

Livia Briasco

*Should we always trust hypographeis?
When palaeography contradicts the text:
the case of P.Cair.Masp. III 67296*

Abstract

This paper focuses on a contract preserved in the Dioskoros archive, whose two issuers are explicitly presented as illiterates by a certain Flavius Theoteknos son of Psais, subscribing on their behalf. The analysis not only of the handwriting but also of the use of graphic symbols completes the profile of this individual, already known by scholars for his network on one side and poor Greek skills on the other. Moreover, the detection of another hand involved in the subscriptions section of P.Cair.Masp. III 67296 opens up an unusual scenery, reiterating the key importance of in-depth palaeographical analysis in the study of literacy.

Keywords

Byzantine cursive; Literacy; Contracts; *Hypographai*; Dioskoros' Archive; Late Antique Egypt

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In a paper on bilingualism and literacy in Aphrodito that was offered at the 18th International Congress of Papyrology in Athens in 1988, James Keenan analysed orthographical and grammatical errors shown by occasional scribes as markers of bilingual interference or result of the use of a «“non standard” Greek»¹. He gave three examples. The first, which we shall analyse in the present paper, was that of the *praepositus* Flavius Theoteknos son of Psais², who is attested in a dozen of documents preserved in the Dioskoros Archive³ and dating from 514 to 547⁴. In at least eight of these instances Theoteknos subscribes on behalf of the issuer who was unable to write⁵; the available data therefore allow to affirm that he «made a practice of writing *hypographai* for illiterates»⁶. As is well known, this practice was previewed by Nov. 73,8, prescribing that the issuer of a contract who was unable to write needed to be replaced in the act of subscribing by a literate at least known by him (or her), defined as *tabularius*⁷. In the remaining documents, on the other hand, Theoteknos acts as a witness⁸ or, in a single instance, as one of the issuers of a petition sent by the inhabitants of Aphrodito to the empress Theodora and written by Dioskoros⁹ himself (P.Cair.Masp. III 67283¹⁰, *ante* 547). From that subscription as issuer (p. 3, l. 9), we learn that Theoteknos was a landowner.

¹ KEENAN 1988, p. 164.

² TM Per 135675; NOTAE Per 62. See also: MARTINDALE 1980, p. IIII (= Fl. Theotecnus 2); RUFFINI 2008, p. 217.

³ TM Arch. 72.

⁴ For a list of the documents published and unpublished involving Theoteknos, see RUFFINI 2011, pp. 574-575 (= Theoteknos 1).

⁵ P.Thomas 28 (514-535); P.Cair.Masp. III 67328, contracts number 4, 5 and 6 (521, Jul. 14); P.Lond. V 1693 (523-524?); P.Cair.Masp. III 67296 (535, Jul. 23); P.Ross.Georg. III 36 (537, Oct. 7); P.Cair.Masp. II 67127 (544, Mar. 11).

⁶ P.Michael. 51, intro.

⁷ On this figure see: CALDERINI 1950, pp. 27-32; YOUTIE 1975a; YOUTIE 1975b; MARELLI 2022, pp. 908, 913-914.

⁸ P.Flor. III 281 (517, 14 Sept.); P.Cair.Masp. III 67328, contract number 7 (521, Jul. 14); P.Lond. V 1687 (523, 16. Dec.); P.Cair.Masp. II 67128 (547, Aug. 27).

⁹ TM Per 135684; NOTAE Per 6. On the famous notary and landowner see also, in particular: MACCOULL 1988; FOURNET 1999.

¹⁰ TM 18420; NOTAE Doc 6997.

Keenan detected many grammatical and spelling errors made by Theoteknos in writing subscriptions both in his own name and on behalf of others. Unlike other known cases, however, the nature of these errors does not allow it to be clearly determined whether he was a Coptic speaker capable of writing Greek or not. Whatever his mother-tongue, the linguistic examination of his subscriptions shows many linguistic gaps and uncertainties in the use of Greek, at least of literary Greek (or «notarial Greek»¹¹, to use Keenan's expression).

To complete Theoteknos' profile is important to analyse his handwriting. One clear example is offered by the *hypographe* on behalf of Apollos son of Hermauos¹² in P.Cair.Masp. II 67127¹³ (ll. 21-24), acknowledgement of a debt issued in 544 (Fig. 1). He uses an almost minuscule cursive that slopes slightly to the right and is characterized by a high frequency of ligatures, executed by extending the middle horizontal strokes of letters or, for the most part, traced clockwise, from top to bottom. His mastery of the quadrilinear system and his ability to execute ligatures involving sequences of two or more letters together qualify him as a good writer. However, he is not always precise in following the base-line while writing and in modulating the dimensions and spaces between letters. This is quite normal, in view of the fact that we are not dealing with the work of a professional scribe, not to mention the fact that shifts in the execution of handwriting can be often observed also within this last category.

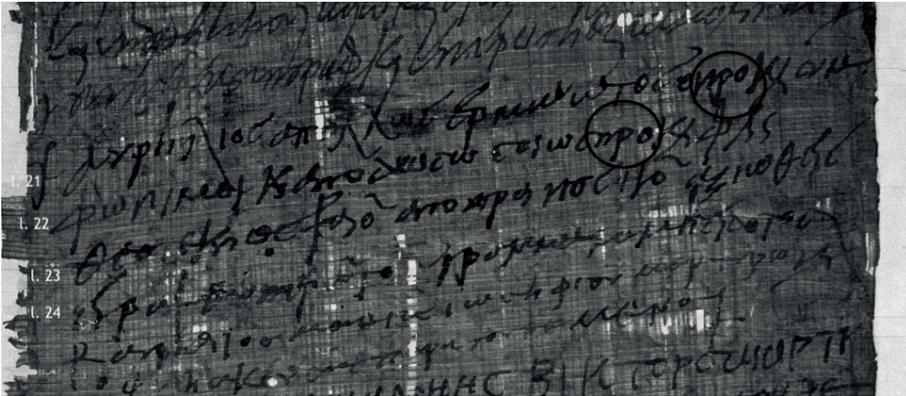


Fig. 1. P.Cair.Masp. II 67127, ll. 21-24 © Egyptian Museum in Cairo, Association International de Papyrologues (AIP), Centre for the Study of Ancient Documents of Oxford (CSAD) (photo: A. Bülow-Jacobsen).

¹¹ KEENAN 1988, p. 166.

¹² TM Per 407195.

¹³ TM 18874; NOTAE Doc 6234.

Let us take a closer look to another one of Theoteknos' *hypographai*. In P.Cair.Masp. III 67296¹⁴, a deed of surety written and subscribed by the *symbolaiographos* Abramós son of Apollós¹⁵ on 23 July 535, Theoteknos states he signed on behalf of both issuers, who were acting as guarantors and who share the same name: Anoubis son of Psentaesis¹⁶, presbyter of the Church of Apa Mousaios, and Anoubis son of Abramós¹⁷, *expraepositus*. The formula used by Theoteknos to conclude this *hypographe* (ll. 18-19) is that usual in the case of several issuers: «Φλ(αύιος) Θεότεκνος Ψαί(ο)υ ἀπο[πραιπόσ(ιτος)], [ἀξιω] θεί(ς), ἔγραψα ὑπὲρ α(ὐ)τῶν γράμματα μὴ εἰδόντων». Based on this affirmation, the first change in the handwriting should be placed between the end of the body of the document, which is marked by three staurograms (l. 15), and the beginning of the subscription with the name of the first issuer, the presbyter Anoubis (l. 16), which is unfortunately lost with the entire left edge of the sheet. Nevertheless, a graphic analysis of the *hypographe* in its entirety contradicts this reconstruction. The subscription in the name of the presbyter Anoubis on ll. 16-17, until «ὡς πρόκ(εῖται)», is in fact written in an upright cursive, characterised by a strong tendency to bilinearism, and by irregularity in strokes' thickness (Fig. 2). Ligatures, present in a limited number, develop mainly from horizontal strokes, prolonged upwards into the vertical stroke of the following letter, that results thicker, or downwards into the vertical stroke of the following letter, with more uncertainty in the movement. To the afore-mentioned tendency to bilinearism contributes the preference for majuscule forms of some letters, such as *gamma*, *pi* and *tau*. And even if we simply limit ourselves to compare a sequence involving one of these letters, *pi-rho* for instance, in the subscriptions of the first (Fig. 2, in white ovals) and the second issuer (Fig. 2, in black ovals) the difference will be clear. The cursive form, traced in one movement, of *pi* is the only one used by Theoteknos in all his subscriptions (see some examples in black ovals on Fig. 1)¹⁸. Moreover, the choice of cursive variants functional to clockwise ligatures is extended by

¹⁴ TM 18423; NOTAE Doc 6208.

¹⁵ TM Per 138087; NOTAE Per 88. For the *dossier* of this notary, see: DIETHART - WOPR 1986, pp. 38-40 (= *Aphr.* 1.1); MARTINDALE 1980, p. 4 (= Aabramius 3); RUFFINI 2011, pp. 3-5 (= Abraam 6); P.Köln X, pp. 184-185.

¹⁶ TM Per 406774 + 406825; NOTAE Per 847. On this person, see also: WOPR 2005, p. 150; RUFFINI 2011, pp. 49-50 (= Anouphi(o)s 25 + Anouphi(o)s 28).

¹⁷ TM Per 406827. See also RUFFINI 2011, p. 49 (= Anouphi(o)s 26).

¹⁸ For other examples see also P.Ross.Georg. III 36, ll. 23 and 24; P.Thomas 28, l. 25; P.Flor. III 281, l. 20; P.Lond. V 1693, ll. 17 and 18.

Theotiktos to many other sequences of letters. His handwriting is in fact a cursive sloping on the right, and this inclination of the axis from a dynamic point of view encourages clockwise ligatures.

It is true that the Byzantine cursive of the 5th-6th centuries is an extremely polymorphic graphic system¹⁹. This does not mean, however, an indiscriminate and casual alternation in the variants and ligatures to be found within a single hand. In the hands of professional scribes, notaries within a documentary context, we find a strong conditioning of the inclination of the axis on the direction given to ligatures and, therefore, on the choice of variants for each individual letter: notaries using sloping on the right cursives trace clockwise ligatures using variants which are functional to a movement from up to bottom; differently, notaries using upright cursives regularly trace counterclockwise ligatures using different variants of letters²⁰. In the hands of non-professional writers, there is not the same strong correlation between the inclination of the axis and the choice of variants, and therefore one can also find a mixture of ligatures on both directions. Nevertheless, it is also possible to discern a preference for one or the other variant for a same letter according to the letter that precedes it and/or that follows²¹. The constancy with which Theoteknos opts for the cursive form of *pi* in ligature, completely avoiding the majuscule form in three movements, suffices to show that the first subscription of the *hypographe* of P.Cair.Masp. III 67296 is not in his hand, contrary to what he himself states. It would seem that the first issuer, the presbyter Anoubis, was capable of writing and wrote his own subscription.

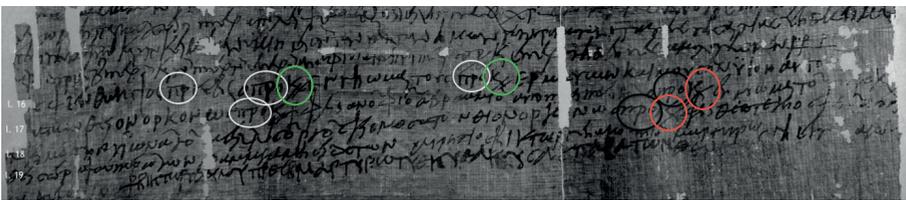


Fig. 2. P.Cair.Masp. III 67296, ll. 16-19 © Egyptian Museum in Cairo, Association Internationale de Papyrologues (AIP), Centre for the Study of Ancient Documents of Oxford (CSAD) (photo: A. Bülow-Jacobsen).

¹⁹ On the so-called ‘byzantine cursive’ see MESSERI - PINTAUDI 2000, esp. at 73-75; MORELLI 2001, pp. 6-16; CAVALLO 2008, pp. 123-140; CRISCI 2012, pp. 54-57; DEGNI 2015.

²⁰ See CRISCI 2012, pp. 54-55, with reproduction of the two groups of variants at figs. 9-10.

²¹ This results in various combinations for each writer. On this topic, see BRIASCO - SKALEC 2024, pp. 45-46 and Table 2.

We shall now consider Theoteknos' use of signs and symbols. This kind of analysis, which is frequently overlooked, completes the profile of a writer and therefore should accompany the one made on alphabetic signs, both being relevant to make identifications between individuals and their graphic interventions on documents²². Regarding abbreviation signs, and as further confirmation of the involvement of two different hands in the P.Cair.Masp. III 67296 *hypographe*, compare the word *πρόκ(ειται)* in the first (Fig. 2: in green ovals) and second issuer's subscription (Fig. 2: in red ovals), abbreviated respectively with a single and a double oblique stroke crossing the lower oblique stroke of *kappa*²³.

Moving to graphic symbols, it has already been said that unfortunately the beginning of the subscription of the presbyter Anoubis has been lost, and with it any symbol that may have been present in that position (beginning of l. 16). Still, one staurogram is preserved in P.Cair.Masp. III 67296 *hypographe*, and specifically between the subscriptions of the first and the second issuer (l. 17)²⁴. On the basis of graphic analysis, the symbol appears to have been traced by the same hand who wrote the following text, consisting in the subscription in the name of the *expraepositus* Anoubis and the *hypographe* formula, i.e. Theoteknos' hand. The symbol used serves both as a symbolic invocation and as a divider between the subscription of the first issuer and that of the second²⁵. However, there is no symbol between the subscription of the second issuer and the *hypographe* formula, both of which sections were written in the latter's hand.

This information is pertinent. We know that Theoteknos is in the habit of putting a staurogram at the beginning not only of his *hypographai* but of his subscriptions in general: in fact, he also uses an initial staurogram in his subscriptions as witness in P.Lond. V 1687²⁶ (ll. 22-24), P.Cair.Masp. II 67128²⁷ (ll. 35-37) and in the seventh contract of surety gathered in the register P.Cair.

²² On this aspect see also BRIASCO 2024, pp. 172 and 176-186, where the analysis of symbols, accompanied by the one on layout, is not limited to subscriptions, as in the present case, but extended to the body of the document which not always (as is reported by Nov. 44) was written by the same scribe who signed it with his *completio*.

²³ I wish to thank one of the referees for having suggested to highlight this element before analysing the proper graphic symbols.

²⁴ NOTAE GS 17825.

²⁵ On the functions of symbols used in different positions within contracts produced in a target community, i.e. that of Syene, see BRIASCO - SKALEC 2024, especially pp. 105-271, with bibliography.

²⁶ TM 19704; NOTAE Doc 79. The symbol traced by Theoteknos is NOTAE GS 127.

²⁷ TM 18875; NOTAE Doc 6029. The symbol traced by Theoteknos is NOTAE GS 16970.

Masp. III 67328²⁸ (VII, ll. 26-27), and in the only subscription known of him as issuer in P.Cair.Masp. III 67283 (p. 3, l. 9). Focusing on subscriptions on behalf of the issuers in P.Lond. V 1693²⁹ (ll. 16-19), P.Cair.Masp. II 67127³⁰ (ll. 21-24), P.Ross.Georg. III 36³¹ (ll. 22-25), and in the fourth and sixth of the sureties registered in P.Cair.Masp. III 67328 (IV, ll. 26-29³²; VI, ll. 24-26³³), all opened by a staurogram³⁴, we learn that he never inserts a symbol within the *hypographe* and rarely places it in final position³⁵.

For a comparison with the situation shown by P.Cair.Masp. III 67296, in particular P.Thomas 28³⁶, a contract of exchange issued between 514 and 535 by two individuals, Victor son of Bessarion³⁷ and Hermauos son of Psais³⁸, can be observed. The first subscribes in his own hand in a flowing minuscule cursive with ligatures (ll. 23-24); by contrast, Theoteknos subscribes for the second (ll. 24-26). In this case, Theoteknos writes the *hypographe* formula in a manner coherent with the situation in which he found himself intervening, i.e. opting for the singular in the formula that expresses the illiteracy only of the second issuer (l. 26): «[ἐγ]ραψα ὑπὲρ αὐτοῦ) γράμματα μὴ εἰδότης». Above the use of the right formula, here the change of hand is made all the more evident than in the previous instance (P.Cair.Masp. III 67296) by the clear change of ink. And coherently, in the *hypographe* of P.Thomas 28 too no symbol appears between the subscription of the second issuer, Hermauos, and the name of the *hypographeus*, whereas a sizeable staurogram³⁹ is present at the start of the portion of text written by Theoteknos, before the name Hermauos (l. 24). Leaving

²⁸ The register, gathering 12 sureties addressed to the *riparios* Apollos, all dated between the 5th and the 14th of July 521, is recorded as an unit: TM 18453; NOTAE Doc 7343. The symbol traced by Theoteknos in the seventh surety is NOTAE GS 21418.

²⁹ TM 19711; NOTAE Doc 95. The symbol traced by Theoteknos is NOTAE GS 175.

³⁰ TM 18874; NOTAE Doc 6234. The symbol traced by Theoteknos is NOTAE GS 17936.

³¹ TM 17962; NOTAE Doc 6991. The symbol traced by Theoteknos is NOTAE GS 20584.

³² The symbol traced by Theoteknos in the fourth surety is NOTAE GS 21406.

³³ The symbol traced by Theoteknos in the sixth surety is NOTAE GS 21416

³⁴ Exception made for the fifth surety in P.Cair.Masp. III 67328, whose left edge is in a bad state of preservation, making impossible to verify with absolute certainty the presence of a graphic symbol at the beginning of Theoteknos *hypographe* on behalf of Aurelius Ioannes son of Constantius (ll. 25-27).

³⁵ The *hypographe* in P.Cair.Masp. II 67217 seems the only one that is closed by a staurogram, traced from the final stroke of the last letter on l. 24: NOTAE GS 17937.

³⁶ TM 37346; NOTAE Doc 7484.

³⁷ TM Per 135657; NOTAE Per 3973. See also RUFFINI 2011, p. 105 (= Biktor 8).

³⁸ TM Per 381179. See also RUFFINI 2011, p. 213 (= Herma(o)(u)os 23).

³⁹ NOTAE GS 21807.

the subscription in the hand of Theoteknos and considering the document as a whole, the symbol is actually placed between the subscription of the first issuer and that of the second, and therefore in a central position. Nonetheless, this location is clearly due only to Theoteknos' habit of starting his writing act with a symbol⁴⁰. The analysis of the habits of the *praepositus* as regards the use of symbols therefore provides a further confirmation that in P.Cair.Masp. III 67296 his act of writing began with the subscription of the second issuer and did not involve the transcription of that of the first.

The fact that the presbyter Anoubis son of Psentaesis was indeed capable of writing is confirmed by two documents, also kept in Dioskoros' archive, preserving other samples of his handwriting. The first is P.Cair.Masp. III 67297 + P.Flor. III 287⁴¹, contract of surety issued, like P.Cair.Masp. III 67296, on the same 23 July 535. P.Flor. III 287 preserves Anoubis' subscription as witness (ll. 6-7). While presenting himself as a priest, Anoubis omitted any information on his membership in both subscriptions, as issuer and as witness. In P.Cair.Masp. III 67296, however, we learn that he belonged to the church of Apa Mousaios from the *praescriptio*. The extremely remote possibility that this is a case of homonymy is ruled out by the graphic identity of the two subscriptions in his name (see Figs. 3, 4)⁴². The second identification is with the presbyter Anoubis⁴³ who appears as one of the signatories of the already mentioned petition P.Cair.Masp. III 67283 (p. 2, l. 4: see Fig. 5). In this case he explicitly presents himself as a member of the church of Apa Mousaios; what is missing in this third subscription, however, is the patronymic.

⁴⁰ The only exception among the known samples of Theoteknos' writing is his subscription as witness in P.Flor. III 281 (ll. 20-21), whose beginning is not occupied by a symbol. The fact that Aur. Promaos son of Beskouis, who preceded him as *hypographeus*, closed his subscription with a cross (NOTAE GS 18009) maybe discouraged Theoteknos from tracing a symbol in his turn. It should be noted that end of the *hypographe* is not regularly remarked by a symbol at this time, which means that more often the first witness traced his symbol as only divider from the previous handwriting: that is what happened, as for Theoteknos' case, in P.Lond. V 1687 (l. 22) and in the seventh contract of the register P.Cair.Masp. III 67328 (l. 26). A chronology of the appearance of symbols in different positions within the *hypographai* in contracts drafted in Syene in the same province of the Thebaid is reconstructed in BRIASCO - SKALEC 2024, pp. 205-209 and Table 8.

⁴¹ TM 18424 + 19349; NOTAE Doc 6244.

⁴² The identification has already been suggested by Ruffini, not mentioning the handwriting or explaining the fact that in one attestation Anoubis is presented as illiterate and in the other one as literate: cfr. RUFFINI 2011, p. 49.

⁴³ Distinguished by Ruffini from the Anoubis attested in P.Cair.Masp. III 67296 and P.Cair.Masp. III 67297 + P.Flor. III 287, as they are different individuals: cfr. RUFFINI 2011, p. 50.

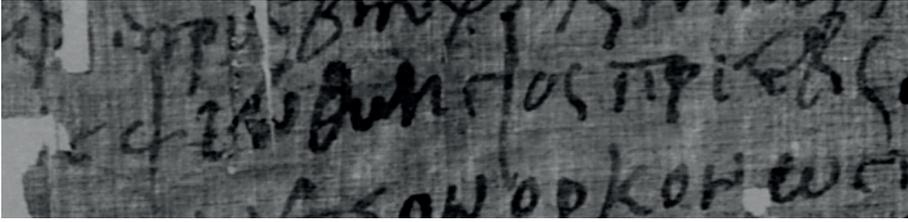


Fig. 3. P.Cair.Masp. III 67296, l. 16 © Egyptian Museum in Cairo, Association International de Papyrologues (AIP), Centre for the Study of Ancient Documents of Oxford (CSAD) (photo: A. Bülow-Jacobsen).



Fig. 4. Firenze, Biblioteca Medicea Laurenziana, P. Flor. III 287, l. 6. Su concessione del MiC. È vietata ogni ulteriore riproduzione con qualsiasi mezzo.

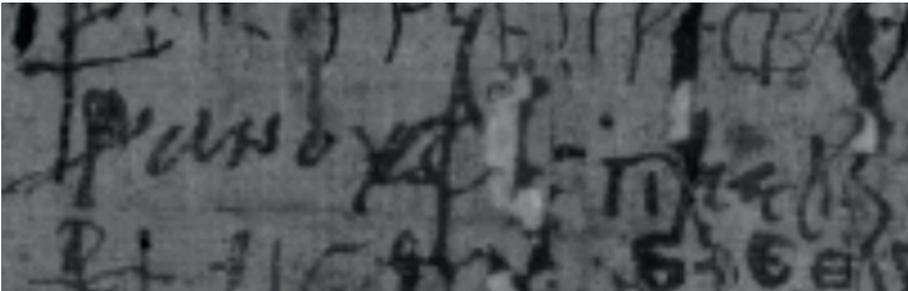


Fig. 5. P.Cair.Masp. III 67283, p. 2, l. 4 © Egyptian Museum in Cairo, Association International de Papyrologues (AIP), Centre for the Study of Ancient Documents of Oxford (CSAD) (photo: A. Bülow-Jacobsen).

The case of P.Cair.Masp. III 67296 seems to be an *unicum*. There is another case which is, however, much less clear. In P.Flor. III 288⁴⁴, the bottom fragment of a deed of surety preserving the entire section of subscriptions, the editor detected a change of hand within the *hypographe* (ll. 12-15), located right between the subscription of the issuer and the *hypographe* formula. The text reads as follows: «[Αὐρή]λιος Φοιβάμμων Ψενθαησίου ὁ προκ(είμενος) | [ἐγγυ]

⁴⁴ TM 36856; NOTAE Doc 6255.

ῶμαι τὸν προκ(είμενον) Γεώργιον καὶ ὄμεσα | [τὸν] θεῖον ὄρκων ὡς πρόκ(εῖται). Αὐρ(ήλιος) Ἰωάννης Ἑρμώθιος [[αἰτ]ηθεὶς ἔγραψα νῖπὲρ αὐτοῦ γράμματα μὴ ἰδότης». The *hypographeus* Ioannes son of Hermothis⁴⁵ affirms that he signed on behalf of the issuer Phoibammon son of Psentaesis⁴⁶, who was illiterate. Both parts of the subscription were written in a sloping quadrilinear cursive, with ligatures that are for the most part clockwise, and its thickness varies considerably, with some strokes very thick and others quite narrow. Difference in letter forms, for example *my* and *psi*, and the presence, only in the second part of the *hypographe*, of ligatures from bottom up creating oblong eyelets of noteworthy dimensions, totally absent from the subscription in the name of Phoibammon, may also be explained by changes in both ink and calamus. A Phoibammon son of Psentaesis⁴⁷ is also attested as one of many issuers of a very badly preserved and undated loan contract preserved in the same Dioskoros' archive: P.Lond. V 1844descr.⁴⁸. Due to the darkening of the sheet, very little of Phoibammon's subscription (ll. 12-13) is still sufficiently visible, namely the patronymic; moreover, the bad state of preservation of the entire document prevents us to be sure that Phoibammon subscribed in his own hand, without the involvement of an *hypographeus*. Thus, even if the sequence for Ψενθαησίου is written in P.Lond. V 1844descr. (l. 12) with the same ligatures and forms visible in P.Flor. III 288 *hypographe* (l. 12), in this case we cannot get a fully convincing graphic match⁴⁹.

Talking about incongruences between what is stated in the *hypographai* and the analysis of corresponding handwritings, one last document coming from the same Dioskoros' archive deserves to be mentioned. We are talking about the fifth surety gathered in the already-mentioned register P.Cair.Masp. II 67328. This surety is issued by the *synteles* Ioannes son of Constantius and Maria⁵⁰ on 14 July 521, and has already been mentioned for the involvement of Theoteknos as *hypographeus*. Coherently with the *hypographe* formula, which states Ioannes' inability to write, here Theoteknos wrote the entire subscription (ll. 25-27). Nevertheless, the *hypographe* is followed by the short subscrip-

⁴⁵ TM Per 414592; NOTAE Per 930. See also: RUFFINI 2011, p. 244 (= Ioannes 2).

⁴⁶ TM Per 414592. See also: RUFFINI 2011, pp. 454-455 (= Phoibammon 39).

⁴⁷ TM Per 414866; NOTAE Per 3109. RUFFINI 2011, pp. 454-455 (= Phoibammon 39).

⁴⁸ TM 36960; NOTAE Doc 7311.

⁴⁹ A match is suggested on the base of context of activity, but not considering handwriting, in RUFFINI 2011, pp. 454-455.

⁵⁰ TM Per 407096; NOTAE Per 3200. See also RUFFINI 2011, pp. 251-252 (= Ioannes 53).

tion «Ἰωάννης Κωσταντίος⁵¹ στοιχ(εῖ)» written on a new line (l. 28: underlined in Fig. 6). The sole witness intervening in this document begins to write his subscription immediately after that of Ioannes, without starting a new line, and he uses a handwriting that is not much different from that of the presumed illiterate. In this case, however, no blame may be assigned to Theoteknos. He in effect transcribed the subscription on behalf of Ioannes, whose additional graphic intervention seems to have been decided subsequently, maybe once discovered that he was not fully illiterate. It should be considered that personal handwritings are key instrument to prevent forgery, an aspect of the production of documents to whom Nov. 73 is dedicated, and therefore any graphic intervention by contracts' issuer, and even the trembling addition of crosses as *semeia*, seems to be encouraged in practice⁵².

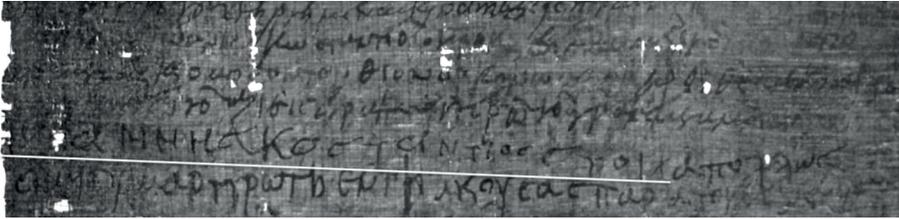


Fig. 6. P.Cair.Masp. III 67328 p. 5, ll. 25-28 © Egyptian Museum in Cairo, Association International de Papyrologues (AIP), Centre for the Study of Ancient Documents of Oxford (CSAD) (photo: A. Bülow-Jacobsen).

P.Cair.Masp. III 67296 case has led to various reflections. First of all, there is the matter of Theoteknos' profile in terms of *literacy*, which has now been completed by the analysis of his handwriting. A certain dexterity in the use of Greek script, demonstrated by his minuscule cursive rich in ligatures, is combined with orthographic and grammatical errors, which betray a limited degree of knowledge of Greek language. Based on what we noticed, one could therefore consider the use of the plural instead of the singular in the *hypographe* formula in P.Cair.Masp. III 67296 as another type of error to be added to the others, orthographical and grammatical, made by Theoteknos and already listed by Keenan⁵³. It cannot be excluded that he, having in mind the fact that the contract had two issuers, merely committed an oversight. The same The-

⁵¹ Mistake for Κωσταντίος(υ).

⁵² On the use of *semeia* by illiterate issuers see MONTE 2023, and in particular pp. 46-47 on the use of autography at any level as an instrument against forgery.

⁵³ KEENAN 1988, pp. 164-165.

oteknos, however, proved to be capable to use the right formula to represent the effective literacy scenario, as we saw in P.Thomas. 28. Certainly, this was not a common mistake. At any rate, the *hypographeus* was chosen for his ability to write, which was maybe known to the notary, but also, as emerged for the Aphrodito society, for his social connections, which derives from land ownership, contacts with clergymen and, yet again, the capability of writing⁵⁴; all these aspects did not necessarily imply his having a good command of Greek⁵⁵. This is especially true in contexts in which the text of the *hypographe* was normally very short, not including, for example, a summary of the terms of the contract to which the issuer or issuers gave his or their consent.

Secondly, this case-study confirms that the work of detailed palaeographic comparison (based on morphological analysis and not merely of the so-called *impression d'ensemble*) is key to establishing the data on which to base a judgement regarding a subject's literacy⁵⁶. Every temptation to perform statistical analyses on the basis of information provided by the published text must therefore be kept in check. If we had trusted what Theoteknos asserts in P.Cair. Masp. III 67296 and if we had not had the good fortune to be able to consult more than one example of the same hand, as instead is often the case in the substantial archive of Dioskoros, we would then have reckoned the presbyter Anoubis among those who did not know how to write in Greek. Similarly, the fluctuation of prosopographical informations shown by the subscriptions in the name of the priest Anoubis, not being an isolated phenomenon in documents from late antique Egypt, serves as a reminder not to stop at the textual content also when it comes to prosopographical identifications.

Thirdly, judging from the case discussed here, it seems that not necessarily what is affirmed in the section of the *hypographai* corresponds to reality: that is to say that not everyone who is represented as illiterate did not really know how to write. From our modern perspective, which always shows its inadequacy in making sense of the traces of the past, we might have expected that these

⁵⁴ RUFFINI 2008, p. 217.

⁵⁵ Some considerations on the possible dynamics of selection of individuals who took on the role of *hypographeis* in the Patermouthis Archive (Syene, 6th century) see BRIASCO - SKALEC 2024, pp. 83-85 and 95.

⁵⁶ As recently re-asserted by AST 2018, p. 27. On the problems (and possible remedies) involved in the graphic identification of cursive scripts in this phase of the evolution of Greek handwriting, see BRIASCO 2024.

particular situations resulted in changes of the text or led to the formulation of corrective measures. The incongruence detected in P.Cair.Masp. III 67296 may be explained, as we said, as the result of an error – but an uncommon one – or of an oversight – strange, if all the individuals involved in the drafting of the contract were present together in the act of subscribing. Differently, the case of the fifth surety in P.Cair.Masp. III 67328 makes us wonder how it was possible to leave unchanged a phrase that asserted an individual's inability to write when he wrote an entire – even if very short – sentence immediately after the intervention of the *hypographeus*. From our perspective, this is a mendacious statement or, in the best of circumstances, one that is only partially true and therefore inexact. Still, we do not see changes in the behaviour of the *hypographeus* in charge, who was expected to make up for the shortcomings of the issuer whatever these might be. We can then imagine that, in the ritual of the contract, certain formulas had acquired a force that was such that their modification – even if done with a view to improvement, so as to better represent hybrid or intermediate situations – put at risk the validity of the contract far more seriously than any incongruence between the statement and reality. Or we might imagine that the grey zones between ability and inability to write, given bilingualism in late antique Egypt, were much vaguer than they appear to us from our modern vantage-point. In conclusion, the *hypographai* of Byzantine contracts reveal themselves to be rich sources of information, sometimes unexpected, but ever useful for increasing our knowledge of literacy in late antique Egypt.

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