

An Oath formula of the Arab Period in Egypt.

Under the title *Eidesformeln aus arabischer Zeit* L. Wenger called attention in the *Zeitschrift der Savigny-Stiftung* XXXII, 361 f. to the formula of oath seen in the Coptic documents of the British Museum Aphrodito collection (P. Lond. IV), „swearing by the name of God Almighty and the health of our lords that bear rule“. The italicized words take the place of the earlier oath by the *σωτηρία*, etc. of the Emperor, which, as Wenger remarks, naturally disappeared after the Arab conquest. An interesting earlier example of an oath during the Arab period is to be found in a recently acquired papyrus of the British Museum, Inv. No. 2018. This is a sale of house property at Apollonopolis Magna, drawn up at Oxyrhynchus. The first line of the document (probably not more) seems to be missing; at the beginning of the first extant line I read, not certainly but with considerable confidence, the date *ινδ(ικτίωνος)] τϩ[ι]της (ἔτους) τχα (καί) σϩ*. These years, 321 and 290, are of the era of Oxyrhynchus, and correspond to the year A. D. 644—645, that is to say very shortly after the surrender of Alexandria and the completion of the Arab conquest of Egypt.¹⁾ The usual clause of warranty is followed by an oath, a feature in which this document differs from the three earlier contracts of sale from Apollonopolis published by Grenfell in *Journ. of Phil.* XXII 268 ff., where the oath comes at the beginning. This oath is of a curious and, so far as I am aware, unprecedented kind, and indicates clearly the condition of uncertainty as to their future which must have possessed the inhabitants of Egypt at this time. The country was in the hands of the Arabs, and to swear by the health of the Emperor might have entailed unpleasant consequences. On the other hand, it was not so very long since the Persians had conquered Egypt and had subsequently been driven out, so that it may well have seemed

1) The usually assigned date is the autumn of 641 for the capitulation and that of 642 for the evacuation by the Romans; see Butler, *Arab Conqu. of Egypt*, Appendix D, Milne, *Egypt under Rom. Rule*, p. 116, Lane-Poole, *Hist. of Egypt. The Middle Ages*, p. 11, Wilcken, *Grundzüge* p. 89 (see however the Nachträge). Karabacek, however, places the fall of Alexandria in 643; *Ergebnisse aus d. Papyr. ER*, 1889, p. 18, *Führer*, p. 136 (the first reference has been verified for me by Mr. Crum, the treatise not being accessible to me).

not impossible that the imperial authority might be again re-established. A formula was therefore chosen which would provide for all contingencies. The clause reads as follows: — ἐπωμοσάμεναι Θεὸν τὸν παντοκρ(άτορα) καὶ τὴν σωτηρίαν | [πάσ]ης¹) ἀρχῆς καὶ ἐξουσίας κατακυριευούσης ἡμῶν ἐν παντὶ καιρῷ εἴτε ἐν ταύτῃ τῇ Ὁξ(υρρυ)χ(ιτῶν) πόλει ἢ καὶ [ἐν ἄλλοις] τόποις πάντα τὰ προγεγρα(μμένα) ποιῆσαι, πληρῶσαι, φυλάξαι ἀσάλευτα, ἐν μηδένι τρόπῳ παραβῆναι.

It is curious to find that in a later document a less vague formula is used. This document is B. M. Pap. Inv. No. 2017, a lengthy agreement drawn up at Apollonopolis in the sixth indiction and relating to the same property as Inv. No. 2018. It is described as an Ἀκυλιανὴ καὶ περιεκτικὴ [καὶ] διαλυτικὴ ἀμεριμνεία (= *Aquiliana stipulatio*). Since it mentions the sale referred to, it must be later than it, and the internal evidence makes it very improbable that it can have been later than the next sixth indiction after the date of Inv. No. 2018. As it was written on 22 Epeiph, this makes its exact date 16 July, A. D. 647. Yet the oath formula recalls the older style: — ἐπωμόσατο τὴν ἀγίαν καὶ ὁμοούσιον τριάδα | καὶ τὴν βασιλικὴν σωτηρίαν, οὐ μὴν καὶ κατὰ τοῦ περι|βεβλη(μ)μένου αὐτῷ ἱερατικοῦ σχήματος. The use of the formula τὴν βασιλικὴν σωτηρίαν, which would naturally suggest a reference to the Byzantine Emperor, is curious. It cannot be explained as owing to the recapture of Alexandria by Manuel, since that occurred, as usually dated, in 645, and the city was retaken by the Arabs in 646; moreover this would not in any way affect the Arab supremacy in Upper Egypt. Perhaps the word βασιλικός is used by transference of the Khalif, known in later papyri as *Λιμωραλουμνίν*²). In any case the passage invalidates Wilcken's remark (*Chrestom.* p. 15, note on l. 12) „βασιλικὴν zeigt, daß die byzantinische Herrschaft damals hier noch bestand“. An analogy to this use of βασιλικός under Arab rule is not to be found, as might be thought from Wenger's remarks, *Zeitschr. der Sav.-Stift.* XXIII 265, in P. Lond. I 77 the will of Abraham, Bishop of Hermonthis, where the phrase βασιλικὸς ὄρκους occurs. The will was indeed originally dated, when the palaeography of Byzantine papyri was more uncertain than at present, in the eighth century; but the growth of palaeographical knowledge makes an earlier date more probable, and the document may with some confidence be dated about the end of the sixth

1) The space is too large for [τ]ῆς; cf. too the formula quoted in the note at the end of this article.

2) Theophanes calls him *πρωτοσύμβουλος* (Wellhausen, *Das arabische Reich und sein Sturz*, 1902, p. 86, Ann. 2), as the governors were called *σύμβουλος* (P. Lond. IV, *passim*).

century (see Crum, *Coptic Ostraca*, p. XIV). The will of Bishop Abraham does, however, furnish an analogy to one phrase in the formula quoted above; he also (l. 63) swears by τοῦ περιβεβλημένου μοι σχήματος.¹⁾

One further point may be noted. Wenger, in the note referred to at the beginning of this article, expresses the opinion, „daß die Christen für ihren privaten Rechtsverkehr sich rein christlicher Formeln bedienten und die ägyptische Christenheit keinen Anlaß mehr hatte, dem seinem Wesen nach heidnischen Kaisereid in einer Mischformel eine Konzession zu machen“. The Aphrodito papyri which he quotes were, as he remarks, official documents, and the same is the case with P. Lips. 103 and Crum, *Catalogue of the Coptic MSS. in the B. M. No. 1079*. Both these documents are concerned with taxation. In the former, whose date is uncertain, the oath formula reads πρὸς τε τοῦ Θεοῦ τοῦ Παντοκράτορος καὶ τὴν σωτηρίαν τῶν [δε]σποτῶν ἡμῶν τῶν Ἀιγυπτίων; in the latter the oath is by „God almighty (παντοκράτωρ) and the nealth of ‘Amr“, i. e. apparently the conqueror of Egypt; its date will therefore be A. D. 639—644 or 658—664. The two new London papyri belong, however, to the sphere of the „privater Rechtsverkehr“, and it is interesting to find that the mixed formula was still used in them. They date, however, from too soon after the conquest to justify the conclusion that these formulae held their ground for very long. Not being a Coptic scholar, I cannot say whether instances of their use are to be found in Coptic private documents of the Arab period.²⁾

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1) The person concerned in Inv. No. 2017 is a deacon. A similar expression τὸ περιβεβλημ(μ)ένον μοι σχῆμα in P. Lond. Inv. No. 1787 (a monk).

2) Since writing the above I have met with a similarly vague formula to that quoted, in a small fragment in the British Museum. The words are ἐνορκῶ πᾶσαν ἐξουσίαν καὶ κριτὴν καὶ δικαστήν. The hand of the fragment suggests the late 6th or early 7th century, and the vagueness of the formula may indicate a date during the Persian occupation or after the Arab conquest; but an addition by another hand somewhat resembles the hand of Dioscorus, the poet-notary of Aphrodito, who plays so large a part in Maspero's Cairo Catalogue, and if he is really the writer the date must fall in the 6th century.