responsible for the upkeep of the cadastre, that is to say, the register of real property in the area around

¹¹ Borkowski / Hagedorn (1975) 780–782.

Bonneau (1993) 157.

¹³ See *e.g.* P.Oxy. LIV 3774 (341); P.Oxy. LXI 4128 (346); P.Oxy. LXI 4129 (358).

¹⁴ Lewis (1997a) 20; Thomas (1975).

¹⁵ P.Wisc. II 86, 27.

¹⁶ P.Wisc. II 86, 9–10.

Thomas (1975) 119 cites P.Oxy. VI 899 as an example in which the two officials are equated; see also Gonis (2000) 188

See Derda (2006) 181–182, who believes that these attestations are probably equivalent to the γραμματεύς τῆς κώμης, an entirely separate official to the κωμογραμματεύς. Lewis (1997b) 346–347 takes the opposite view, citing a lack of variation in official titulature. Evidence in P.Oxy. XIX 2235, 11 (c. 346) of a γραμματεύς ἀπὸ κώμης, which in the commentary is described as another form of κωμογραμματεύς, is likely also another form of the γραμματεύς τῆς κώμης.

his village¹⁹. It is very likely that it was to some form of this cadastre that the scribe of the *pagus* was referring in the cases of dispute evidenced above.

There are two other possible sources for the records which the scribe would have used in these circumstances. Of these, the β ιβλιοθήκη ἐγκτήςεων is the least likely: it was a nome level records office and it did not have an « immediate concern » with the cadastre, which we have established was the responsibility of the κωμογραμματεύς²⁰. In addition it was already in decline at the beginning of the fourth century²¹. In contrast, the cadastre must have still existed in some form in the fourth century, as it was essential for ascertaining property rights, taxation rates, mortgages and so on, and was more locally orientated than the β ιβλιοθήκη ἐγκτήςεων.

P.Macq. inv. 566, however, opens up a new possibility by specifically referring to the scribe of the *pagus* checking the « books of the census ». Given that the βιβλιοθήκη ἐγκτή-cεων was in decline in this period, it is possible that the cadastre, which had previously been the responsibility of the κωμογραμματεύς, was likewise in a state of disrepair. If this was the case, the 297/298 census would have provided the most accurate record of the state of property holdings at the time. To still be relevant in the 340s, however, these records must have been continually updated to keep track of the many changes to ownership and land category that would surely have occurred in the decades between our documents and the census. In consequence it is unlikely that these « books » bore much resemblance to their original form; yet a foundation on the census records could well be the reason the census is referred to so many years after it had been carried out.

If it is accepted that the census documents formed the basis of the land register used by the scribe of the *pagus*, we might expect to see some evidence of the systematic updating of these documents. The closest example is P.Cornell 20, which comes from early in the century (302) and a different nome. This document contains eleven declarations of land in eleven columns, all concerning land around the village of New Ptolemaios in the Arsinoite nome. Boak and Youtie describe it as « a verification of existing records by incorporating all changes in ownership and in the production categories of the land »²². If the scribe of the *pagus* was responsible for the land register, this is presumably the kind of document that he would have consulted²³.

Considering that the κωμάρχης is generally thought to have replaced the κωμογραμματεύς, it is unusual that both this official and the scribe of the *pagus*, who also appears to have been fulfilling functions of the κωμογραμματεύς, appear in fourth century Oxyrhynchos. Based on the limited evidence available, it is difficult to say why this might be so; it is however conceivable that the nome government wanted greater efficiency in managing the land registers. Up-to-date records of real property were an issue of critical interest to both the central government, because of its relevance in relation to the correct assessment of tax, and to the populace, because it provided legal security for the transfer of

See in particular P.Tebt. I 60–88 (late second century BC), a series of long land surveys submitted to a κωμογραμματεύc. For modern commentary on this point, see Wilcken (1912) 176–179 and 205–208; Wallace (1938) 6–10.

On the βιβλιοθήκη ἐγκτήςεων generally, see Taubenschlag (1955) 222–230; Wolff (1978) 222–255; Maresch (2002); for its lack of concern with the cadastre, see Wallace (1938) 9–10.

On the decline of the βιβλιοθήκη ἐγκτήσεων, see Taubenschlag (1955) 230; Wolff (1978) 254–255; Maresch (2002) 245–246.

²² P.Cair.Isid., p. 31.

For similar documents from earlier periods, see P.Lond. III 604A (p. 70; AD 47) and generally P.Tebt. I 60–88 (late second century BC). P.Oxy. XIX 2235, 9–10 (c. AD 346) describes land as «recorded yearly in the tax rolls» (ὡς καὶ διὰ τῶν π[ρὸς] | ἀπαίτηςιν βιβλίων ἐνιαυςίως. ἔνκιται). It is possible that this refers to the supposed updates of the land register. Similar updates were carried out in the Ptolemaic period by an annual ἐπίςκεψις; see Wallace (1938) 6.

such property²⁴. The details of landed property for tax purposes must have changed frequently: not only were farmers often putting in reports to change the status of their land, say from inundated to unproductive, but property would have changed owners or lessees quite frequently through sales or inheritance. To keep track of these changes would have been a huge task and, as the $\kappa\omega\mu\acute{\alpha}\rho\chi\eta c$ had other duties, it is possible that the scribe of the *pagus* was a seemingly short-lived attempt to make this task more manageable²⁵.

Furthermore, whereas the κωμογραμματεύc had been responsible for an area which was larger than the limits of a village, and may have had more than one village in the area of his jurisdiction, the κωμάρχης was responsible for one village at the most, sometimes even two or more per village²⁶. There would therefore have been a greater number of κωμάρχαι than there had been κωμογραμματεῖς. If the κωμάρχης had indeed been managing the land register prior to the institution of the scribe of the *pagus*, the combination of so many reports at the nome level would have placed greater strain on the record office of the nome capital. The institution of the scribe of the *pagus* could therefore have been an attempt to reduce this burden by managing the land records on a larger administrative scale than the village, thereby reducing the amount of work to be done at the nome level. It is thus conceivable that the demonstrable importance of the land registers and the monumental task in maintaining them, combined with a desire for a more manageable system than the κωμάρχης could provide, were primary motivators for the establishing of the scribe of the *pagus* in the Oxyrhynchite nome.

Functionality aside, perhaps the most interesting aspect of the scribe of the *pagus* is that this official appears to have existed only in the Oxyrhynchite nome, and only for a few decades at that. Why this should be the case is not an easy question to answer. The fourth century, like the third, was a time of administrative change for Egypt. The institution of the *pagi* in 307/308 is one obvious change that stands out as a possible catalyst for the creation of this office, yet this does not explain why the first attestation appears only in 336, nor why the office is only attested in the Oxyrhynchite nome when the *pagi* were introduced throughout Egypt.

The short date-span and restricted provenance suggest that the scribe of the *pagus* was something of an experiment by the government of the Oxyrhynchite nome, an attempt to try to find the most efficient way to manage its land register. Interestingly, the startlingly brief period in which the scribe of the *pagus* is documented is not without parallel. The office of the ἀμφοδοκωμογραμματεύc is attested from 219 to 235, some sixteen years compared to the twenty-seven for the scribe of the pagus. Furthermore, it appears only in villages from the Arsinoite nome and appears to be fulfilling functions previously performed by the κωμογραμματεύc²⁷. The similarity between the two cases is striking, the only discrepancy being the hundred years or so between their creation.

On the assumption that both the ἀμφοδοκωμογραμματεύc and the scribe of the *pagus* existed in only one nome, the autonomy of individual nomes must be considered. The individuality of the nomes is highlighted by Derda's recent work on the Arsinoite nome, which details many ways in which that nome was unique in relation to its administrative makeup²⁸. The papyri do not give evidence as to who, at the nome level, had the authority to establish entirely new officials.

The correct maintenance of the land register is illustrated in particular by P.Oxy. II 237, viii, 27–43, which contains an edict from the prefect of Egypt specifically addressing this issue; see also Cockle (1984) 113–115.

²⁵ For the duties of the κωμάρχης, see Oertel (1917) 153–156.

²⁶ See Derda (2006) 180–184.

²⁷ Borkowski / Hagedorn (1975).

Derda (2006). At 181 and 265, n. 8, he also points out that the Hermopolite nome retained the term « toparchy » for the *pagi* in the fourth century.

An interesting possibility, however, is the *boule*. The nome *metropoleis* were given *boulai* at the beginning of the third century in an attempt to divert some of the burden of local administration away from the central government. The problem is, however, that the *boulai* were primarily concerned with tax collection and contributions for the military and nothing suggests that they had the authority to create an entirely new office. Furthermore, evidence suggests that in the fourth century the central government was restricting the authority of the *boule*, making it even less likely that they had the authority to establish the scribe of the *pagus*²⁹.

The only other possibility is a representative of the central government of the nome such as the *logistes* or *strategus*. It is not easy to comment on the degree of autonomy that the nome governments exercised in relation to their administration; however the increasingly distinct differences in nome administration in the third and fourth centuries certainly warrants further examination.

What can be said is that the scribe of the *pagus* appears briefly in the Oxyrhynchite nome in the middle of the fourth century, between 336 and 363. In function, the scribe performed duties specifically relating to the « transfer » of land in cases of dispute, but was quite possibly also responsible for the upkeep of the public land register for his *pagus*. It seems likely that this office was created to help fulfil the host of duties performed by the κωμογραμματεύc in the second and third centuries, in conjunction with other officials such as the κωμάρχης. Interestingly, it is clear from the manner in which the κωμογραμματεύc was replaced that the changes which brought about the scribe of the *pagus* were already initiated in the third century. What is also clear from this evidence is that different nomes were replacing the κωμογραμματεύc with different officials and at different speeds, suggesting a marked degree of autonomy on the part of the nome in relation to its own administration. The scribe of the *pagus* should be seen not only as a part – albeit a brief one – of the management of landholdings, but as an indicator of the climate of administrative change prevailing in the fourth century.

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²⁹ Bowman (1971) 122–127.

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