Judith Evans Grubbs

Slave and Free at the End of Antiquity

Among the thousands of Egyptian papyri dating from the mid-fifth through the mid-seventh century, those explicitly mentioning enslavement or (legally) enslaved people make up a tiny percentage. Documents of slave sales can be counted on the fingers of one hand; the same is true of acts of manumission. This does not necessarily mean that slavery, or the use of slave labor, underwent a precipitous decline in late antique Egypt; it is not possible to use the number of extant documents attesting slavery as evidence for any kind of quantitative study on slavery in late antique Egypt.¹ In addition to the paucity of textual sources, moreover, it is often difficult to know whether certain words refer to enslaved people or free workers.² Even in texts of the classical period there can be ambiguity about whether *pais*, or a variation of *pais* like *paidion*, refers to a child or a slave (the same goes for the Latin word *puer*). Context is not always clear: for instance, in a fifth-century letter, a man named Timios tells his wife Sophia that he has been detained in Alexandria by Plou-seios, to whom he owes money, and is “under much anxiety and pressure” to pay him. “Hurry therefore to put our little *paidion* Artemidoros under hypothec, and, God willing, when I find a boat I will come to you quickly,” Timios urges.³ Artemidoros was certainly a child, as the adjective “little” (*mikron*) indicates, but was he a slavewoman’s child or the couple’s own offspring? Slaves could be mortgaged or used as a pledge for a loan, as seen in a fragmentary papyrus from the first half of the seventh century, where the same slave is pledged, redeemed, and then sold to pay a debt.⁴ But there are also cases from this period of the use of a child as a pledge for their parent’s debt. Even if a slave, “our” little Artemidoros probably had a personal relationship with Timios and Sophia.⁵

1 Bagnall (2011) 61–74.

2 Fikhman (1974) 119–120; (1991) 8. More generally on terminology, see Rotman (2009) 82–93.

3 *P.Amh.* II 144 (provenance unknown); Bagnall (1993) 227.

4 *P.Apoll.* 66 (Apollonopolis Magna, c. 650–699); Papaconstantinou (2016) 625 and 628. Here the slave is called an *andrapodon*, the word used in Greek papyri of the Islamic period to describe chattel slaves, often those of the governor or the state: e.g., *P.Lond.* IV 1433.17, 147, 154, and 243; 1435.39; 1438.9; 1441.65; 1447.172 (all from late VII or early VIII). Note also *P.Apoll.* 37 (c. 708–709), where *andrapoda* are the subject of a legal dispute; and 51 (c. 703–715), where Christian *andrapoda* of two deceased men are to be arrested and sent to Babylon, presumably being confiscated by the state. See MacCoull (1993) 143–144.

5 In a mortgage (*hypothēkē*), the object (here, Artemidoros) would remain with the borrower, whereas a pledge would be in the possession of the lender until the loan was repaid: see Rupprecht (2014) 249–252. For children as pledges for parental debt, see n. 52 below.

Sixth-century papyri from the large estates frequently refer to *paidaria*, whose legal status in the Roman as well as the Byzantine period has been much debated.⁶ They are usually mentioned as a group, receiving supplies (wine or oil) and are evidently of “an unfree, servile condition” who “lived, and perhaps were employed, in family units.”⁷ The opportunity to maintain family links is an advantage not enjoyed by many slaves in antiquity. Female *paidiskai* occasionally appear, and their status is even more ambiguous: in a document of the early seventh century, the *paidiskē* Eupraxia appears as the borrowing party in a loan agreement along with her husband, a free man (the bird-keeper on an estate). She is identified by a patronymic and her master’s name.⁸ Another *paidiskē*, employed on the Apion estate, identifies herself by both her father and her mother’s names in an agreement to rent a house from another woman in Oxyrhynchos.⁹ On balance, one would say that these women were not “slaves” comparable to the *douloi* and *oiketai* recorded in documents of sale or manumission.¹⁰ Even more ambiguous, and relevant to a much larger debate on changes in the labor force in late antiquity, is the status of registered agricultural workers (*enapographoi geōrgoi* = *coloni adscripticii*) on large estates.¹¹

Given these problems of source survival and terminology, a wide-ranging investigation into slavery in the last centuries of Roman/Byzantine rule may well be impossible. On the other hand, a “micro-historical” approach that examines a few interesting cases is feasible, although one cannot know if these cases are representative of the period. Those documents that do survive are often longer and more informative than earlier examples, and provide insight into the actions and even the intentions of the owners of the enslaved people – although, as is almost always the case in premodern sources, the enslaved themselves do not speak. Moreover, there is considerable evidence for slippage between slave and free status, particularly in the case of freeborn children. This phenomenon is not new in late

6 Sarris (2006) 40 considers them slaves, but Banaji (2001) 272 is doubtful, and Hickey (2012) 130–133 agrees with Banaji. For the Roman period, cf. Rathbone (1991) 89–91: *paidaria* on mid-third-century Appian estate “were not chattel slaves” (91) and Bagnall (1993) 231 (referring to *P.Lips.* 97 of 338): “the identification of the *paidaria* as slaves seems to me certain.” Harper (2011) 173–175 follows Bagnall.

7 Sarris (2006) 40. Some examples: *P.Oxy.* LXVIII 4683 (426); *PSI* VIII 953 (567–568) (Gothic *paidaria*, with women/wives) *P.Oxy.* LVIII 3960 (621) (Egyptian *paidaria*); *P.Oxy.* LIX 4008 (VI/VII); cf. also a *pais* at *P.Oxy.* LXVIII 4699 (504). All of these are receipts for supplies (wine, oil) given to *paidaria*.

8 *BGU* III 725 (Arsinoe; 618). Her husband is Aurelius Sambas, so a free man; her master is the “most distinguished” *stratēlatēs* Kyrillos (on the meaning of *stratēlatēs*, see Banaji [2001] 160–161).

9 *PSI* VI 709 (Oxyrhynchos; 566). Note also *PSI* VIII 957 (Oxyrhynchos; 504), where “land-holding *paidiskai*” receive payment. In *P.Oxy.* LXVIII 4680 (419), a *pediskē* (sic) receives oil rations.

10 See Beaucamp (1992) 58 n. 38 for these and other *paidiskai* as free women. Fikhman (1995) 166 suggests that the *paidiskē* of *PSI* VI 709 was a freeborn child sold by her parents; cf. below on Menas at n. 31.

11 Bibliography on the *enapographoi geōrgoi* is vast; see Banaji (2001), Sarris (2006), Hickey (2012) 81–89, and Haug (2014) 430–441. They are found only in the Oxyrhynchite nome, especially the Apion estates.

antiquity, of course, or unique to Egypt. What is new is the extended narratives of such slippage, which not only show how easy it was for economically or socially marginal people to fall into slavery but also shed light on the motives and even the emotional state of free people who are complicit in the enslavement. This paper examines how one entered (and, occasionally, left) slavery in late antique Egypt, and focuses on the individual narratives told by or about those held in bondage, whether legal or illegal.

Only four slave sale contracts survive from the fifth, sixth, and seventh centuries. One of these is too fragmentary to provide information, apart from the fact that the person being sold is a male.¹² Another contract, also incomplete but with more information, was drawn up by the well-known notary Dioscorus of Aphroditto, around 567 or 568, for a sale taking place in Antinoopolis.¹³ It records the sale of two homeborn (*oikogeneis*) females, Eulogia and her daughter Rhodous. The purchaser is “the most illustrious (*lamprotatos*) Ioannes,” who was an administrator of some sort.¹⁴ The name of the seller and the women’s ages and price are not preserved. Sales of enslaved mothers along with one or more children are also known from earlier Roman Egypt, and Rhodous may have been still an infant whose separation from her mother was inadvisable.¹⁵ Nothing is said about Rhodous’ father, whose identity was irrelevant because according to Roman law, slaves had no father. He may have been another household slave, or the owner, or another free man. Nor is there any indication of the circumstances surrounding the sale, or whether the two females would be the only slaves in Ioannes’ household.

The two other sale contracts are more complete, and share several similarities. Both are from Hermopolis, though separated by more than a century, and both record sales of twelve-year-old children. Both children had already been sold once before, and had been completely ripped from their natal home. Under the reign of Anastasius (491–518), a boy named Nepheros was sold to the “most marvelous” (*thaumasiōtatos*) Menas by two soldiers Ophis and Josephis, who had previously bought him from Epiphanios Makarios, the former *actuarius* of the regiment of the Mauri in Hermopolis.¹⁶ Both sales of this young boy therefore took place in a military context. Purchase of slaves, both male and female, by military men was not uncommon in the earlier centuries of the Roman Empire, and sometimes, as here, the enslaved

¹² *P.Princ.* II 85 (provenance unknown). For dating to sixth or seventh century, see Bagnall/Worp (2003) 11–12 n. 5.

¹³ *P.Cair.Masp.* I 67120; see Urbanik (2010).

¹⁴ The contract is actually addressed to “you (pl.), those around the illustrious buyer Ioannes ... and your heirs and successors and possessors after you.”

¹⁵ Earlier sales of mothers with children: *P.Oxy.* II 375 des. (79); *SB* XXIV 16002 (Ptolemais Euergetis; 186–190); *P.Worp.* 21 (Soknopaios Nesos; 198/199?); *P.Ammon* II 48 (Alexandria; 348; a group of slaves including mother and child).

¹⁶ *SB* XXIV 15969; see Hoogendijk (1996).

were quite young.¹⁷ They might be used for performing routine chores around the camp, or as sex slaves.¹⁸ When their owners tired of them or needed money, they could be sold on to a comrade in arms, as Nepheros was.

Nepheros was sold for the rather substantial sum of eight gold *solidi*. The contract describes him as “black-skinned” (*melanochrōn*). He may have been a Moor (*Maurus*) from northwestern Africa; Procopius, writing about the Vandal wars not long after the date of Nepheros’ sale, uses the same word to describe the Moors.¹⁹ On the other hand, Nepheros could be Nubian, from south of Hermopolis Magna. This was the case for the enslaved girl in the fourth known slave sale contract from late antique Egypt a little more than a century later, shortly before the Arab conquest. Aurelia Isidora, a “well-born” (*eugenestatē*) woman of Hermopolis Magna, bought a 12-year-old girl, described as *Maura*, which in this case must denote skin-tone rather than origin.²⁰ The girl’s name was Atalous, but her new owner renamed her Eutychia, “Lucky,” a not uncommon name bestowed upon enslaved children.²¹ She was originally from the Ethiopian kingdom of Alodia, and was sold for four gold *solidi* (half the price of Nepheros a century earlier). Aurelia Isidora bought her from two men, who had themselves bought her from “slavetraders of the Ethiopians,” which means that either the sellers themselves were Ethiopian, or their human merchandise was, or both.²² This is the last slave sale contract in Greek from Egypt, and by far the longest. It details all the many things that Aurelia Isidora, like any slaveowner, may do with her new property: “to possess and to control ... to sell, to put up as security, to give away, to exchange as dowry and ... to give to your children and descendants, ... and in general to do and perform with her all such acts

17 Cf. SB III 6304 = CPL 193 (II), a *puella Marmaria* bought by a soldier of the fleet at Ravenna; *P.Lond.* II 229 = CPL 120 (166), seven-year-old *natione Transfluminianum* exchanged between members of the fleet stationed at Tigris; *P.Oxy.* XLI 2951 (267), Arabian female bought by a soldier at the winter quarters of the *Legio II Traiana* in Nicopolis; *BGU* I 316 (Ascalon; 359), a “white-skinned” 14-year-old boy from Gaul bought by a soldier.

18 On soldiers’ use of slaves as sexual partners, see Phang (2001) 231–244. Her study focuses on the Principate, however (when soldiers were forbidden to marry) and she discusses female slaves only. In late antiquity soldiers were able to marry and have legitimate children, but many may have preferred casual sex with slaves.

19 See Conant (2012) 269, citing Procopius, *De bello Vandalico* 2.13.29 and 1.479. Nepheros’ previous owner Epiphanius Makarios was from the regiment of the Mauri; however, at this date, the use of ethnic names for regiments does not necessarily denote origin.

20 See Isidore of Seville, *Etymologiae* 9.2.122 on Greek *mauros/a* as a synonym for Latin *niger*, *nigra*; Conant (2012) 269–270.

21 Like the six-year-old girl named Tyche (*P.Mich.* V 278.30), the runaway Eutychia (*P.Cair.Preis.* 1 [147–150]), the *puella* Fortunata (reign of Hadrian; see Tomlin [2003]), the *puer natione Transfluminianum* Abbas who was renamed Eutyches (*P.Lond.* II 229.166), the 30-year-old Eutyches (*P.Mich.* XV 707, post-185), and the enslaved Eutychios at *P.Herm.* 18 (323?).

22 SB XVIII 13173; see Pierce (1995). Pierce dated it to the late sixth century, but it is now dated to (perhaps) 629; see Keenan *et al.* (2014) 444–445. See Burstein (2009) 123–154 for the historical context (though he goes by the older dating).

as the laws enjoin upon absolute owners to do with their own property ... from now forever.”²³

Atalous' contract is clear evidence for a trafficking in slaves from Nubia into Egypt in the early seventh century. Certainly even before late antiquity there was a trade in souls from sub-Saharan Africa into the Roman Empire, although it was not one of the most important external sources of supply.²⁴ But in the centuries after the Arab conquest, the Sudan became perhaps the major source of slaves in Egypt until the later Middle Ages. Much of this was due to a treaty made in 652 between the Muslim Arabs and the Christian Nubians, known as the *baqt* (from Greek *pakton* = Latin *pactum*). Under the *baqt*, the Nubians sent at least 300 slaves a year to Egypt, and received grains and textiles in exchange.²⁵ In a collection of eleven Arabic slave sale contracts from ninth- and tenth-century Egypt, seven are of people described as either “Black” or “Nubian”; of the others, one is a Garamantian, another a Berber, another described as “yellow,” and the origin of the other is missing. All are female, except for two documents for the sale of the same “Black” family: a grandmother, her daughter, and her daughter's son (whose age is not specified, but who is presumably quite young).²⁶ The documents of the Jewish communities of Fatimid Egypt preserved in the Cairo Geniza show a similar demographic profile.²⁷

Contracts of sale offer a snapshot of a particular – and traumatic – point in the enslaved person's life. They cannot tell us what happened to the slave after sale. For the homeborn Eulogia and her daughter Rhodous, their future in the household of Ioannes may have been a frightening prospect, or it may have been a relief. Perhaps Ioannes had particular feelings for them; he may even have been Rhodous' father. Nephros, the “black-skinned” boy, and Atalous the Nubian girl must have hoped that this sale was the final one, and that they would not continue to be passed on to other buyers. Aurelia Isidora, the woman who bought Atalous, was a widow and evidently well-off. She may have wanted Atalous, now called Eutychia, as a companion and support for her old age – probably the best future the young girl could hope for.

Perhaps at the end of her life, Aurelia Isidora freed Eutychia in her will. Testamentary manumission was a common way of liberating slaves in the Roman period, easy for the manumittor who, once dead, would no longer need the slave's services.

²³ SB XVIII 13173.54–67; transl. Pierce (1995) 160.

²⁴ Pierce (1995) 150–152; Fentress (2011); Harper (2011) 86–91; Bradley (2012).

²⁵ On the *baqt*: Vantini (1976); Burstein (2009) 149–154 (sources); Power (2012) 141–142; Perry (2014) 32–33. The slaves brought to Egypt under the *baqt* were not usually Nubian, but captives taken by the Nubians in raids of other peoples: Vantini (1976) 16.

²⁶ Ragib (2002) I–XI. The earliest are of the woman whose origin is missing (dated 257/871); the “yellow” woman named Bunana (261/875); and the Berber woman (280/893). Note also a ninth-century letter from a merchant in al-Fuṣṭāṭ (Cairo), who notes in a margin that he has bought a Slavic female slave, whose owner sold her on the condition that she be taken out of al-Fuṣṭāṭ: Diem (1993) 19.

²⁷ Perry (2014) 38–42 with his Appendix, 225–230. He notes (39) that Nubia was “by far the most common recorded source of slaves” whose origin is specified; again, most are female.

There are very few examples from Byzantine Egypt. The best known is the will of Flavius Theodoros, an *exceptor* in the office of the Duke of the Thebaid, which was drawn up in Antinoopolis in 567 by Dioscorus of Aphrodito.²⁸ Theodoros named as heirs his grandmother, who received a plot of land, and two monasteries, who got virtually all of his remaining properties. He evidently had no other family; he was a widower and no mention is made of children. He freed all his male and female slaves (*doulous kai doulidas*) and gave them their *peculium*, the “pocket-money” that slaves often had, as well as six *solidi* each.

Theodoros’ will does not reveal how many slaves he had in total, nor does it give their names; since they all were manumitted, perhaps there was no need to list them individually. In contrast, the will does single out the old nurse of his mother, Tadelphe, and her daughter Leontia: the head of one of the monasteries is to give them an annual pension of twelve *solidi*. Tadelphe and Leontia are free, but Tadelphe was probably a former slave who had been manumitted by Theodore’s mother, perhaps in her will. Tadelphe and her daughter may have continued living in Theodoros’ household, as freedmen and women often did.

Another testator, Flavius Abraam, a former *praepositus*, made out a gift in view of his death (*donatio mortis causa*) in which he freed all his slaves (here called *andrapoda*), male and female. He too gave half of the rest of his property to the church, with the other half going to his wife. As in the will of Flavius Theodoros, none of the slaves are mentioned by name, nor do we know how many there were.²⁹

For Flavius Theodoros and Flavius Abraam, manumission was an act of piety, as was the naming of ecclesiastical institutions as heirs; they do not seem to have had a personal relationship with their slaves. However, closer ties between master and slave are suggested by an act of manumission, drawn up in Apollonopolis Heptakomias in 589 by a monk of Apa Macrobius named Victor, son of Cornelius.³⁰ This was not a will, though Victor may have been nearing the end of his life: he declares that he is freeing his *oiketēs* Menas in order “to find mercy at the time of my death at the awful tribunal of our master Jesus Christ” and to obtain forgiveness of his sins.

Menas is said to be “son of Victor, his mother being Eirene.” This is rather odd: by law, slaves did not have fathers. The papyrus’ editor offers two explanations: either this is an erroneous use of a patronymic to refer to slave parentage, or Menas was freeborn and had become enslaved for debt or other reasons.³¹ Both are plausible, but there is another possibility: Menas may actually be Victor’s own illegitimate

28 *P.Cair.Masp.* III 67312 (31 March 567), actually a draft of the will, since the precise plot of land that Theodore bequeathes to his grandmother has been left blank, to be filled in the final copy. See Keenan (2000) 618–625.

29 *P.Gron.* 10 (provenance unknown; VI?).

30 *P.Köln* III 157 (14 July 589); see also *P.Köln* IV 157 Addendum for the end, especially the witnesses’ signatures. Melluso (2000) 218–222 summarizes the text and commentary.

31 Dieter Hagedorn in *P.Köln* III 157 (159). Cf. the *paidiskai* with patronymics (n. 10) – although they seem to be free. For enslavement for debt, see below on the case of Prokla.

son by an enslaved woman named Eirene. Eirene was not freed in the will; probably she was already dead. She may have been an affair from Victor's younger, non-celibate life before he became a monk. (This would also explain Victor's anxiety to obtain absolution from his sins.) If she had been Victor's slave, then her son would be also, and would have had the same man as father and master.

Masters very often had children by female slaves, sometimes (though not always) in a long-term concubinage.³² In an interesting bilingual (Coptic and Greek) document of about 500 from a community of Blemmyes in southern Egypt, a man gave his mother a female slave whom he had acquired by capture and used as a concubine. The mother then freed the children born to her son by the enslaved concubine, and declared them her "legitimate children and free persons."³³ She did not free the concubine, however, who presumably remained a slave in the household of her children's grandmother (unless she was sold).

In his act of manumission, the monk Victor declared that Menas was "free from every yoke of slavery from now for all time" and stressed that no one could later enslave him. Victor's heirs (who are not named) were to be fined an ounce of gold if they tried to force Menas back into slavery, and the document was signed by at least four witnesses.³⁴ Perhaps Menas was living with Victor at Apa Macrobius, and Victor was afraid that after his death the monastery, to whom he was probably leaving his other possessions, would claim that Menas was part of the legacy. Now Menas had a document to prove his free status.³⁵

Such documents were necessary, because even freeborn people could fall into slavery, due to their own poverty and the greed of employers or creditors. This is illustrated by a remarkable document found in the archive of Dioscorus of Aphroditto, though it was not written by him. The document actually survives in two partial, but overlapping, drafts, neither of which would have been the final copy. It is sometimes inaccurately described as a manumission. But to manumit a person is to admit that they had once been enslaved, whereas the narrator of this document is most emphat-

32 The status of the children of such unions and their inheritance rights was a subject of great concern to late Roman emperors and there are many laws on the subject from Constantine to Justinian; see Evans Grubbs (2014).

33 *BKU* III 350 in Eide *et al.* (1998) 1203–1205. The main body of the document is in Coptic, and the witnesses' signatures are in Greek. It is not clear if the gift of the slave woman and the manumission of her children took place at the same time. The date of this document and others from the same community (on the island of Gebelen, south of Thebes) is disputed, but they evidently were c. 500.

34 The end of document with witnesses' signatures is in *P.Köln* IV 241–242. For anxiety that heirs would attempt to reclaim a manumitted slave, cf. *P.Edmonstone* D1 = *M.Chr.* 361 (355), and below.

35 The practice of freeing personal slaves by will continued in the Islamic period. In 721, a woman (evidently on hajj) writes a will on board ship, manumitting her slavewoman and leaving her a house and vineyard. See Hanafi (2010).

ically declaring that a certain woman of his household, named Martha, is not, never has been, and never should be, a slave.³⁶

Unfortunately the narrator's name is missing; presumably it was stated in the document's final draft (which does not survive). He speaks in the first person, explaining how it was that Martha's status came into question. Her grandparents, Jacob and Sophia (now deceased), had come from Antaiopolis to work in the household of the narrator's family (which presumably was in Aphrodito). They had cared for the narrator's father, now also deceased, for some time. But, the narrator stresses, he had never found any evidence that Jacob and Sophia were slaves (*douloi*) "from any legal title whatever." The couple had children, Leah, Rachel, and Rebecca; Leah and Rebecca had children of their own, but Rachel chose a monastic life. Leah had two children (we are not told who the father was), one of whom died, as did Leah. Leah's other child, named Sophia after her grandmother, had at least four children (three of whom are named) by a free man (*eleutheros*) – again, we are not told who. Evidently these were not legal marriages, and the children were illegitimate, but under Roman law, as the narrator knows, the child's status in non-marital unions followed that of the mother. Leah was free, and so was her daughter Sophia, and so were Sophia's children. But now some people – again, our narrator does not give names – were "dragging" Sophia and her children into slavery (*douleia*). Apparently our narrator can do nothing about Sophia and her children, except to declare that the enslavers will have to answer to "the most fearful tribunal of a Higher Power" after they die. They may have been claimed as slaves by the family of the man who fathered Sophia's children, or by the man himself, whose name our narrator for some reason does not want to reveal, perhaps because he was a relative or a very powerful person.³⁷ Martha is Sophia's cousin, the daughter of Rebecca. Martha had a sister, Eulogia, who also chose the monastic life; this was a way to escape slavery, since the legislation of Justinian allowed a slave who wished to pursue a religious life to do so.³⁸ (This leaves open the question of whether Eulogia and Rachel had seen themselves as slaves, or had entered the monastery on the assumption they were free.) But Martha was still in the narrator's household, apparently working there. She had, says the narrator, some "capital" (*kephalaion*), and when questioned about it, had said, "I am not free." She may have been coerced into a false admission that she was a slave by someone who wanted her "capital," or she may not have known her own legal status.³⁹

36 *P.Cair.Masp.* I 67089+*P.Cair.Masp.* III 67294 (= *SB XVIII* 13274). See Wenger (1922), MacCoull (1992), Fikhman (1995) 179–183, Melluso (2000) 226–230, and Rotman (2014) 467–469 with translation and genealogy.

37 Fikhman (1995) 181 concludes that the enslavers (and presumably Sophia's free partner) were members of the narrator's family, whom he did not wish to call out by name.

38 Rotman (2009) 144–146.

39 Roman law was familiar with the possibility of free people mistakenly saying they were slaves: several third-century imperial rescripts concern cases where people said they were enslaved when

Although our narrator never says who it was who was trying to enslave Martha, scholars think that it was in fact his son and heir, Victor. The narrator insists that Victor, described as “most learned” (*logiōtatos*), has given his consent to the declaration, but there is an implication that Victor was not altogether willing. Leslie MacCoull detected what she called a “Cinderella story”: she suggested that the narrator was actually in love with Martha and intended to marry her, and was paving the way by formally declaring that she was of free birth. One could understand why Victor might not be too happy about such a marriage and the possibility of another heir, but in fact there is nothing in the document to suggest that the narrator has romantic motives. It is more likely that he is an old man, anticipating the end of his life and his judgment before the “fearful tribunal” of God. He wants to put the record straight for the good of his soul.⁴⁰

How did Martha and her extended family come to be in a servile situation in the first place? It appears that her grandparents, Jacob and Sophia, entered a *paramonē* arrangement with the narrator’s father, by which they agreed to “remain by” (*paramenein*) their employer, living with him and caring for his needs. Such arrangements have an ancient history in Egypt and have been much studied, particularly for the earlier Roman period.⁴¹ Those willing to enter *paramonē* did so under economic necessity, often to pay off a debt owed to the person with whom they remained. There is evidence for the use of *paramonē* agreements on the Apion estates to secure agricultural labor, usually in the form of deeds of surety by third parties guaranteeing that the laborer will indeed “remain.”⁴² Sometimes the agreement was for a limited period of time, but often the labor of the person in *paramonē* only paid off the interest on the debt and could go on indefinitely. This was the case, for instance, in an agreement dated 418 from Oxyrhynchos, whereby Aurelia Asenath put herself into *paramonē* to Aurelius Chairemon for two gold *solidi*; if she ever wanted to leave, she had to repay the amount in full.⁴³ Thus *paramonē* could become permanent quasi-slavery. This seems to be what happened to Jacob and Sophia, and after their deaths, their children and children’s children had continued to live with and work for the narrator’s family for decades. At least they stayed together as a family. In most cases, the person entering service was alone, and often that person was a child,

they were actually of free status: e. g., *C.J.* 7.16.6 (Valerian and Gallienus); 7.16.10; 7.16.22; 7.16.24; 7.16.34 (all Tetrarchic); Evans Grubbs (2013) 49. The fact that these were all included in the *Code of Justinian* means that the situation was still relevant in the sixth century.

⁴⁰ Cf. *P.Köln* III 157 (n. 30–31), where the monk Victor frees Menas “wishing to find mercy at my death at the awful tribunal of our master Jesus Christ.”

⁴¹ See Claytor *et al.* (2016), with bibliography to earlier studies.

⁴² E. g., *P.Stras.* I 40 (569; see below); *P.Oxy.* I 135 (579); *P.Oxy.* XXVII 2478 (595), on which see Keenan *et al.* (2014) 438–440; *PSI* I 62 (613).

⁴³ *P.Köln* II 102 (418); transl. in Rowlandson (1998) 264–265. Also from Oxyrhynchos is *P.Oxy.* VIII 1122 (407).

who had been put into service as a pledge for their parent's debt. And that could have very sad results, as the following narrative demonstrates.

This is in the form of a loan agreement between another Martha, a seller of salted fish, and the "most illustrious" (*lamprotatos*) Flavius Helladius, secretary on the staff of the Duke of the Thebaid, drawn up in Antinoopolis by the notary Dioscorus of Aphroditon in 569.⁴⁴ In a detailed narrative, Martha explains that some years before, her father Menas, a bath attendant who had "fallen into the most extreme poverty," had pledged Martha's younger sister, Prokla, to the *lamprotatos* Nonnus, in exchange for one gold *solidus*. This does not seem to have been a contract of *paramone*, but simply the use of a child as a guarantee for her father's debt. However, Menas died without having repaid the debt, and Prokla remained in quasi-slavery, being, as Martha says, "exhausted" (*kataponoumenē*) by her service to Nonnus. Martha, a widow, had managed to save half a *solidus* from her slender earnings and pay off half the debt to Nonnus. (Apparently Prokla's labor for Nonnus had not reduced the debt at all.) Desperate to redeem her sister, Martha was now borrowing money from Helladius in order to repay the rest of her father's debt to Nonnus.⁴⁵ We do not know how old Prokla was when she first entered Nonnus' household, but she was only fifteen at the time of the agreement between Martha and Flavius Helladius, after she had been serving Nonnus for some years. In all likelihood, she was less than ten years old when her service began.

In order to get the new loan from Flavius Helladius and pay off the loan from Nonnus, Martha had to give a pledge. For this she used the only thing of value she had: her sister Prokla. So Prokla, having been rescued from the abusive Nonnus, was now going to the home of Flavius Helladius, where she was to serve him "with all slavish (*doulikois*) and useful services, inescapably, freely (*eleutherikos*[!]), and in an orderly and obedient manner ..."⁴⁶ The agreement continues with language familiar from slave sale contracts of the period, and it is clear that Prokla will be, in effect, the slave of Flavius Helladius until Martha can come up with the money to repay him. But if Martha cannot earn the money or even falls into debt herself (which is not unlikely), then Prokla will remain in slavery, and any children she may have in the future will be assumed to be slaves, and they will meet the same fate as the grandchildren of Jacob and Sophia.

Seemingly more fortunate was the situation of Aurelius Kollouthos of Antaiopolis, who entered a service agreement (also dated 569) with the *scholasticus* Flavius Phoibammon, promising to "remain" (*parameinai*) with Phoibammon for four years in order to pay off a debt. Interestingly, Kollouthos' contract, like Martha's, makes lavish use of the vocabulary of slavery to describe his service: he promises

⁴⁴ *P.Cair.Masp.* I 67023+*P.Fitzhugh* (= *P.Coll.Youtie* II 92). The second half of the contract was not known until the publication of *P.Fitzhugh* by J. W. B. Barns in *P.Coll.Youtie* in 1976. See also Fikhman (1995) 177–179; Keenan *et al.* (2014) 271–274 and 417–419 (which give different interpretations).

⁴⁵ Nine carats of gold (by the public standard of Antinoopolis), equivalent to half a *solidus*.

⁴⁶ *P.Coll.Youtie* II 92.32–34.

to be Phoibammon's "steadfast *familiaris* slave (*katadoulos*)" and to perform his duty "in a slavish way (*doulikē*)."⁴⁷ The verbal parallels with Martha's contract with Flavius Helladius no doubt owe much to the fact that both documents were composed by Dioscorus of Aphroditō. But they also underline the similarities between service agreements (open-ended in Prokla's case; limited in Kollouthos') and actual slavery.

Thirteen years earlier, the emperor Justinian had enacted a law explicitly against the practice of creditors taking the children of their debtors into "slavish service" (*doulikē hyperēsia, servile ministerium*). He ruled that not only should the debt be cancelled, but the creditor should give to the child or their parents the amount that was still owed, and further should be afflicted with corporal punishment (presumably whipping) by the local magistrate, "because he presumed to hold or rent or take as a pledge a free person for a debt."⁴⁸ This was part of a longer law aimed at abuses of power by provincial officials (civil and military), in response to reports the emperor had received.⁴⁹ Martha and Prokla would not have known about this law, but given their administrative and legal background, the *lamprotatoi* Nonnus and Flavius Helladius would have, and chose to ignore it.⁵⁰

The use of children as debt pledges by their parents was not new in the time of Justinian, and had been condemned already by third-century emperors.⁵¹ But papyri show that children continued to be used as debt pledges, and were either forcibly seized by creditors or given up by insolvent family members.⁵² Prokla was not the only girl to be pledged by a sibling: in another fragmentary papyrus from the sixth century, someone (whose name is lost) pledges a sister named Tamina to an *illustris* to perform "slavish" service in return for two *nomismata*.⁵³ I am not aware of evidence for use of free children as debt pledges in post-Byzantine Egypt, although a document of the late seventh century from Nessana in Palestine apparently refers to a son's release from such service.⁵⁴ But in Egypt, a different sort of servitude of free children has been discerned in the eighth-century Coptic child donations to

47 *P.Stras.* I 40 (Antaiopolis, 569). Kollouthos also calls himself a *pais* of Phoibammon. *Familiaris* is a direct transliteration from Latin, describing a member of the *familia* (household).

48 Justinian *Novel* 134.7 (to the urban prefect Musonius, 556).

49 Preface to *Novel* 134. Egypt is not specifically mentioned, but could have been the source of some reports.

50 Justinian's attempt to end the debt slavery of a debtor's children was no more successful than a similar attempt some years before to prevent the enslavement of abandoned newborns: *Novel* 153 (541), reiterating the earlier *C.J.* 8.51.3 (529), which had been flouted in Thessalonica.

51 *C.J.* 8.16.1 (Septimius Severus and Caracalla; 197); *C.J.* 8.16.6 (Tetrarchy; 293); *CJ* 4.43.1 (Tetrarchy; 294); Vuolanto (2003).

52 *P.Lond.* VI 1915–1916 (330s), letter regarding seizure of a man's children by creditors; *P.Herm.* 7 (after 381), father gives his children as pledges to money-lender; *P.Oxy.* LXIII 4393 (late V), petition from Aurelia Aeu to the *pater civitatis*, says that she is recorded as having pledged her daughter to pay the *chrysargyron* tax.

53 *P.Land.* IV 62 (provenance unknown). The language is similar to that of *P.Coll.Youtie* II 92.

54 *P.Ness.* 56 (687) in Greek and Arabic; Falenciak (1948); Papaconstantinou (2016) 638.

the monastery of St. Phoibammon.⁵⁵ The narratives that record such donations have been extensively studied, particularly by Arietta Papaconstantinou. Ostensibly they record the voluntary gift of male children to the monastery by parents who were thankful that their prayers to God to conceive or to preserve their child were answered. But a more cynical view is that the monastery was extorting the children from their parents by playing on their piety and their fears that the children would otherwise be taken by a vengeful God. A recent interpretation, in fact, argues that these transactions were “sales contracts disguised as donations.”⁵⁶ Certainly these children were not oblates, and would not become monks at St. Phoibammon. Rather, they were to perform menial tasks around the monastery sweeping, baking, and filling the lamps with oil, like “a bought slave” or a “slave of old.” This service is for the rest of their lives; in some cases, a boy may work outside St. Phoibammon but still owes all his earnings to the monastery.

Whatever the number of slaves in late antique Egypt, the phenomenon of bound labor continued. Estates, households, and monasteries needed workers, and used whatever means they could to get them. Financially pressed men and women needed loans, and used whatever collateral they could to get them, usually their own or their children’s bodies. There were also many people whose status was labile and vulnerable to attack, and this instability, both social and legal, was a significant feature of life in Egypt at the end of antiquity.

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⁵⁵ MacCoull (1979); Papaconstantinou (2002a) and (2002b); Richter (2005).

⁵⁶ Römer (2014) 128.

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