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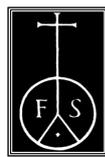
OSCAN ΦΟΥΡΟΥΣΤ
AND THE ROCCAGLORIOSA LAW TABLET[1]

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THE Oscan inscription on bronze from Roccagloriosa (Buxentum 1/ Lu 62)[2] is one of two major inscriptions found at the site.[3] It is a fragment, in the form of a very rough square, of an originally much larger bronze tablet (for photos, drawings and interpretation see Tocco 2000, Gualtieri & Poccetti 2001 and Crawford et al. 2011: 1328-31).[4] Its one perfectly straight side makes up part of the bottom of side A of the inscription, and the top of side B. The bronze tablet is estimated by Gualtieri & Poccetti (2001: 191-7) to have been in the region of 0.28m wide and 0.42m tall, while the fragment is 0.12m at its widest point, and 0.09m high. Side A consists of 11 lines of text, while side B has 14 lines; the letter height is 0.04-0.05m. No line preserves more than four words. It can easily be seen, therefore, that the inscription as we have it reflects only a small part of the original text; furthermore, since an unknown number of letters precedes and follows every part of each line that we have, there is little immediate context to allow for help in the interpretation that remains. Nonetheless, comparison with other Oscan texts, especially the Tabula Bantina (Bantia 1/Lu 1), and Latin legal texts, along with etymological and morphological analysis of the words found on the fragment,

[2] In this article the first mention of inscriptions is followed by the reference used in Crawford et al. (2011), followed by that of ST. Except where specified, all readings are taken from Crawford et al. (2011).

[3] The other is an Oscan curse tablet, perhaps with a Greek opening formula (Buxentum 3/Lu 45). See Gualtieri & Poccetti (1990), Campanile (1992), Poccetti (2010).

[4] Note that Crawford et al. (2011) propose the existence of an additional line at the beginning of the text of Side A, without visible letter forms; this line is not included in the readings of other scholars. For several different readings of the text, notably αναγγινουδ for τ{αν}αγγινουδ, see del Tutto (2006). The text given here follows the readings of Crawford et al. (2011), including Crawford's line numbers, with one or two minor differences, which are the result of the authors' own autopsy (11/04/2012, Soprintendenza per i Beni Archeologici di Salerno Avellino Benevento e Caserta, Salerno).

makes it possible to identify the Roccagloriosa inscription as a fragment of a law code.[1]

For ease of reference, we give here the text of side A:

1   [-?-]
2   [-?- ποκ]καπιδ [-?-]
3   [-?-] εστουδ τρι[οπερτ -?-]
4   [-?- σερευ]κιδιμο εισεισ μειν[-?-]
5   [-?-]τ τρειπκατομ αhπε[-?-]
6   [-?- με]δδεσ <εσ>σουf μεδεικα[τεν -?-]
7   [-?- ου]στ αυτ ιαf κλοπουστ [-?-]
8   [-?-]ουδ ακτουδ σfαι fει [-?-]
9   [-?-]ας τρειβιfομ εh ποια[δ -?-]
10   [-?-]ιδ fουρουστ ειfει κερεστ [-?-]
11   [-?- πο]υκελ ειheιοι εδει fειρα[-?-]
12   [-?-]ισ ρεκινομ hαfειτουδ [-?-]

Divided into lines, the translation as provided by Crawford et al. (2011) is as follows:

1   [-?-]
2   [-?-] whatsoever (?) [-?-]
3   [-?-] is to be three times [-?-]
4   [-?-] the priesthood of that (person) ??? [-?-]
5   [-?-] ??? ??? [-?-]
6   [-?-] the *meddix* himself in his term of office as *meddix* [-?-]
7   [-?-] he shall have [-?-] or he shall have stolen them (fem. pl.) [-?-]
8   [-?-] he is to [-?-] (and) he is to act, if ??? [-?-]
9   [-?-] small building, from which sort [-?-]
10   [-?-] he shall have spoken[2] or (?) he shall have ??? [-?-]

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[1] A few examples of features that suggest this is a legal text: the repeated use of the imperative in *-tōd* (spelt here -τουδ), cf. the *Tabula Bantina*, the Twelve Tables, *Lex Repetundarum*, *Lex Agraria*; mentions of the magistrate(s) (μεδδεσ, nom. sg. or pl.) and his magistracy (μεδεικα[τεν], loc. with postposition), cf. *Tabula Bantina*; words implying the involvement of public bodies, such as τουτικαις (public) and (τ){αν}αγγινουδ (decision - normally of the senate/assembly), both also found in *Tabula Bantina*. If line B.7 reads [μεδεικατ]εν πουσ μεδδεσ μανο[μ (the last letter is printed as μ by Crawford et al. and ST, but we were unable to see any traces of it), then this has a clear parallel in the specifications of correct legal procedure set out in the *Tabula Bantina* (l. 23-25), cf. also the Twelve Tables (Table 3), *Lex Coloniae Genetiuae*: LXI; see also Crawford (1996: 290; 432).

[2] Presumably following the comparison of fουρουστ with *urust* (Bantia 1/Lu 1.14, 16) tentatively suggested by Gualtieri & Poccetti (2001: 228-9). This is not a plausible translation: see below.

11   [-?-] the son, ??? ??? ??? [-?-]
12   [-?-] ??? he is to hold [-?-]

Despite the clear legal context of the inscription, the precise meaning of the words that appear on the fragment is frequently uncertain. This article will be largely devoted to the etymology and meaning of the word ϝουρουστ in line 10, and its context in the inscription. Up to now, the only certainly comprehensible part of line 10 is]ιδ, which can be easily expanded to either π]ιδ 'anything' (3sg. neut. indefinite pronoun), or πο-κκαπ]ιδ 'whatsoever', which is found elsewhere in this inscription, and also in the Tabula Bantina (l.8, 31) and the Cippus Abellanus (Abella 1/Cm 1 B.26). Although the inscription is written in *scriptio continua*, and the remaining words have no clear etymology, they can be easily split up by reason of their morphology: ϝουρουστ has the usual Oscan 3sg. future perfect ending /-ust/, while κερεστ is a 3sg. future of a thematic verb with an ending in /-st/. It is assumed that ειϝει has a subordinating or coordinating function; for etymological suggestions see Gualtieri & Poccetti (2001: 227-8), and note that <ει> in this inscription represents both the diphthong /ei̯/ and /ĕ̆/ < *-ē- and *-ĭ-.

In finding an etymology for ϝουρουστ, therefore, we can identify a 'root' ϝουρ-. Several different interpretations of the sequence ϝουρ- are in principle possible, since in this inscription the digraph <ου> can reflect either the Oscan phoneme /u/ from Proto-Italic *-ō- or *-ŭ-, or the diphthong /ou̯/. For <ου> = /u/ in this inscription we have examples such as ακτουδ (3sg. imperative) < *agitōd (cf. Lat. *agitō*), φουστ (3sg. fut. perf.) < *bʰŭst (cf. *fust*, Bantia 1/Lu 1 passim, Umbrian **fust**), and for <ου> = /ou̯/ e.g. τουτεικαις < *tou̯tiko- (cf. **túvtíks** Herculaneum 1/Cm 10). So possible preforms for ϝουρ- are *u̯ōr-, *u̯ŭr- and *u̯ou̯r-.

The only attempt at an etymology of this word of which we are aware is the discussion by Gualtieri & Poccetti (2001: 228-9), who compare the form *urust* '(s)he will have prosecuted'[1] in Bantia 1/Lu 1.14, 16. However, they eventually decline to press this connection, since it would require emendation of ϝουρουστ to ουρουστ. In principle one could instead suppose a change u̯u- > u- in Oscan between the time of the Roccagloriosa tablet (probably C3rd) and the Tabula Bantina (probably C1st), against which there seem to be no possible counter-examples. But *urust* is usual-

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[1] When given as citation forms, future perfects will be translated as 'will have VERB-ed'. However, in most contexts Oscan future perfects are best translated into English as 'has VERB-ed' or 'will VERB'. Consequently, the translation used when quoting forms in context will use the form appropriate in English.

ly compared to Latin *orāre* 'treat, argue, plead', which cannot have had an initial *ʋ̯-, whatever its further origin.[1] Consequently, the connection between ϝουρουστ in the Roccagloriosa tablet and *urust* in the Tabula Bantina cannot be maintained.

The way is therefore open for another attempt to provide an etymology for ϝουρουστ. We will argue that this word means '(s)he will have found', and can be related to formations of this meaning in other Indo-European languages. First we will lay out the comparative evidence, the phonological and morphological aspects of this analysis, and how ϝουρουστ may fit in syntactically with lines 7-10 of the inscription; this will be followed by an explanation of why the newly suggested meaning is particularly plausible in the context both of the inscription as a whole and of a legal text from ancient Italy.

As has already been mentioned, in the first instance we can morphologically segment ϝουρουστ as ϝουρ-ουστ, with the second part reflecting the Oscan 3sg. future perfect ending /-ust/. This leaves us with ϝουρ- as the root – or stem – of a past tense formation. The possible preforms *ʋ̯ōr- and *ʋ̯ur- do not provide any obvious foothold for an etymology of ϝουρουστ. But *ʋ̯oʋ̯r- is considerably more promising: a verb with a formally identical past tense stem is to be found in the Old Irish preterite *fo·fúair* (3sg.) '(s)he found' < *-ʋ̯oʋ̯re(t), and perhaps in the Greek aorist εὗρον (1sg.) 'I found', if from *ʋ̯eʋ̯rom.

According to Beckwith (1994 [1995]), followed by LIV (698),[2] both of these forms are derived from a reduplicated aorist *ʋ̯e-ʋ̯r̥h₁-e/o- to a root *ʋ̯reh₁-.[3] This is formally unproblematic for the Old Irish form, in which *ʋ̯e-ʋ̯r̥h₁-e/o- > *ʋ̯e-ʋ̯r-e/o- would give *ʋ̯oʋ̯re/o- regularly (for *-eʋ̯- > *-oʋ̯- in Celtic see McCone 1996: 64), with subsequent development to ·fúair, although Schumacher (2004: 73, 681-2) objects to this analysis, and prefers to see the Irish form as reflecting an original perfect. Things are somewhat more difficult with regard to Gk. εὗρον, since *ʋ̯e-ʋ̯r̥h₁-e/o- >

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[1] Rix (1993: 331-5), followed by LIV (271), explains *urust* as coming from a perfect *h₂e-h₂or- of a root *h₂er- found also in Attic Greek ἀρά 'prayer' < *h₂(e)r-ʋ̯eh₂, Vedic *āryanti* 'they acknowledge, admit', Serbo-Croat *oriti (se)* 'to echo, resound'. He considers Lat. *orāre* to be derived from a root noun *h₂ōr. Despite the doubts of de Vaan (2008: 435-6), who prefers a derivation of Lat. *ōrāre* from *ōs* 'mouth', given the formal and semantic similarity of Lat. *ōrāre* and Oscan *urust*, the two must surely be connected.

[2] But Arm. *gerem* 'take prisoner', also attributed to this root by LIV, may not belong here (Praust 2005).

[3] With loss of the laryngeal after vocalic *-r̥- in a reduplicated formation according to the 'νεογνός rule'; for the continuing discussion on the loss of the laryngeal after syllabic sonorants see Fritz (1996) and Balles (forthcoming).

ṷe-ṷr-e/o- might be expected to give ˣεῖρον in the same way as εἶπον 'I said' < *ṷe-ṷkʷ-e/o-* (Lejeune: 1972: 228; LIV 673-4). Beckwith (1995 [1995]: 26) suggests that the dissimilation "may have worked differently before -*r*-", which is in a sense *ad hoc*, except that there seem not to be other certain examples of the dissimilation, which may therefore be sporadic rather than an exceptionless sound change.[1] The word-initial aspiration must be analogical after Gk. ἑλεῖν 'to take, grasp', because *ṷ-* normally only gives aspiration when an *-s-* follows in the word (e.g. ἕσπερος 'evening', cf. Lat. *uesper*; Lejeune 1972: 176-7). Such an analogy is also required for explanations such as the preforms *ṷerh₁-t* or *ṷr̥h₁-e/o-* suggested by Peters (1980: 23-24, 27, 31), which can give εὗρον according to a metathesis rule *ṷeC- > eṷC-* or *ṷr̥HV- > *Hṷr̥V-* respectively.[2]

Assuming that Beckwith's derivation of both Gk. εὗρον and OIr. *fo·fúair* from a reduplicated aorist *ṷe-ṷr̥h₁-e/o-* is correct, such an origin would fit Oscan ϝουρουστ perfectly. However, as discussed, there are some problems in explaining these forms in such a way. If the Greek form in fact represents another formation from the root *ṷreh₁-*, and *fo·fúair* is to be explained instead as an original perfect, as preferred by Schumacher, the Oscan form could also be explained as a perfect just as easily. Strong stem forms like 1sg. *ṷe-ṷroh₁-h₂e* and 3sg. *ṷe-ṷroh₁-e*, which would both have given *ṷoṷrō* (for *-eṷ- > *-oṷ-* in Oscan see Buck 1928: 46-7), would no doubt have been remodelled with the usual perfect endings. In the weak stem the 3pl. *ṷe-ṷr̥h₁-ēr* would also have given a 'root' *ṷoṷr-*. Comparison with the Irish and Greek forms thus provides a phonologically impeccable preform for ϝουρουστ, which has an exact morphological parallel in at least one, if not two, other Indo-European languages.

While we are confident in this new etymology and meaning for Oscan ϝουρουστ on the basis of the evidence shown above, it is a bonus for a text as fragmentary and difficult to understand as the Roccagloriosa tablet if a new etymology reveals something about the meaning of the text as a whole. We tentatively suggest that this may be the case here. While the comparison to *urust* '(s)he will have prosecuted' in the Tabula Bantina led to few conclusions, the meaning '(s)he will have found' raises a number of intriguing possibilities, particularly when taken with κλοπουστ '(s)he will have stolen' (A.7).

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[1] As pointed out to the authors by an anonymous reviewer. For secondary examples of *ṷe-ṷC-* with loss of the second *-ṷ-* and compensatory lengthening of the preceding vowel, see Lejeune (1972: 181).

[2] On the second rule see now Balles (2007).

With due hesitation, we would like to suggest that '(s)he will have found' may be a continuation of a topic also dealt with in line 7, which reads]στ αυτ ιαf κλοπουστ[(to be translated 'ᴠᴇʀʙ or (s)he has stolen these (acc.fem.pl.)', assuming for the sake of argument that this form appears as part of a conditional clause).[1] While κλοπουστ is a previously unknown lexeme, this division of the words is by far the most plausible, since etymologically it gives us an acceptable direct object pronoun (cf. Umbrian **eaf** and Marrucinian *iafc* acc.fem.pl. pronoun)[2] and a third-person future perfect verb (see above). Based on this division of the words, Gualtieri & Poccetti (2001: 222) posit a possible connection to Greek κλέπτω and Latin *clepo* 'I steal', from **klep-*, which we accept.[3] It

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[1] Printed as [-?-]ουστ αυτ ιαfκ <κ>λοπουστ [-?-] by Crawford et al.; as can be seen shortly below, forms of the pronoun ιαf(κ) both with and without the final particle *-k* are attested in other Sabellic languages, so it is not clear whether we should expect a <κ> at the end of this word, while the κ at the beginning of κλοπουστ seems to us certain.

[2] Gualtieri & Poccetti (2001: 222) suggest that a problem for the division of words in this way is that ιαf, if a pronoun, ought to come from the full grade root of the pronoun **ei̯-* rather than **i-*. However, <ι> in this inscription can represent both /i/ < **-ī-* and /e/ < **-ē-* and **-ĭ-*, as noted elsewhere by Gualtieri & Poccetti themselves (2001: 205); in the sequence **ei̯āns* the intervocalic **-i̯-* was lost already in Proto-Italic (cf. Lat. *eās*), and in Proto-Sabellic the vowel **-e-* was raised in hiatus to give /e/, as shown by other forms of this pronoun such as **íúk** (Abella 1/Cm 1 B.11, 16) nom.fem.sg < **ei̯ā-ke*, cf. Lat. *ea* (Meiser 1986: 109), and by αιζνιω 'of bronze' (Potentia 1/Lu 5) < **ai̯es-n-ei̯ā*. The writing of this pronoun as ειοκ nom./acc.neut.pl. elsewhere in the Roccagloriosa tablet (B.9, 10) does not represent directly the preform **ei̯ā*, as implied by Gualtieri & Poccetti, but simply shows the variant spelling of /e/ as <ει> in this inscription, in which <ι>, <ε> and <ει> are all possible spellings of /e/.

[3] A nominal derivation from this root is probably found in **kulupu** 'of thieves' (Cumae 8/Cm 14, l.28, 36), for which see Rix (2002). The combination of *o*-grade and non-reduplication in this verb, not discussed by Gualtieri & Poccetti, requires explanation. A possible answer is that the root **klep-* formed a root aorist, whose weak stem was zero-grade **kl̥p-* > Oscan **kolp-* → **klop-* after the present stem **klep-* found in Latin *clepō*. The fact that Greek ἔκλεψα and Latin *clepsī* point to an *s*-aorist is not necessarily a problem, since these were productive in both languages (Oscan κλοπουστ would then be a relic). According to Meiser (2003: 103-4, 162), original root aorists normally preserve full- rather than zero-grade in the root in Italic, but this is not always the case (e.g. Lat. *strāuī* 'I strewed' < **str̥h₃-*, and relics such as *parēns* 'parent' < **pr̥h₃-ent-*, *cliēns* 'client' < **k̂li-ent-*). One might also compare the lack of reduplication and *o*- or zero-grade found in Lat. *uertī* 'turned' < Old Latin *uortī*, Umbrian *couortus(t)* 'will have returned'. According to Meiser (2003: 162) this reflects a special rule of de-reduplication of roots beginning with **u̯-*. Dupraz (2009, especially 111-16) argues instead that *burus*, found in a Latin inscription in the Paelignian area, is originally an Oscan perfect participle meaning 'thankful' from the root **gʷerH-*, with *o*-grade carried over from a Proto-Italic perfect stem class which shows the *o*-grade and de-reduplication found also in κλοπουστ and *couortus(t)*, and coincides, for unclear reasons, with thematic present stems. Lastly, de-reduplication of κλοπουστ < **ke-klop-* may have been due to generalisation of a syncopated form found in compounds, cf. Lat. *tulī* 'I bore'← *-tulī* < **-tetulī* (Meiser 1998: 210).

is possible that the word preceding the αυτ was also a verb, perhaps with a very similar meaning – Latin law, at least, was very prone to include synonyms to remove ambiguity – but this is speculative. The appearance of the imperative form ακτουδ in line 8 also suggests that this section of the text is structured as a series of possible actions and penalties in a way that has parallels in both the Tabula Bantina and, less closely, the Cippus Abellanus. We compare constructions such as *suae pis contrud exeic pruhipust molto etanto estud n(ummum) M in(im) suae pis ionc <fortis> meddis moltaum herest … licitud.* 'if anyone has prohibited (a meeting) in contravention of this (i.e. the law), the fine shall be this much: 1000 nummi; and if any magistrate wants to fine more strongly, … it is allowed' (Bantia 1/Lu 1.25-26) and **iúk. tríbarakkiuf. pam. núvlanús tríbarakat{.}tuset. íním úíttiuf. núvlanúm estud** 'that building which the Nolani have built and its use, shall belong to the Nolani' (Abella 1/Cm 1 B.11-14).

We repeat the text of lines A.7-10 of the Roccagloriosa tablet:

[-?-]στ αυτ ιαϝ κλοπουστ [-?-]
[-?-]ουδ ακτουδ σϝαι ϝει [-?-]
[-?-]ας τρειβιϝομ εh ποια[δ -?-]
[-?-]ιδ ϝουρουστ ειϝει κερεστ [-?-]

We believe that a plausible reconstruction of the meaning of these lines is as follows:

7.   '(if he has VERBed) … or he has stolen these things …
8.   … let him (the magistrate?) prosecute … if …
9.   … ??? out of whose …[1]
10.   … (if) he has found (anything) and (then) he κερεστ (let the magistrate do something?)'

[1] The final two words of the line εh ποια[δ are probably the equivalent of Latin *ex cuiā* 'out of whose' (Gualtieri & Poccetti 2001: 225). More problematic is τρειβιϝομ, which must be related to **trííbúm** 'building' (e.g. Pompeii 24/Po 3); it is possibly a noun meaning 'building', as briefly suggested by Gualtieri & Poccetti (2001: 225-6), and accepted by Crawford et al. (2011), who translate it as 'little building'. But it is difficult to see what the formation is (a substantivised adjective in *-īi̯o-*, cf. Lat. *uacīuus* 'unoccupied'; Weiss 2009: 298-9?). An alternative possibility, also suggested by Gualtieri & Poccetti, is that it is the infinitive of a verbal stem such as *treb-ē-* or *treb-ī-* (but this would require emendation of some sort, as discussed by Poccetti 2002-2003: 310). On the assumption that this verb would mean 'to build', it is harder to see how this would fit into our interpretation of lines 7-10 as a section of a law code on theft. However, given the uncertainty over this word, we do not consider it necessarily to be a problem for our analysis, and of course a verb meaning 'to build' already exists in Oscan in the form of **trííbarakavúm** (Abella 1/Cm 1 B.2 and passim).

We note that Gualtieri & Poccetti (2001: 227-8), while leaving open the question of whether ειϝει is a co-ordinating or subordinating particle, suggest that ϝουρουστ and κερεστ may constitute a hendiadic formula of two near-synonyms in a fashion familiar from Roman law, giving examples such as *sumere consumere liceto*, *habeant posideantque*. In a more recent article, Poccetti (2009: 220-21) emphasises this point, giving further Latin examples. However, we do not think that this is very likely, since there is clearly a difference in tense between ϝουρουστ, which is future perfect (Poccetti's 'future II'), and κερεστ, which is future (Poccetti's 'future I').[1] Gualtieri & Poccetti address this problem by suggesting that "[l]a correlazione tra il futuro II ϝουρουστ e il futuro I κερεστ ben si giustifica se il secondo è un verbo modale: nella *Tabula Bantina* in dipendenza dalla particella *suae* si presenta sempre il futuro I *herest* (4 volte), mentre gli altri verbi appaiono sempre al futuro II" (Gualtieri & Poccetti 2001: 228). But in all cases of *suae … herest*, the future-tense verb *herest* in the protasis describes a future action happening at the same time as the action in the apodosis, where the verb is normally in the subjunctive or the imperative in *-tōd*. This can be seen in the example above and also in l.23-4 *suae pis … com a<l>trud ligud agum herest …, ne p{h}im pruhipid* 'if anyone wishes to bring an action according to statute against another … he (the magistrate) may not prevent him' (compare l.8-9 *pis pocapit post {post} exac comono hafie{i}st meddis … factud pous touto … deicans …* 'whatever magistrate holds an assembly after this, he shall make it that the people shall swear …').[2] Where a verb in the future perfect appears in the protasis, following *suae*, it clearly precedes the apodosis chronologically, as in l.4-5 *suae pis pertemust … deiuatud* 'if anyone has probited … he shall swear' or l.13-14 *suae pis pru meddixud altrei … dicust iʒic comono ni hipid* 'if anyone has appointed a day for another by virtue of his magistracy, he may not hold an assembly'.

The only case in the Tabula Bantina of two verbs of different tenses in the protasis of a conditional clause is l.20-21 *suae pis censtomen nei cebnust*

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[1] In all the examples of the use of synonyms in Roman law given by Gualtieri & Poccetti, the synonyms have the same tense.

[2] Two of the other examples of *suae … herest* are almost identical to the first example: l.11-12 *suae pis contrud exe<ic> fefacust auti comono hipust molto etanto estud n(ummum) MM in(im) suae pis ionc fortis meddis maltaum herest … licitud* 'if anyone acts in contravention to this (law) or holds an assembly, the fine shall be this much: 2000 nummi; and if any magistrate wants to fine him more strongly, … it is allowed'; l.17-18 *suae pis contrud exeic fefacust ionc suae pis herest meddis moltaum … licitud.*

dolud mallud in(im) eiẕeic uincter esuf comenei lamatir 'if anyone has not come to the census with malice aforethought and is convicted of this, he himself shall be whipped (?) in the assembly', where *cebnust* is future perfect and *uincter* is present (for future: Buck 1928: 220), and there is a clear chronological sequence between the two verbs.

Consequently, we do not believe that ϝουρουστ ειϝει κερεστ is likely to be operating as a pair of synonyms in the manner proposed by Gualtieri & Poccetti, but that the verbs have different meanings, as suggested by the difference in tense.[1] Assuming for the sake of argument that, as in our examples from the Tabula Bantina, these verbs form the protasis of an 'if' clause, and are followed by a 3sg. imperative in the apodosis, we prefer a translation '(if) he has found anything (whatever), and (then) he VERBS (he shall …)' or '(if) he has found anything (whatever), or he VERBS (he shall…)', where 'has found', in the future perfect, happens prior to VERB in the future.[2]

Our interpretation of these lines of the tablet thus suggests that they refer to the legal procedure in a case of theft. Of course, the inscription as we have it now (representing, perhaps, a central third of the width of the original inscription at the fragment's widest point; perhaps even less if the original inscription was larger than Gualtieri & Poccetti's estimate) makes it impossible to divide the text into topics or paragraphs convincingly, as we can with more complete texts. Without knowing what was written in the intervening spaces, it is not clear that words in different lines belong to the same period, or even to a section dealing with the same topic. Legal texts of an early date such as this one can change topic abruptly, and the earlier the text in question the shorter, in general,

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[1] The other examples given by Poccetti (2009: 220) of pairs of synonyms, one in the future and one in the future perfect are not reliable: in A.7 -?-]στ αυτ ιαϝ κλοπουστ [-?- we cannot tell whether the first verb is in the future or future perfect; in B.2 <h>ιπειδ αυτ ουπιδ we have a sequence of perfect subjunctives (Gualtieri & Poccetti 2001: 224-6); in B.3 δεκιρες εινεμ ϝαϝουσ[-?- the status of δεκιρες and ϝαϝουσ is uncertain: if emended and reconstructed to δεκιρεσ<τ> and ϝαϝουσ[τ respectively, they could be verbs, but they could also be nominative plural nouns (Gualtieri & Poccetti 2001: 236-9).

[2] Obviously, in the absence of an etymology for κερεστ, we do not know what VERB is. However, we would like to float the suggestion that the separation of the words in this line as accepted so far may be incorrect, and that in fact the <κ> of κερεστ belongs with the preceding word, to give ειϝεικ. This word would then end with the same deictic particle as found in the Oscan pronouns iẕic, **íúk** 'this', **ekúk** 'this', and in Latin forms such as *hīc* 'here', *sīc* 'thus'. This would give a final word ερεστ; since <h> is missing in <h>ιπειδ on side B.2, it might not be going too far to restore it here too, which would leave us with <h>ερεστ 'will want', found several times in the Tabula Bantina, as can be seen in the examples above.

the periods – cf. the Twelve Tables (c. 450 BC) and the Senatus Consul-
tum de Bacchanalibus (186 BC).

However, while κλοπουστ appears two lines above ϝουρουστ, we do
not find it unreasonable to suggest that the two words may be, if not
part of the same period, then at least part of a section comprising several
sentences on the topic of theft. Legal texts of a comparable date (assu-
ming the Roccagloriosa text to be of the C3rd BC) are characterised by
sentences which continue over several lines. The Lex Osca Tabula Banti-
na, which may be ultimately modelled on the charter of a Latin colony
of the early third century,[1] has a sentence spanning lines 8-12, for exam-
ple, and a number of other sentences that cover two to three complete
lines of text. Even the shorter, pithier provisions of the Twelve Tables,
of the C5th BC, when written out, could span several lines of this length.
Based on other legal texts in both Oscan and Latin, therefore, we think it
reasonable to suggest the possibility that the two words may form part
of the same provision or related provisions.

In relation to this, we note the link between theft, searching and fin-
ding in the Twelve Tables. This document (no longer extant, but recon-
structed by various scholars on the basis of later ancient accounts of its
contents),[2] composed in around 450 BC, gives a number of provisions
on the subject of theft.[3] These lay down various penalties, based on two
main variables: the status of the thief (slave, free, pre-pubescent), and
the nature of the theft. It is the second of these variables which concerns
us here. In particular, there is a contrast made between *furtum manife-
stum* ('theft caught in the act') and *furtum conceptum*, with the penalty
for *furtum manifestum* being the more serious of the two (Crawford 1996:
614). Other than (presumably) catching the thief in the act of breaking
and entering or similar, a theft could be 'manifest' if a search was under-
taken *cum lance licioque* and the stolen goods were found in the thief's
possession.[4]

The exact nature of the objects *lanx* and *licium* is not clear – they seem
to be some kind of plate and rope, but their purpose is unknown, despi-
te much speculation (ancient and modern); since it is obvious that later
Roman sources already do not know the exact meaning of the phrase, it

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[1] For which see Crawford (1996: 276).

[2] Here, we follow the reconstruction of Crawford (1996).

[3] 1.17 – 1. 22 (Crawford 1996); other scholars sometimes have these in table VIII (VIII.12
– VIII.17).

[4] Table I. 20: <si> cum lance licioque <<<quaesierit, ast inuerierit, furtum manifestum
esto. >>>

is possible that it was corrupted even then (Crawford 1996: 617). Howe-
ver, it is clear from the sources that the act referred to was a legalised,
ritual search, undertaken in the nude (or at least without weapons). As it
happens, there is comparative evidence from Classical Athens for ritual
searches of this kind, and in both cases removal of clothing is specified
as a necessary part of the process. Plato (Laws xii.954a-b) requires: the
removal of clothing, an oath to the gods that the searcher expects to find
the object, and a grant of permission from the householder. He goes on
to specify the action to be taken if the householder is absent or refuses
to allow the search. A further reference to this practice is found in Ari-
stophanes' *Clouds* (497-499): when Socrates asks Strepsiades to strip off
before coming in, Strespiades replies in confusion 'ἀλλὰ οὐχὶ φωράσων
ἔγωγ᾽ εἰσέρχομαι᾽ 'But I'm not coming in to search the house' (line 499).

In any case, the important aspect in this discussion is not the exact na-
ture of the search that was carried out, particularly since many details of
this are not understood. It is relevant here that there was an established
legal mechanism for searching for stolen goods, because if the stolen
goods were found in the alleged thief's possession there was a change
in the penalty; and that this mechanism may have been shared by legal
systems in both Italy and Greece from (at latest) the fifth century BC.

Now, if the new etymology we have suggested for ϝουρουστ provides
possible evidence for a similar legal provision in Oscan, there are in the-
ory at least four ways in which that similarity could have come about:
(1) there could be a shared Indo-European tradition of ritual searches in
the case of theft; (2) both Oscan and Latin law-makers may have borro-
wed the idea from Greek law; (3) Oscan law-makers may have borrowed
the idea from Latin law, with no independent knowledge of Greek law;
or (4) coincidence. As regards inheritance from a shared Indo-European
tradition, legal language has not been explored as fully as, for example,
poetic language, though see Watkins (1970; especially 435-46 on the Ro-
man law of theft) and Watkins (1986) for some exploration of this possi-
bility in general (though not in relation to the Roccagloriosa text). Such
a shared inheritance is inherently difficult to prove and this explanation
is perhaps not to be preferred in a case like this, where all the examples
are from societies that were in contact with each other at the relevant
period. Number (4), coincidence, is of course a possibility – since the in-
dependent use of searches, even naked searches, in a case of theft is not
out of the question.

In general, though, the most recent scholarship has tended towards
seeing contact between Greek, Latin and the other languages of Italy

as a particularly important factor in the development of the epigraphic habit of these cultures, including the development of legal frameworks (Clackson & Horrocks 2007: 41-5; Poccetti 2009: 237-41; Crawford et al. 2011: 13; Crawford 2011). The importance of cultural contact across the Mediterranean in the years when law-writing was being developed is supported by similarities in the content, language (e.g. convergence in the use of the future imperative: Poccetti 2009: 179-205), epigraphic presentation (e.g., in early texts, four-sided stelai, interruption of boustrophedon to mark new paragraph: Crawford 2011: 157-8) and social context of laws (e.g. the development of similar political structures and interconnecting networks: Poccetti 2009: 237-8; Crawford 2011: 158). The influence of Greek law, at least as an early catalyst, is also a part of the Romans' own stories about how their laws developed (Courtney 1999: 13-14; Powell 2011: 480 n. 1) – unfortunately, we have no such stories from Oscan speakers.[1] The use of Greek in a *defixio* also found at Roccagloriosa (Buxentum 3 / Lu 45), and the use of δη(μόσιον) for 'public' on the bronze handle of a caduceus at the same site (Buxentum 2), place the Roccagloriosa legal text in particular firmly in a Greek/Oscan bilingual environment (Gualtieri & Poccetti 2001: 239-40; Crawford et al. 2011: 5). This context makes it likely that legislators at Roccagloriosa may have been more familiar with Greek legal texts than Latin, though any outside influence may derive from either or both other languages. While we cannot trace the precise origin of ancient legal provisions in case of theft, the appearance of such a provision at Roccagloriosa may nevertheless be plausibly related to knowledge of other Mediterranean legal systems.

It is unlikely that the whole Roccagloriosa law tablet dealt with theft and the recovery of stolen goods, or even that it dealt with it at much length at all. In the fragment as it stands there is no direct proof that the

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[1] See for example Livy 3.33: *His proximi habiti legati tres qui Athenas ierant, simul ut pro legatione tam longinqua praemio esset honos, simul peritos legum peregrinarum ad condenda noua iura usui fore credebant* 'The next [to be given magistracies] were the three envoys who had gone to Athens, both so that the honour would be their reward for so distant a mission, and because it was believed that their knowledge of foreign laws would be useful in establishing the new law'. Livy (1.18) also records the story, though with some disbelief, that Numa Pompilius travelled to the south of Italy to become an expert in '*omnis divini atque humani iuris*' ('all human and divine law') from Pythagoras. From our point of view, these traditions together suggest an ongoing contact, in terms of the legal tradition, between Greece, the cultures of southern Italy (including Greek colonies) and Rome; whether or not the stories that reached Livy were accurate, the fact that the Romans mentioned the possibility of this kind of contact is suggestive.

content of lines 7 and 10 must be linked thematically – though we hope to have shown that this is an intriguing possibility, which raises further questions about the links between Rome, Greece and the Oscan-speaking world. Rather, the new etymology we have proposed opens the way to seeing a possible subject for only one small section of the tablet (perhaps 3-4 lines out of an estimated total of more than a hundred, if the estimate of the inscription's original size is correct and the writing was of a reasonably consistent size and density). On formal grounds, and comparison with formations in other Indo-European languages, an etymology of ϝουρουστ as coming from $^{\star}ue\text{-}ur(o)h_1\text{-}$ and meaning 'will have found' seems to us very plausible, and this is supported by its possible context in the Roccagloriosa tablet, and the Latin and Greek legal comparanda.

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