Geleitwort zur 2. Auflage

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Although the reviews of the first edition of this book paid due homage to its qualities, reading them has given me a sense that the system of scholarly communication has not worked very well either in recognizing the significance of the book or in bringing its importance to an audience that might be interested in the implications of the book.[1] At first glance the number of reviews (7) is not unimpressive for an apparently specialized and highly technical work on Coptic and Coptic law, deriving from a dissertation. But two of them are relatively brief notices in bibliographic chronicles, four are in papyrological journals reaching fairly restricted audiences, and none appeared in a broadly-read journal in France, Italy, the UK, or the US. Almost all are short, devoting most of their space to summaries of the contents. The reader is likely to come away with a sense that, in Terry Wilfong's words, the book "is one of the most important studies in Coptic papyrology to appear in recent years," but the circle of those who care about Coptic papyrology is still a rather small one. And Tomasz Markiewicz is not the only reviewer to describe the glossary of Coptic legal terms in Part 4 as "the most substantial and certainly the most valuable part of the book," suggesting that the importance of the discursive parts of the book has not been fully appreciated.

The glossary is in fact, as the reviewers have said, a research tool of very high importance, and it probably will have a very long life, comparable in some ways to that of the vocabulary in C. Bradford Welles's *Royal Correspondence in the Hellenistic Period* (New Haven 1934). And the detailed discussions of phraseology in legal documents are also of permanent value. But that is not all that needs to be said. This is in fact a book of broad importance for understanding the culture and society of late antique and early medieval Egypt. Its implications extend to a broader conception of late antique society in the Eastern Mediterranean. They can best be brought out by quoting some passages from an article of Ewa Wipszycka published in 1992:[2]

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[1] References to the reviews may be found below at p. 14, n. 1.

[2] "Le nationalisme a-t-il existé dans l'Égypte byzantine?" *Journal of Juristic Papyrology* 22 (1992) 83-128; reprinted in her *Études sur le Christianisme dans l'Égypte de l'Antiquité Tardive* (Studia Ephemeridis Augustinianum 52, Rome 1996) 9-61. The passages are quoted from pp. 29-31 of the

> Sur la question de l'attitude de la culture de l'antiquité tardive, en Égypte, à l'égard du passé pharaonique, il vaut la peine de s'arrêter un peu. Les historiens qui s'occupent du Bas Empire répètent assez souvent que la crise du monde antique fit réapparaître en pleine lumière des survivances des cultures pré-grecques et pre-romaines. À l'appui de cette thèse, on invoque surtout le cas de la population d'origine celtique des pays danubiens, qui semble avoir conservé des liens particulièrement forts avec les siècles antérieurs à la conquête romaine. On croit trouver le même phénomène en Égypte: on soutient que la culture copte plonge ses racines dans les temps pharaoniques.
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> Il n'y a pas de doute que dans certains domaines, il y a eu continuité depuis l'Égypte pharaonique jusqu'à l'Égypte byzantine. Cependant, dans d'autres domaines, il y a eu non seulement des changements, mais de véritables ruptures. L'hellénisation lente, mais continue, progressant au cours de plusieurs siècles, contribua à élargir le fossé, qui s'était creusé avec le temps, entre le présent et le passé pharaonique.

Wipszycka's interests in what follows are largely in the domain of religion, but she specifically rejects comparisons between Roman imperial behavior and pharaonic practices and significant continuity between Egyptian art and Coptic art (or, better, the art of Late Antique Egypt). She proceeds to consider literature. "Les tentatives qui ont été faites pour découvrir des liens entre la littérature copte et la littérature égyptienne des temps pharaoniques, n'ont pas abouti à des résultats convaincants," she says, and she quotes J. Zandee: "Ce qui, dans les textes coptes, a l'air à première vue de se référer à une tradition égyptienne ancienne, s'avère très différent quand on analyse les textes d'une façon approfondie et plus détaillée."

It is noteworthy that Wipszycka does not, while thinking about religious literature and religious art, devote any significant discussion to what one might well regard as the third leg of the tripod of "Coptic" culture as we can observe it, the law.[3] This is perhaps all the more surprising because her focus is on destroying the belief that there was such a thing as Egyptian nationalism in Late Antiquity and the early Arab period. And what could be a better argument for such nationalism, or at least a national identity, than the displacement of Greek by Coptic as a contractual language in the period after 641, following a period of experimentation beginning—as we now know—precisely at the time when the Egyptian miaphysite church was finally building an ecclesiastical structure separate from that of the Chalcedonians, in the reign of Justin II?

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reprinted version. This article appeared too late for citation in my *Egypt in Late Antiquity* (Princeton 1993), where my summary remarks on pp. 321-325 are supportive of a similar point of view.

[3]No terms concerned with law, legal acts, or contracts appear anywhere in the index to the book.

It is the achievement of Sebastian Richter, in this book, to show that matters are not so simple. It is true that the legal documents discussed here are written in Coptic raher than in Greek, and one can hardly argue that there was not a preference for the use of the Egyptian language. But not only was this an Egyptian language stuffed with vocabulary borrowed from Greek, alongside words coming from the native language and used in older Egyptian legal traditions; it was more fundamentally an Egyptian legal language modeled on the Greek of Late Antiquity and embodying the legal system in use in the later centuries of Roman rule in Egypt. This is hardly a new observation, put in this bald fashion, but never before has it been possible to see with such clarity and detail just how this hybrid language was used. To quote from the preface to this second edition, "Trotz des Wechsels von byzantinischer zu arabischer Verwaltung sehen wir überwiegend Anzeichen für Kontinuität im kleinen Geschäftsalltag, wie er sich in Kauf-, Pacht-, Miet- und Darlehns-Urkunden niedergeschlagen hat. In diesem Sinne sind die meisten koptischen Rechtsurkunden, unabhängig von ihrer Entstehung kurz vor oder nach dem historischen Ereignis der arabischen Eroberung Ägyptens, Ausläufer nicht nur des zivilrechtlichen Systems, sondern auch der wirtschaftlichen und sozialen Ordnungen des byzantinischen Ägypten."

Of course, not all is continuity, and Richter shows how eventually the late Coptic contracts mirror a new society under Arab rule. One may similarly, without trying to revive the specter of Egyptian nationalism so thoroughly demolished by Wipszycka, identify in religion, literature, and art a series of developments as Egyptian culture differentiated itself gradually from its Byzantine matrix. It remains the case, as Leslie MacCoull emphasized some years back, that the "appropriate context" for understanding Late Antique Egypt is the broader Mediterranean world of the period; the vertical axis of pharaonic Egyptian time, the Egyptian *longue durée*, is for these purposes less illuminating than the horizontal axis.[4] In giving us for the first time both the detailed analysis and the sophisticated conceptual framework for looking at the discourse of the Coptic contracts, Richter has made a major contribution to elucidating the culture of this broader Late Antique world, and this book deserves an audience as broad as the large community engaged with Late Antiquity today.

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[4]"Towards an Appropriate Context for the Study of Late Antique Egypt," *Ancient History Bulletin* 6.2 (1992) 73-79.